



MINUTES OF THE COUNCIL MEETING

HELD ON

MONDAY, 16 MAY 2011

RELEASED TO THE PUBLIC ON THURSDAY 19 MAY 2011

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**MINUTES OF THE COUNCIL MEETING OF THE
DAREBIN CITY COUNCIL HELD AT
THE DAREBIN CIVIC CENTRE,
350 HIGH ST, PRESTON ON MONDAY 16 MAY 2011**

THE MEETING OPENED AT 7.00 P.M.

1. PRESENT

Councillors

Cr. Stanley Chiang
Cr. Vince Fontana
Cr. Gaetano Greco
Cr. Nick Katsis
Cr. Tim Laurence
Cr. Trent McCarthy
Cr. Ben Morgan
Cr. Steven Tsitas

Council Officers

Rasiah Dev – Chief Executive
Daniel Freer – Director City Design and Environment
Michael Ballock – Director City Works and Development
Vijaya Vaidyanath – Director Corporate and Business Services
Rhys Thomas – Governance and Corporate Planning Manager
Ron Downes – Council Business Coordinator

ELECTION OF ACTING CHAIRPERSON

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

Cr. Laurence was nominated by Cr. Morgan, seconded by Cr. Chiang, and there being no further nominations was declared Acting Chairperson.

Cr. Laurence assumed the Chair.

2. APOLOGIES

An apology was lodged for the absence of the Mayor, Cr. Asmar (leave of absence).

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

Cr. Greco did not disclose a conflict of interest in Report No. 8.6 (Road Surface Issues – Corner of Woolhouse Street and Beaconsfield Parade, Northcote.) but requested that it be recorded that he resides in Beaconsfield Parade Northcote but not in the section where proposed works are to be carried out.

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

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|---------------------------|
| COUNCIL RESOLUTION |
|---------------------------|

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

THAT the Minutes of the Ordinary Meeting of Council held on 2 May 2011 be confirmed as a correct record of business transacted.

CARRIED

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| COUNCIL RESOLUTION |
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MOVED: Cr. V. Fontana
SECONDED: Cr. N. Katsis

THAT the Minutes of the Special Meeting of Council held on 9 May 2011 be confirmed as a correct record of business transacted.

CARRIED

5. REPORTS BY MAYOR AND COUNCILLORS

MINUTE NO. 153

5.1 REPORT OF CR. STEVEN TSITAS

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

- Council Briefing Sessions.
- Planning Committee meeting.
- Municipal Strategic Statement Workshop.
- Special Council meeting.

5.2 REPORT OF CR. VINCE FONTANA

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

- Darebin Business Advisory Committee meeting as Chair.
- Planning Committee meeting as Chair.
- Municipal Strategic Statement Workshop.
- Council Briefing Session.
- Special Council meeting.
- Network of Italian Mayors and Councillors meeting.
- West Preston Lakeside Football Club v Heidelberg Northern Football League match.
- Meeting with Officers to discuss the Peace Poles Proposal.

5.3 REPORT OF CR. NICK KATSIS

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

- Planning Committee meeting.
- Council Briefing Session.
- Special Council meeting.
- Civic Recognition Policy Sub-Committee meeting.
- On site meetings.
- Constituent matters.

5.4 REPORT OF CR. BEN MORGAN

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

- Council Briefing Session.
- Municipal Strategic Statement Workshop.

- Special Council meeting.
- Resident matters.

5.5 REPORT OF CR. GAETANO GRECO

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

- Budget Briefing Session.
- Municipal Association of Victoria Board meeting.
- Special Council meeting.
- Planning Committee meeting.
- Council Briefing Session.
- Municipal Strategic Statement Workshop.
- Network of Italian Mayors and Councillors meeting.
- Finance Briefing.
- Darebin Enterprise Centre Limited Briefing.
- Meeting with Professor Santina Bentone (Swinburne University).
- Meetings with residents.

5.6 REPORT OF CR. TRENT MCCARTHY

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

- Special Council meeting.
- Council Briefing Sessions.
- Darebin Information and Volunteer Resource Service Workshop.
- Municipal Strategic Statement Workshop.
- Speaker at Sustainable Food Workshop.
- Speaker at Rhythm and Rights Festival.
- Briefing workshop on local impact of Criminal Justice Reforms.
- Various planning, traffic, rubbish and amenity issues raised by residents and traders.
- International Day Against Homophobia.

Cr. McCarthy also expressed his condolences to the family of the late Lionel Rose, former World Boxing Champion.

5.7 REPORT OF CR. STANLEY CHIANG

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

- Council Briefing Session.
- Special Council meeting.
- Municipal Strategic Statement Workshop.

- Inauguration of Guang Xi Chinese Friendship Association.

5.8 REPORT OF THE ACTING CHAIRPERSON, CR. TIM LAURENCE

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

- Council Briefing Session.
- Planning Committee meeting.
- Budget Briefing Session.
- Special Council meeting.
- Meeting with Keon Park Stars Junior Football Club representatives in relation to Pavilion issues.
- Opening of Window viewing area at West Preston Lakeside Football Club.
- Municipal Strategic Statement Workshop.
- East Reservoir Neighbourhood Renewal Committee meeting.

6. PUBLIC QUESTION TIME

MINUTE NO. 154

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

The following questions were submitted:

- Adam McKay of Preston asked a question about the height of Buildings A and C in relation to the proposed amendment to the Development Plan 205-215 Bell Street Preston. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Adam McKay of Preston asked a question about community benefit in relation to the proposed amendment to the Development Plan 205-215 Bell Street Preston. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Michael McAuliffe of Reservoir asked a two-part question in relation to changes to the lighting project at Donath Reserve. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Michael McAuliffe of Reservoir asked a question about the scope of works in relation to the lighting project at Donath Reserve. The question was responded to by the Acting Chairperson, Cr. Laurence and the Director City Design and Environment, Daniel Freer.
- Michael McAuliffe of Reservoir asked a question about recent Officer consultation with a local Preston Leader newspaper reporter in relation to the lighting project at Donath Reserve. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Catharine McNab of Preston asked a question about stepping of building heights in relation to the proposed amendment to the Development Plan 205-215 Bell Street Preston. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Michael Fenech of Preston asked a question about proposed imposition of additional conditions in relation to the proposed amendment to the Development Plan 205-215 Bell Street Preston and the application of surface treatments on a wall built on a boundary. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Keith Coffey of Reservoir asked a question about provision of a rubbish bin on Dole Avenue Reserve, Reservoir. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Keith Coffey of Reservoir asked a question about proposed street tree plantings in the City. The question was responded to by the Acting Chairperson, Cr. Laurence and Director City Design and Environment, Daniel Freer.
- John Nugent of Epping asked a question about communication between Council and the Keon Park Stars Junior Football Club in relation to the lighting project of Donath Reserve. The question was responded to by the Acting Chairperson, Cr. Laurence.
- John Nugent of Epping asked a question about contact made by Council in relation to the lighting project at Donath Reserve. The question was responded to by the Acting Chairperson, Cr. Laurence.
- John Nugent of Epping asked a question about recent consultation between Council representatives and the electrician and digger in relation to the lighting project at Donath Reserve. The question was responded to by the Acting Chairperson, Cr. Laurence.

- John Nugent of Epping asked a question about flooding of Donath Reserve Oval No. 1 after heavy rains. The question was responded to by the Acting Chairperson, Cr. Laurence.
- John Nugent of Epping asked a question about the scope of works in relation to the lighting project at Donath Reserve. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Lindy de Wijn of Preston asked a question about the proposed amendment to the Development Plan 205-215 Bell Street Preston in relation to meeting the needs of the Darebin community and fitting in with the character of the municipality. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Nicole (surname not provided) of Reservoir asked a question about when the lighting project at Donath Reserve would be completed. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Michael McAuliffe of Reservoir asked a question about switching in relation to the lights proposed to be installed at Donath Reserve. The question was responded to the Acting Chairperson, Cr. Laurence.
- Michael McAuliffe of Reservoir asked a question about the manner in which the Keon Park Stars Junior Football Club representatives were informed in relation to changes associated with the lighting project at Donath Reserve. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Susan Nash of Preston asked a question about relevant action by Council to address the incidence of vacant shop premises in the City. The question was responded to by the Acting Chairperson, Cr. Laurence.
- Michael James of Preston asked a question about the appropriateness of approving the proposed amendment to the Development Plan 205-215 Bell Street Preston in light of the high incidence of vacant office space and shortage of housing diversity and community services in the City. The question was responded to by the Acting Chairperson, Cr. Laurence.

After Public Question Time was concluded, three further questions were submitted in writing.

7. RECORDS OF ASSEMBLIES OF COUNCILLORS

7.1 ASSEMBLIES OF COUNCILLORS HELD

MINUTE NO. 155

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

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

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

An Assembly of Councillors record was kept for:

- Darebin Health Forum – 14 April 2011
- Council Budget Session – 4 May 2011
- Preston Business Advisory Committee meeting – 4 May 2011
- Council Briefing Session – 9 May 2011

COUNCIL RESOLUTION

MOVED: Cr. V. Fontana

SECONDED: Cr. N. Katsis

THAT the records of Assemblies of Councillors held on 14 April 2011, 4 and 9 May 2011 be noted and incorporated in the minutes of this meeting.

CARRIED



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

| | | |
|--------------------------|-----------------------|---|
| ASSEMBLY DETAILS: | Title: | Darebin Health Forum |
| | Date: | Thursday 14 April 2011 |
| | Location: | City Hall, Darebin Civic Centre |
| PRESENT: | Councillors: | Cr Gaetano Greco, Cr Stanley Chiang |
| | Council Staff: | Dalal Smiley, Tennille Bradley, Melissah Morrison, Jess Fraser, Sarah Edwards, Andrea Levey, Michelle Marinelli, Heidi Hamm and Meri Terzis |
| | Other: | Representatives of local services and residents |
| APOLOGIES: | | N/A |

The Assembly commenced at 9am

| MATTERS CONSIDERED | | DISCLOSURES AND COMMENTS |
|--------------------|--|--------------------------|
| 1 | Mayors Welcome | No disclosures were made |
| 2 | Community Health and Wellbeing Plan 2009 – 2013 Year One Progress Report | No disclosures were made |
| 3 | Case studies | No disclosures were made |
| 4 | Guest Speaker 'Health Inequalities and Bridges out of Poverty' | No disclosures were made |

The Assembly concluded at 12pm

| | | |
|-----------------------------|-----------------------|-----------------------------------|
| RECORD COMPLETED BY: | Officer Name: | Tennille Bradley |
| | Officer Title: | Coordinator Community Development |



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

| | | |
|--------------------------|-----------------------|--|
| ASSEMBLY DETAILS: | Title: | Council Briefing Session |
| | Date: | Wednesday, 4 May 2011 |
| | Location: | Conference Room (350 High Street, Preston) |
| PRESENT: | Councillors: | Cr. Diana Asmar (Mayor), Cr. Vince Fontana, Cr. Ben Morgan, Cr. Tim Laurence, Cr. Gaetano Greco, Cr. Stanley Chiang, Cr. Trent McCarthy (arrived at 8.05 p.m.) |
| | Council Staff: | Rasiah Dev, Michael Ballock, Daniel Freer, Katrina Knox, Vijaya Vaidyanath, Fred Warner, Kerrie Jordan, Joann Hennessy |
| | Other: | Nil |
| APOLOGIES: | | Cr. Nick Katsis, Cr. Steven Tsitas |

The Assembly commenced at 7.05 pm

| MATTERS CONSIDERED (Presentations) | | DISCLOSURES AND COMMENTS |
|---------------------------------------|-----------------|-----------------------------|
| 1. | Budget Briefing | No disclosures were made. |

The Assembly concluded at 8.40 pm

ATTENDEES LEAVING AND RETURNING TO THE MEETING

Cr. Chiang left the meeting at 7.50 p.m. and returned at 7.55 pm.

| | | |
|-----------------------------|-----------------------|-------------------------------------|
| RECORD COMPLETED BY: | Officer Name: | Fred Warner |
| | Officer Title: | Group Manager, People & Performance |



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

| | |
|--------------------------|--|
| ASSEMBLY DETAILS: | Title: Preston Business Advisory Committee Date: Wednesday 4 May 2011 Location: Red Room – Level 1, 274 Gower Street Preston. |
| PRESENT: | Councillors: Cr Vince Fontana Council Staff: Eddy Boscarior, Sarah-Jade Chung, Wendy Dinning Other: Representatives of Westpac Bank, Preston Marketing Coordinator, Bendigo Bank, Snap Printing, and Preston Girls Secondary College. |
| APOLOGIES: | Old Fire Station Café, Northern Bullants Football Club, Cheaper Party Supplies, Preston Eye Care, Preston Market, and Transport Ticketing Authority |

The Assembly commenced at 4.05pm

| MATTERS CONSIDERED | | DISCLOSURES AND COMMENTS |
|--------------------|---|--------------------------|
| | Cr Vince Fontana arrived at the meeting at 4:00pm | No disclosures were made |
| 1 | Marketing Report | No disclosures were made |
| 2 | Preston Festival | No disclosures were made |
| 3 | Financial Report (information only) | No disclosures were made |
| 4 | Business Plan | No disclosures were made |
| 5 | Newsletter (information only) | No disclosures were made |
| 6 | Operational Matters | No disclosures were made |
| 7 | Capital Works | No disclosures were made |
| 8 | New Developments | No disclosures were made |

| MATTERS CONSIDERED | | DISCLOSURES AND COMMENTS |
|--------------------|---------------------------------|--------------------------|
| 9 | Other Business | No disclosures were made |
| | Cr Vince Fontana left at 5:00pm | No disclosures were made |

The Assembly concluded at 5.00pm

| | | |
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| RECORD COMPLETED BY: | Officer Name: | Sarah-Jade Chung |
| | Officer Title: | Economic Development Project Officer |



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

| | | |
|--------------------------|-----------------------|---|
| ASSEMBLY DETAILS: | Title: | Council Briefing Session |
| | Date: | Monday, 9 May 2011 |
| | Location: | Conference Room (350 High Street, Preston) |
| PRESENT: | Councillors: | Cr. Diana Asmar (Mayor), Cr. Vince Fontana, Cr. Ben Morgan, Cr. Tim Laurence, Cr. Gaetano Greco, Cr. Stanley Chiang, Cr. Trent McCarthy, Cr. Nick Katsis, Cr. Steven Tsitas |
| | Council Staff: | Rasiah Dev, Michael Ballock, Daniel Freer, Katrina Knox, Vijaya Vaidyanath, Fred Warner, Kerrie Jordan |
| | Other: | Nil |
| APOLOGIES: | | Nil |

The Assembly commenced at 7.55 pm.

| MATTERS CONSIDERED (Presentations) | | DISCLOSURES AND COMMENTS |
|---------------------------------------|--|---|
| 1. | Capital Works March 2011 Performance Report | No disclosures were made. Kerrie Jordan left the meeting at the conclusion of this item at 8.10 pm. |
| 2. | Latrobe University's Proposal to the North of Melbourne | No disclosures were made. |
| 3. | Amendment C121 to the Darebin Planning Scheme – Interim Low Change Areas for Reservoir and Kingsbury | No disclosures were made. |
| 4. | Cleaning Contract | No disclosures were made. Kerrie Jordan returned to the meeting on the commencement of this item at 8.35 pm. |
| 5. | Darebin News Publication | No disclosures were made. |

The Assembly concluded at 8.45 pm.

| | | |
|---------------------------------|-----------------------|-------------------------------------|
| RECORD COMPLETED BY: | Officer Name: | Fred Warner |
| | Officer Title: | Group Manager, People & Performance |

8. CONSIDERATION OF REPORTS

8.1 APPOINTMENT OF ACTING MAYOR

MINUTE NO. 156

AUTHOR: Manager Governance and Corporate Planning – Rhys Thomas

DIRECTOR: Director Corporate and Business Services – Vijaya Vaidyanath

SUMMARY:

The Mayor, Cr Diana Asmar has been granted leave of absence from Council for the period 14 May 2011 to 9 June 2011 inclusive.

This report recommends that Council appoints a Councillor to be the Acting Mayor for the period of absence of Cr Asmar.

CONSULTATION:

Mayor, Cr Asmar
Chief Executive

RECOMMENDATION

THAT Councillor..... be appointed to be the Acting Mayor for the period of the absence of the Mayor from 14 May 2011 to 9 June 2011.

COUNCIL RESOLUTION

MOVED: Cr. B. Morgan

SECONDED: Cr. N. Katsis

THAT Councillor Tim Laurence be appointed to be the Acting Mayor for the period of the absence of the Mayor from 14 May 2011 to 9 June 2011.

CARRIED

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| REPORT |
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INTRODUCTION AND BACKGROUND

The Mayor, Cr Diana Asmar has been granted leave of absence from Council for the period 14 May 2011 to 9 June 2011 inclusive.

ISSUES AND DISCUSSION

Section 73(3) of the Local Government Act 1989 provides that 'if there is a vacancy in the office of Mayor or the Mayor is absent, incapable of acting or refusing to act, the Council must appoint one of the Councillors to be the acting Mayor'.

An Acting Mayor may perform any function or exercise any power conferred on the Mayor.

The Act provides that if a Councillor is appointed to act as Mayor for a continuous period exceeding 50 days, the Acting Mayor may be paid a Mayoral allowance for the period that he or she is acting as Mayor.

POLICY IMPLICATIONS**Environmental Sustainability**

There are no environmental sustainability policy implications arising from this report.

Social Inclusion and Diversity

There are no social inclusion and diversity policy implications arising from this report.

Other

The Local Government Act 1989 requires the Council to appoint an Acting Mayor when the Mayor of the Day is absent.

FINANCIAL AND RESOURCE IMPLICATIONS

As the period of appointment is less than 50 days, no additional allowance is payable to the Acting Mayor.

FUTURE ACTIONS

The Acting Mayor to preside at municipal proceedings during the period.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

Local Government Act 1989

8.2 AMENDMENT TO DEVELOPMENT PLAN - 205-215 BELL STREET PRESTON**MINUTE NO. 157****AUTHOR: Principal Statutory Planner – John Limbach****REVIEWED BY: Director City Works and Development – Michael Ballock****SUMMARY:**

This matter was deferred by Council at its meeting on 7 March 2011 where it resolved:

That Council defer the amendment to the Development Plan 205-215 Bell Street Preston to the Council meeting on 18 April 2011 to seek further advice on:

- (1) *Whether the scale and form of the proposal respects the neighbourhood character of the area;*
- (2) *Whether the proposal will have a detrimental impact on the amenity of adjoining residential properties;*
- (3) *Whether the proposal adequately addresses the Guiding Principles – PANCH Redevelopment Site, as required by the Development Plan Overlay – Schedule 5 of the Darebin Planning Scheme and to allow for an independent traffic study and further consultation with residents, and Officers bring a further report to Council regarding the management issues of the centre.*

This report provides an assessment of the proposed development plan and addresses each of the items raised by the Council at its meeting on 7 March 2011.

The owners (Asian Pacific Property Investment Pty Ltd.) of the Bell Centre (formerly PANCH site) are proposing to amend the approved Development Plan.

In essence, the proponent seeks to include an additional three (3) buildings to the north-east corner of the site with heights of seven (7), 12 and 15 storeys and an additional building to the south of the site, with a height of six (6) storeys (Stage 3).

The buildings to the north-east are proposed to be used for offices, a licensed Function Centre, a Food and Drink Premises, Hotel units and dwellings and include three (3) levels of basement car parking. The building to the south is proposed to be used for offices.

CONSULTATION:

Department of Transport
VicRoads

Strategic Planning Unit
Public Realm Unit
Capital Works Unit
Transport Unit
Environmentally Sustainable Design Officer

Compliance and Amenity Unit

RECOMMENDATION

THAT Council approve the amendment to the Development Plan 205-215 Bell Street Preston subject to the following conditions:

- The south facing glazing to the ground, first, second, third, fourth and fifth floors of the southern six (6) storey office building to be obscure to a height of 1.70 metres from finished floor level.
- The provision of privacy screens to a height of 1.70 metres from finished floor level and no more than 25% transparency, to the south, east and west boundaries of the third floor terrace to the southern six (6) storey office building.
- The provision of non-reflective glazing throughout the development.
- An amended landscape plan that shows:
 - Planting details for shrubs, trees and any structural support used for climbers.
 - Specifications of edging between garden beds and lawn or granitic gravel.
 - Removal of proposed trees on the nature strip.

COUNCIL RESOLUTION

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

THAT Council approve the amendment to the Development Plan 205-215 Bell Street Preston subject to the following conditions:

- The maximum height of the proposed buildings to be as follows:
 - Building A – 12 storeys, Building B – 10 storeys, Building C – 12 storeys and the southern office building – 6 storeys.
- That Building C be stepped down to the east to minimise the visual impact and bulk.
- The proposed south wall of the southern office building be set back from the southern property boundary at least 1 metre and be masonry (or similar) and designed to require minimal maintenance.
- The west facing glazing to the ground, first, second, third, fourth and fifth floors of the southern six (6) storey office building to be obscure.
- The south facing glazing to the ground, first, second, third, fourth and fifth floors of the southern six (6) storey office building to be obscure to a height of 1.70 metres from finished floor level.
- The provision of privacy screens to a height of 1.70 metres from finished floor level and no more than 25% transparency, to the south, east and west boundaries of the third floor terrace to the southern six (6) storey office building.
- The provision of non-reflective glazing throughout the development.

- An amended landscape plan that shows:
 - Planting details for shrubs, trees and any structural support used for climbers.
 - Specifications of edging between garden beds and lawn or granitic gravel.
 - Removal of proposed trees on the nature strip.

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

Applicant: Contour Consultants
PO BOX 1040
CARLTON VIC 3054

Owner: Asian Pacific Property Investment
Pty Ltd.
Level 14, 1 Queens Road
MELBOURNE VIC 3004

Planning Controls

Darebin Planning Scheme

State Planning Policy Framework (Clauses 11, 15.01, 15.02, 16, 17.01, 17.03, 18.01)
Local Planning Policy Framework (Clauses 21, 21.03, 21.05-1, 21.05-2, 21.05-3, 21.05-5, 22.02, 22.04, 22.10)
Zone (Clause 32.04)
Overlays (Clauses 43.04, 45.03, 45.06)
Particular Provisions (Clauses 52.06, 52.34, 52.36)
General Provisions (Clause 65.01)

Zone

Mixed Use Zone (Clause 32.04)

Overlays

Development Plan Overlay – Schedule 5 (Clause 43.04)
Environmental Audit Overlay (Clause 45.03)
Development Contributions Plan Overlay (Clause 45.06)

Development Plan History

The original Development Plan relating to the subject land was approved by Council on 5 December 2000. The original Development Plan allowed the development of the subject land for the purpose of a residential building (student housing units and a hotel), conference

centre, offices, a medical centre, a restaurant and associated car parking. The student housing units and the hotel component has been constructed and currently operates from the subject land, known as Stage 1.

The Development Plan has since been amended on nine (9) different occasions, allowing modifications to both development and uses on the land.

1. An amendment to the Development plan was approved on 25 January 2002 and allowed the following:
 - Previously approved student housing to be substituted with Student Housing and a Hotel.
 - Increase in on-site car parking from 712 to 761 car spaces.
2. An amendment to the Development Plan was approved on 20 December 2002 and allowed for ancillary Function Centre/Education Centre in former nurses education building.
3. An amendment to the Development Plan was approved on 20 December 2002 and allowed for the deletion of the word 'ancillary' in relation to the Function Centre.
4. An amendment to the Development Plan was approved on 5 June 2006 and allowed the following:
 - Undercroft car parking for the medical centre;
 - Re-alignment of the internal accessway;
 - Alterations to the car parking layout; and
 - Additional crossover to Hotham Street.
5. An amendment to the Development Plan was approved on 19 September 2006 and allowed the following:
 - Addition of three (3) storeys to the south wing of the former hospital building.
 - Re-configuration and reduction of floor space at ground floor level and use of the land for a convenience restaurant, restaurant, office and conference centre;
 - Internal reconfiguration of existing approved levels 1-7 containing a total of 308 serviced apartments and 75 student accommodation units;
 - Addition of a new plant area and flagpole on top of the former hospital building;
 - Restaurant seating capacity reduced from 150 to 140 with 84 basement car parking spaces; and
 - Revised car parking access and reconfiguration of car parking layout.
6. An amendment to the Development Plan was approved on 21 May 2007 and allowed the following:
 - Reduction in the number of car parking spaces from 84 to 76 in the basement level 1 to the car parking area under the restaurant;
 - Construction of new basement levels 2, 3 and 4;
 - Relocation of the water tank to the north-west corner of basement level 1;
 - Addition of a proposed vehicle link at basement level 1;
 - Additional of a pedestrian link at basement level 1 to the existing basement of the former hospital building;

- Minor re-arrangement of the ground floor plan of the restaurant to accommodate a new lift and stair location; and
 - Amend the condition of the development plan relating to the hours of operation of the conference centre.
7. An amendment to the Development Plan was approved on 15 October 2007 and allowed the following:
- Additional level to the restaurant building to provide for a 200 seat licensed restaurant, a tavern to accommodate 70 patrons and a 300 seat conference/function centre.
 - Internal reconfiguration of approved former hospital building to provide 17 dwellings (Level 7), 291 serviced apartments, 74 student accommodation units, 80 seat café, 1114 square metre office floor space and a 120 person conference/function centre.
 - Addition of the hotel recreation room, hotel theatre room, hotel/student gymnasium, laundromat, hotel laundry and other associated hotel facilities within the basement level beneath the former hospital building.
 - Additional floor-space added to south wing of the former hospital building;
 - Additional roof-top garden adjacent to east façade of south wing at first floor level of the former hospital building;
 - New accessway through the site between the main car park and the area south of the medical centre building;
 - Reconfiguration of the at grade car parking area near the restaurant building and south of the medical centre building with a total loss of eight (8) spaces across the site (Stage 1 car parking remained at 172 spaces) and the relocation of one (1) loading bay from the east of the restaurant building to the west side of the restaurant building;
 - New landscaping works;
 - Revised fence detail surrounding the residential building; and
 - Revised flagpole detail.
8. An amendment to the Development Plan was approved on 23 July 2008 and allowed the following:
- 542 square metres of office (as approved) or 300 square metres of shop and postal agency (combined area) and 242 square metres of office;
 - Minor external alterations at the western end of the ground floor west wing including a new door, window and canopy; and
 - New external material and finished to the south wing stairs (fire escape).
9. An amendment to the Development Plan was approved on 17 November 2008 and allowed extended opening hours for the Function Centres, Tavern and Restaurant.

Planning Permit History

The following planning permits have been issued. The permits are all generally in accordance with approved development plans. On occasion the permit application followed the amendment of the development plan.

Planning Permit D/234/01 was issued by Council on 20 September 2001 for the development and use of part of the land as a residential building (student accommodation) and ancillary uses.

Planning Permit D/933/02 was issued by Council on 7 March 2002 for the development and use of part of the land as a residential building (student accommodation), hotel and ancillary uses.

Planning Permit D/804/03 was issued by Council on 3 March 2004 to allow the public use of the conference centre associated with the residential building (student accommodation) and hotel.

Planning Permit D/356/2006 was issued by Council on 17 November 2006, to allow the use and development of the land for the purpose of a residential building (serviced apartments and student accommodation), office, conference centre, a 40 seat convenience restaurant and a 140 seat restaurant, to reduce the car parking, bicycle and loading bay requirements and to alter access to a road. This permit has since been amended to allow function centres (totalling 420 seats), a 200 seat restaurant, tavern for 70 persons, 17 dwellings, shops and postal agency (with a maximum combined floor area of 300 square metres) along with other building alterations.

Planning Permit D/250/2007 was issued by Council on 24 May 2007 to allow buildings and works for the construction of a car park and changes resulting from this construction.

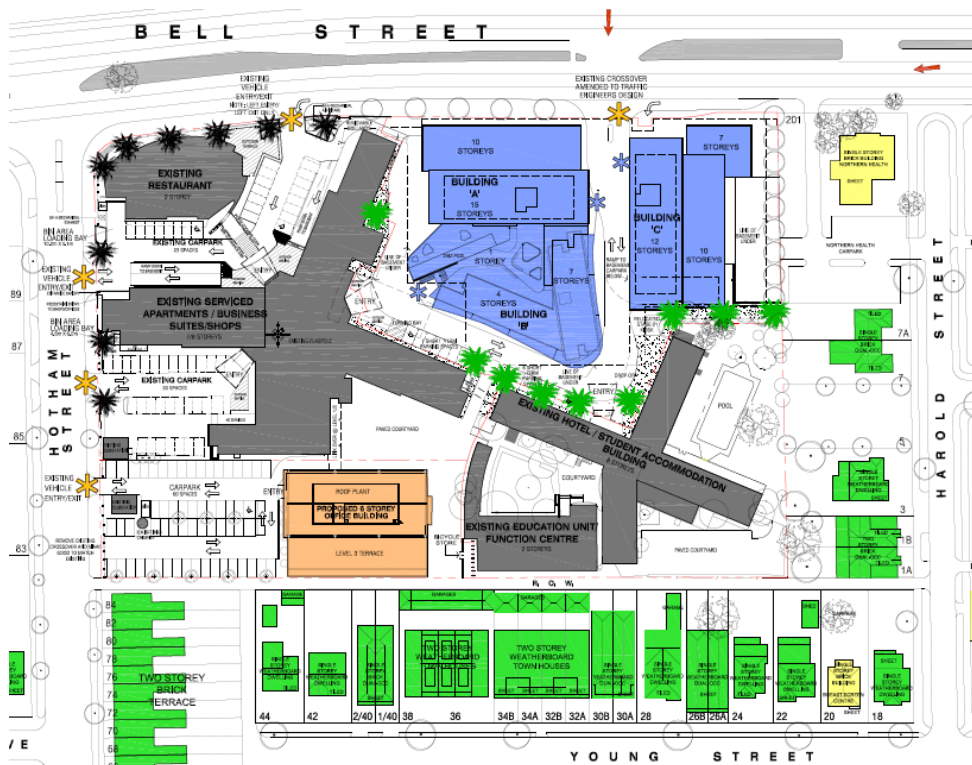
Planning Permit D/229/2007 was issued by Council on 17 August 2007 to allow the construction of a flag pole.

Proposal

Approval is sought for a further amendment to the current approved Development Plan. This amendment includes the following changes:

- Redevelopment of the north-eastern and central part of the site to accommodate multi level buildings (Stage 3). Building A: 15 storeys, Building B: seven (7) storeys and Building C: 12 storeys, plus a basement of three (3) storeys; comprising:
 - 615m² of offices;
 - 200 patron licensed function centre;
 - 80 seat licensed food and drink premises;
 - 105 licensed hotel units;
 - 296 dwellings;
 - 507 resident car parking spaces;
 - 80 resident bicycle parking spaces;
 - 13 visitor car parking spaces; and
 - 26 visitor bicycle parking spaces.
- Redevelopment of the southern part of the site to accommodate a six (6) storey building comprising 5,165m² of office floor space, reconfiguration of car parking (60 car parking spaces) and 23 bicycle parking spaces.

- Layout changes and land use changes to the existing approved Development Plan including the deletion of 29 student accommodation units and a change in use from 75 student units to 75 residential hotel units.



- Key:
- Blue: Stage 3 proposed
 - Orange: Office proposed

ISSUES AND DISCUSSION

Notification

Formal notification of amendments to development plans is not a requirement under the Planning and Environmental Act 1987 (as amended); however the community has been notified via informal notice. Notice has been sent to the owners and occupiers of adjoining and nearby land, two (2) signs have been posted at the site (Bell Street and Hotham Street) and the notice has been placed in two (2) editions of the Preston Leader newspaper. An additional information sheet was mailed out on 3 May 2011 to all objectors in response to a range of questions that were raised at Council’s meeting on 7 March 2011. This was in addition to letters that were mailed out on 14 March 2011 to the members of the public who raised questions at the Council meeting on 7 March 2011.

Submissions

190 submissions have been received in response to the notification of the proposal.

The submissions are summarised as follows:

- Traffic and car parking
- Density

- Neighbourhood character, scale and form
- Views
- Reduce land values
- Overlooking
- Overshadowing
- Loading/unloading
- Noise
- Glare from proposed buildings
- Waste management
- Management of site during construction
- Contract of sale condition requiring day surgery on the site
- Current management of approved uses.

Officer comment on submissions

- The development accords with acknowledged policy for urban consolidation and increased densities. Although it is acknowledged that there will be some impacts due to increased densities (eg. traffic, parking), these are to be managed to a reasonable degree by the imposition of the provisions of the Development Plan Overlay, Clause 52.06 (car parking) of the Darebin Planning Scheme and State and Local Planning Policy Framework. Car parking and traffic are discussed in detail in the assessment section of this report.
- State and Local Planning Policy encourages appropriate mixed use development in well serviced areas such as this. As a result the appearance of streetscapes, and especially those with larger sites, will change over time. Due to the large site the scale of the proposal can fit into the area without adverse impacts on the residential properties nearby. The development and has been designed and located to minimise impact on the surrounding low-scale residential streets.
- Several submissions highlight concerns about potential loss of views, it is important to highlight that legal planning precedents suggest there are no rights to a view, other than those protected by specific Planning Controls (eg. Y on High and All Nations Park).
- Land values are subjective and not a legitimate planning consideration.
- Overlooking and overshadowing are discussed in the assessment section of this report.
- Loading/unloading areas have been shown in acceptable locations within the site and will be discussed in the assessment section of this report.
- Detailed noise attenuation measures will be required as part of the Planning Permit process.
- A condition of any approval will require all glazing to be non-reflective type.
- A Waste Management Plan and Construction Management Plan will be required as part of the Planning Permit process.
- No covenant, Section 173 Agreement or other restriction registered on the Certificate of Title requires a fully operational day surgery to be maintained on the site.

Management issues are detailed below.

Management Issues

As a result of submissions relating to current management of the site, investigations into compliance with previous planning approvals has been undertaken.

A summary of current management issues includes:

- Noise (bottles, vehicles, hotel patrons, plant)
- Behaviour of hotel guests
- Vehicle access to right of way (ROW)
- Waste management (unsightly bins, location of bins, early pick-up)
- Tree removal
- Laundry air vent emissions/odours
- Location of a shipping container
- Use of southern crossover to Hotham Street
- Condition of buildings
- Parking
- Helicopter landings on site
- Basement car park storage.

Council officers have met with the owners and agents to discuss concerns raised in submissions. The owners of the site have acknowledged that the management of the site has been less than adequate and measures have since been taken to address these concerns including waste management, heavy vehicle access, use of the rear laneway, car park access, noise and general delivery times. As with all compliance issues, the owners were given an opportunity to rectify the issues and were informed that any further breaches of the current planning permit conditions would result in penalty fines and the possibility of court action.

Council officers have conducted a title search for all residential properties to the south that front Young Street. The Certificates of Title clearly show that the laneway to the rear of 18-44 Young Street are under the ownership of lots 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10 of Plan of Subdivision PS 423463 Y, which are all residential properties that front Young Street. All of 18-44 Young Street are benefited by rights of carriageway (through an easement) over this land. The title search confirms that the Bell City property has no rights of access over this section of laneway. The section of the laneway adjoining 82 Hotham Street is owned by the Council and is a Council road.

Council has taken enforcement action to ensure that heavy vehicles do not enter the laneway in accordance with previous Planning Permits. The sections of privately owned laneway are the responsibility of residents with regard to maintenance and access issues. Council officers have also ensured that access to the car parking area off Hotham Street is restricted to the permitted point of access with the gate access of concern being welded shut.

Noise and air pollution complaints are currently under investigation by Council; planning infringement notices, which include a monetary fine, have been issued to the owners of the subject land.

Council is monitoring compliance with existing planning permit conditions and has met with the owners to clarify expectations and requirements. It has been made clear to the owners that Council will exercise its full powers to ensure activities on the site comply with the requirements of the existing planning approval.

Consultation Meeting

A consultation meeting was held on 2 February 2011; no resolution was reached between parties, however the proponent has proposed screening to the six (6) storey office building to the south, which is discussed in the assessment section of this report.

A number of meetings have been held between Council officers and submitters, including meetings held on 10 and 11 May 2011.

Assessment

Development Plan Overlay – Schedule 5

In accordance with Clause 43.04-3 of the Darebin Planning Scheme, the Development Plan may be amended to the satisfaction of the Responsible Authority.

Schedule 5 of the Development Plan Overlay specifies the requirements for the development plan as follows.

The development plan should address the elements of the Guiding Principles – PANCH Redevelopment Site, Development Principles Lot 1, Development Principles Lot 2, and Development Principles Lot 3, relevant to the site including a plan drawn to scale which shows:

- The layout of existing and proposed buildings and works.
- All buildings to be retained.
- Proposed uses on all parts of the land.
- The location of all open space areas.
- The staging of all development.
- The proposed subdivision of the development.
- A traffic management plan outlining traffic requirements both within and outside the site.
- Details of the treatment of all internal roads, road connections to the adjoining road network and the location and nature of other transport facilities to service the development.
- Details of vegetation retention enhancement and removal.
- Urban design guidelines.

The amended Development Plan is generally in accordance with the Guiding Principles – PANCH Redevelopment Site, which state that it is the Council's objective to achieve an integrated mixed-use development, which provides opportunities for residential, medical, community commercial and education uses as well as the preservation of urban character and landscape features. The amendment includes plans which show the above.

Guiding Principles are commented on as follows:

- *Appropriate integration of land uses both within and external to the site.*

The proposed uses are considered to complement each other and those already approved on the site. Surrounding residential and commercial properties will be able to gain access to a wide range of uses provided on the site.

- *Access to a range of community facilities and services.*

As mentioned above, the proposed uses are considered to complement each other and those already approved on the site. Synergy is likely to occur between uses, an example being the likelihood of office workers and hotel patrons using shops, restaurant and function centre. The mixed use nature of the site will allow those nearby access to a centre that provides for a number of needs.

- *Integration of the built form with surrounding residential and commercial streetscapes.*

Whilst the built form is greater in scale and height than that of the existing surrounding residential and commercial streetscapes, the location and design of the buildings step down toward the east and west so as to reduce their impact on the streetscape and provide a transitional form between the higher building forms to the centre of the site.

- *Enhancement of the local urban character through site responsive design.*

Urban design is discussed in detail later in this report.

- *Opportunity to cater to diverse housing types to meet the needs of a variety of households including, students and the aged.*

The proposal includes a range of housing types including serviced apartments, student housing and a hotel, which meets the broader housing diversity objectives contained in the Municipal Strategic Statement. It is important to point out that some of concerns raised in objections have misunderstood this direction and contend that the Bell City site should be developed in a manner that provides a wide range of housing types within the site itself. The directive is for a contribution as opposed to a complete solution to be achieved toward housing diversity. The development in providing serviced apartments, student accommodation and student housing makes an appropriate contribution to a achieving a range of housing types in Darebin.

- *Built form to be of a scale which complies with the design objectives and performance measures of the Good Design Guide for Medium Density Housing.*

The Good Design Guide for Medium Density Housing has ceased to be a reference document.

- *Where practical reuse and appropriate refurbishment of the former hospital buildings and existing infrastructure.*

The former hospital buildings have been previously refurbished and will be retained as part of the proposal.

- *Effective retention of existing trees in landscaped areas and opportunities for incorporation of additional landscape design features.*

Landscaping is discussed in detail later in this report.

- *Preservation of elements which express cultural, social or heritage values of the site.*

No elements which express cultural, social or heritage values of the site are to be removed as part of this proposal.

- *Provision of an integrated internal road network, which enables easy access within the site, and avoids a series of separate access points to and within the site.*

The proposal includes an integrated road network, one which enables easy access within the site and avoids a series of separate access points.

- *Contribution to the cost and the provision of "off site" physical infrastructure, needed as a direct result of the development.*

A development contribution will be required in accordance with the provisions of the Development Contributions Plan Overlay.

- *Bell Street access for vehicles entering and existing the site, to be of an appropriate standard (ie. appropriate traffic management measures which do not compromise future planning of the site).*

The Bell Street access is to remain as existing.

Environmental Audit Overlay

The subject site is affected by an Environmental Audit Overlay. The purpose of the Environmental Audit Overlay is:

To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.

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

The Planning Permits previously approved for the student and hotel accommodation included a condition requiring that a certificate of environmental audit, or an audit statement, be provided to Council before the use or development commenced.

On 24 November 2003, Council was provided with a Statement of Environmental Audit in relation to the eastern portion of the subject land. As the southern office block is not to be used for a sensitive use, there is no requirement for a certificate of environmental audit, or an audit statement.

Strategic Justification

The proposal is consistent with State Planning Policy Framework, in particular Clause 16.01-2 '*Location of residential development*'. The clause emphasises the need to concentrate new housing development in and around;

- Activity Centres
- Employment corridors, and
- Strategic Redevelopment Sites.

Within a one kilometre radius of *The Bell Centre*, the services and infrastructure available within a walkable catchment includes;

- Tram Route 86
- Epping railway line (via Bell Station)
- Tram Route 112
- High Street Retail Spine, and
- South Preston Primary Neighbourhood Centre (Junction Area).

The abovementioned services and infrastructure located within the vicinity of Bell Centre make the area highly serviceable and appropriate for significant redevelopment.

The proposal is consistent and will achieve the objectives identified in the Municipal Strategic Statement (MSS) in particular Element 2 (*housing*), 3 (*urban design*) and 5 (*economic development*) of Clause 21.05. Page 9 of the 'Bell Centre Development Plan 2010' provides a more detailed overview of these local strategies.

The site is located in the 'Engage Precinct', within the Bell Street Strategy (2006) and the proposal is generally consistent with the preferred future vision of the precinct. Whilst the strategy shows the current approval at the 'PANCH' site is 8 storeys, it is not expressed within the study that this is the 'maximum' building height.

The site is located within the 'Engage Precinct' of the Bell Street Corridor Strategy. The land use strategy and urban design framework document is designed to assist in the guidance of the future development of land in Bell Street, Darebin. The amended development plan is considered to be consistent with the principle of the engage precinct to continue to develop as a mixed use precinct.

Land Use

The proposed amendment is in accordance with the purpose of the Mixed Use Zone to provide for a range of residential, commercial, industrial and other uses which complement the mixed use function of the locality.

In accordance with the guidelines as set out in Schedule 5 of the Development Plan Overlay, in assessing the development plan the Responsible Authority should consider the Guiding Principles – PANCH Redevelopment Site, Development Principles Lot 1, Development Principles Lot 2, Development Principles Lot 3:

- Where practical reuse and appropriate refurbishment of the former hospital buildings and existing infrastructure.
- Opportunity to cater to diverse housing types to meet the needs of a variety of households including, students and the aged.
- Appropriate integration of land uses both within and external to the site.

The amended Development Plan does not contradict the guiding principles, the former hospital buildings are to be retained, housing diversity is to be retained and the proposed land uses are integrated.

The proposed uses are considered to complement each other and those already approved on the site. Synergy is likely to occur between uses, an example being the likelihood of office workers and hotel patrons using shops, restaurant and function centre.

Urban Design and Building height

The height of the proposed main tower within the development appears to be a key concern raised in objections. It is contended in this report that the impacts of this element of the development are more on the vista east and west along Bell Street, rather than impacting on surrounding residential properties.

The site is characterised by the re-furbished former PANCH buildings that are eight (8) storeys in height and visible from a key number of vistas due to the sites positioning and topography. The proposed 15 and 12 storey buildings to the north-east (and the mostly hidden seven (7) storey building) are considered an improvement when compared to the existing buildings in architectural and neighbourhood character terms as they provide a transitional and articulated form to the street. As the buildings are an increase in height compared to the existing situation, it is acknowledged that they will be more visible from surrounding streets and vistas compared to the existing buildings; however this will be impacting on view lines east and west along Bell Street. This outcome is considered acceptable due to the large size of the site and the design detail of the proposal, which ensures there is no unacceptable overlooking and minimal overshadowing issues. The buildings to the north-east are located so as to have limited impact on the character of the

nearby residential areas to the north, south, east and west and are mostly contained within the existing enclosure created by the existing buildings on site.

Proper planning and urban design principles suggest the scale of development is guided by a combination of the size of the site and the site's context within the urban area in terms of existing built forms, topography and the role/service function of the general area. These factors are used to provide an informative and credible guideline for an appropriate scale of development. Applied to the Bell City site which is large, has an existing built form, elevated topography and a site context that is adjacent to the Preston and Northland Activity Centres, well serviced by public transport and profiled adjacent to one of Melbourne's major arterial roads, a form of 15 storeys is considered reasonable.

Building heights are best derived from specific design objectives rather than arbitrary limits or targets. The relationship between street width and building height is important for defining the character of a place. Bell Street is a major arterial road with a width of approximately 35 metres, the development relates to this width with a 33.22 metre height at the 10 storey portion of building A that directly fronts Bell Street. Tower buildings, such as the 15 storey element of the proposal, should be set back from the street, so as to maintain a pedestrian related scale and to mitigate unwanted wind effects. Stepping taller elements down to the street, or neighbouring buildings assists in the mediation of differences in scale between buildings.

The proposed Stage 3 buildings are modulated and provide transitional setbacks to the east and to Bell Street at the north, with the highest building comparatively recessive and pushed toward the middle of the site.

A useable internal open space area has been proposed between building A and building B, and whilst it is acknowledged that it will be in shade most of the day, provides an area for employees, customers and visitors to congregate and meet.

The proposed six (6) storey building to the south is designed so that it presents a similar three (3) storey form to that of the existing three (3) storey building (which adjoins properties on the north side of Young Street). The proposed building steps up from 10.80 metres (less than the existing building height) to 20.20 metres in its transition from three (3) to six (6) storeys. The six (6) storey component will be generally invisible from the rear gardens of the directly abutting residential properties that front Young Street. The contemporary appearance is considered suitable for an office building and relates to the glazed finishes of the existing buildings on site. The issues concerning compliance with the Building Act will be addressed in later sections of this report.

Details such as materials, colours and landscaping will be considered as part of the Planning Permit process.

Neighbourhood Character

The applicant has made the following statements in their Town Planning and Urban Context Reports.

Stage 3:

In overall terms, the new development responds to the strategic importance and the physical context of the site. The proposal provides for sound site planning outcomes to ensure that the new and existing uses can operate effectively. The new buildings represent a sophisticated architectural response and will improve the Bell Street streetscape.

South Office:

The building will be sympathetic to the heritage significance of properties to the south facing Hotham Street (HO51) through the retention of the existing setback to the western site boundary (52.38 metres) and the use of glazing which allows the building to be a recessive element when viewed in the distance from Young Street and from Hotham Street.

Officers consider that the applicant's response to the consideration of neighbourhood character is reasonable. The property is within Neighbourhood Character Precinct B4. This precinct is based on the residential development which is situated to the north, east, south-west and west of the site and does not reflect larger-scale commercial buildings that are located on the existing site. The description of this precinct is clearly intended to not include or bind the Bell City site and it would be unreasonable to raise this as a requirement in this instance when right throughout previous applications it has not been a requirement..

The following VCAT decisions relating to Neighbourhood Character support this view.

In *Bombardieri v Darebin CC and Anor* [2002] VCAT 187 (13 March 2002) Member Baird said:

'In the context of Scheme policies that encourage development in appropriate locations, it is a reasonable expectation to be able to build to a similar mass and scale as existing buildings on the subject site. Redevelopment should not necessarily have to revert to a significantly lower scale than that existing.'

'The approval of this proposal does not, in my view, contravene any proper process or orderly planning. A site of this size, no matter how developed, will take on a character of its own simply because it involves a significant number of new houses constructed at a later time than those presently around it. That it is located outside the Character Areas identified in the Urban Character Study is not a reason to prevent a development proceeding.'

Modern Art Constructions Pty Ltd v Darebin CC [2003] VCAT 88 Member Liston said:

'While I agree with the Applicants for Review that this is not an isolated site, in so far as it adjoins residential properties and sits within an otherwise established residential precinct, the existing site condition is a valid base for assessment.'

'The subject land as it presently exists has none of the characteristics identified as valued characteristics of this neighbourhood in the Neighbourhood Character Study. In my view the proposed redevelopment will result in a conventionally respectful residential character along Mount Pleasant Road, and that while the apartment building both in its scale and in its architecture, is a building not found elsewhere within this precinct, the location of such a building on this land opposite the Coburg Cemetery, and fronting onto Bell Street which at this location is a six lane divided highway, is an appropriate development form for this site.'

The site is located in the 'Engage Precinct', within the Bell Street Strategy (2006) and the proposal is generally consistent with the preferred future vision of the precinct. Whilst the strategy shows the current approval at the 'PANCH' site is 8 storeys, it is not expressed within the study that this is the 'maximum' building height.

Amenity

As the 15 storey, 12 storey and seven (7) storey buildings are shielded from adjoining residential properties by the existing eight (8) storey buildings, they will have limited impact on residential amenity.

The six (6) storey office building to the south is similar in height and scale to the existing three (3) storey building where adjacent to residential properties to the south.

Overshadowing

The 15, 12 and seven (7) storey buildings will overshadow adjoining residential properties to the east from 2pm-3pm on 22 September. The buildings will overshadow a large proportion of the rear gardens of two (2) residential properties from between 2pm and 3pm. Any overshadowing is, however, in compliance with the standard at Clause 55.04-5 (overshadowing open space) of the Darebin Planning Scheme, which is used as a guide and therefore considered acceptable. This is confirmed by the submitted shadow analysis.

The six (6) storey office building to the south will overshadow adjoining residential properties to the south; however the three (3) storey height at the boundary ensures that, for most of the day, the building will overshadow less of the nearby secluded private open space than the existing building. The building will have a larger shadow than existing from 9am to 11am, affecting 84 Hotham Street and 44 Young Street, however the proposal is in compliance with the standard at Clause 55.04-5 (overshadowing open space) of the Darebin Planning Scheme, which is used as a guide, and therefore considered acceptable. This is confirmed by the submitted shadow analysis.

It is noted that the submitted plans contain errors with regard to the positioning of structures on the adjoining residential properties that front Young Street, however this has been taken into account as part of the assessment and overshadowing is still considered to be within acceptable limits as discussed above.

Overlooking

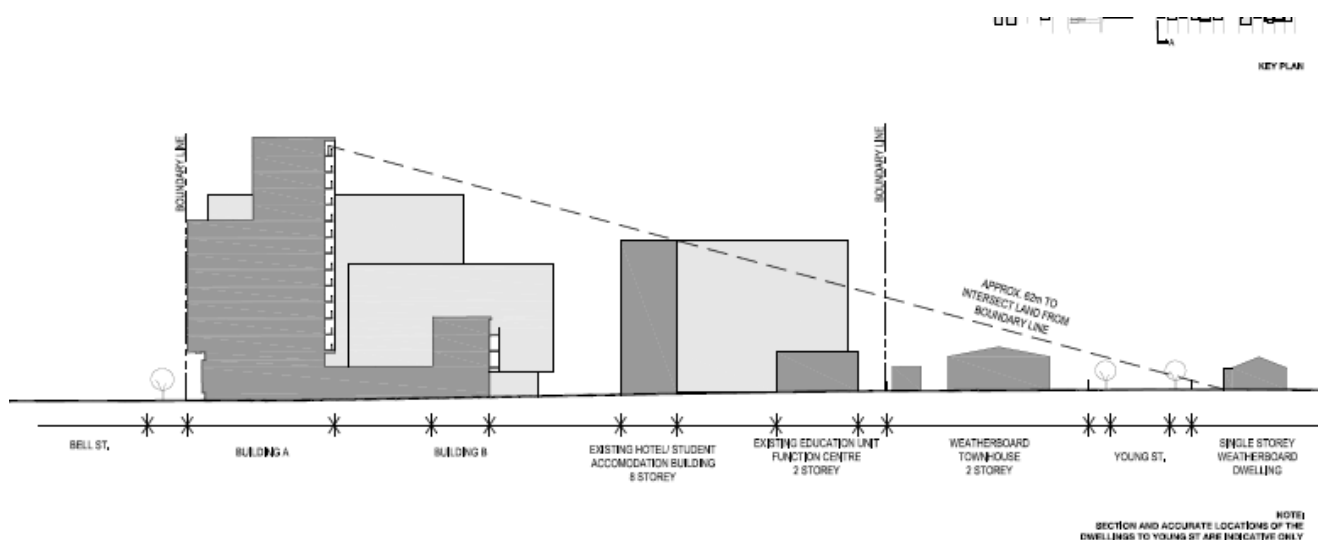
The 15 and seven (7) storey buildings are to be located approximately 45 metres minimum from nearby residential properties to the east and any views are generally shielded by the existing buildings to the south and west and the proposed 12 storey building to the west. To the north is Bell Street, with mostly non-residential uses located directly opposite.

The 12 storey building is to be located a minimum 14.40 metres from the adjoining properties to the east (the building adjoins property occupied by a medical centre for most of the east boundary), which is in compliance with the standard at Clause 55.04-6 (overlooking) of the Darebin Planning Scheme, which is used as a guide. It is important to note that only portions of the Stage 3 buildings will be visible from Young Street and this, coupled with the large distance from the south boundary ensures that there will be no unacceptable overlooking impact to the residential properties fronting this street (refer to section view on following page).

As the proposed six (6) storey office building to the south is located adjacent to the rear secluded private open space areas of residential properties that front Young Street, it is recommended that 1.70 metre high screening and obscure glazing be required to south facing ground, first, second, third, fourth and fifth floor glazing, and the south, east and west boundaries of the third floor terrace.

Further detail regarding noise, management plans, waste management and the like will be considered as part of the Planning Permit process.

A condition of any approval will require non-reflective glazing to be used throughout the development, to prevent glare from entering surrounding residential properties.



Section View – Showing Potential Overlooking from Stage 3 buildings

Car Parking

Section 8.5 of the approved Development Plan outlines the car parking requirements on the site.

| Use | Quantity | Rate | Schedule Requirement | 5 |
|---------------------|-------------------|---|----------------------|---|
| Serviced apartments | 105 units | 0.6 per room | 63 | |
| Dwellings | 296 units | 1 space per dwelling plus 1 visitor space per 5 dwellings | 355 | |
| Function Centre | 380sqm/200 people | 0.35 spaces per person | 70 | |
| Restaurant | 120sqm/80 seats | 2 staff places | 2 | |
| Business Centre | 615sqm | 3.5 spaces per 100 square metres net | 22 | |
| Total | | | 512 spaces | |

As the café is considered to be ancillary to Bell City, it is considered acceptable for staff car parking to be provided only.

The three (3) buildings to the north-east (Stage 3) have a requirement of 512 spaces, of which 507 are to be provided within the proposed three (3) level basement car park and the balance accommodated within the existing basement car park, which is to be linked to the proposed.

The proposed southern office block has a requirement of 181 spaces, of which 60 are to be provided on the southern block, with the balance of up to 121 spaces accommodated elsewhere in the Bell City Site.

The proposal will result in the provision of 956 car parking spaces on the site (Stage 1 + Stage 2 + Stage 3 + office building); the proponent has provided information to show that

peak existing and proposed car parking demand at 760 spaces. Council's Transport Unit has no objection to the number of car parking spaces provided within the development.

Traffic Impact Assessments for both Stage 3 and the southern office block have been submitted as part of the proposal, detailing internal roads, manoeuvrability, road connections to the adjoining road network and the location and nature of transport facilities. Council's Transport Unit has assessed vehicle manoeuvrability and access and has no objection to the proposal. Further detail will be required as part of the Planning Permit process.

In accordance with Council's resolution, the traffic study provided by the applicant was reviewed by GTA Consultants. This review supported the applicant's traffic assessment.

A report titled 'Transport Impact Review' dated 2 May 2011 was prepared by GTA Consultants. The report concludes that the proposed on-site parking and loading/unloading areas would appear to be adequate and are generally consistent with dimensional requirements as set out in the Darebin Planning Scheme and/or Australian Standards for off-street parking, subject to the modifications of turning areas, which will be assessed as part of the Planning Permit process.

The Transport Impact Review calls for further changes with regard to bicycle parking and waste management, further details will be required as part of the Planning Permit process to address this.

Bicycle Parking

The Stage 3 buildings require 63 resident/employee bicycle parking spaces, plus 34 visitor/customer bicycle parking spaces (97 in total) in accordance with Clause 52.34 (bicycle parking) of the Darebin Planning Scheme. Parking for 109 bicycles is proposed within the Stage 3 basement car parking, with a further 26 at ground level. Of these spaces, 45 are to be provided for Stage 2 uses.

The southern six (6) storey office building requires 17 employee bicycle parking spaces, plus five (5) visitor/customer bicycle parking spaces (23 in total) in accordance with Clause 52.34 (bicycle parking) of the Darebin Planning Scheme. 23 bicycle parking spaces are proposed on the site, in accordance with the standard.

Loading/Unloading

Drop off areas for Stage 1, 2 and 3 buildings will be provided for in set down areas and short term parking spaces along the continuation of the internal road from the Bell Street signalised access. This access is to be also used for delivery vehicles and coaches with the Stage 3 loading dock and service vehicle/coach turning area to be located between the Stage 2 and western Stage 3 buildings.

Further detail regarding loading/unloading and waste management will be required as part of the Planning Permit process.

Sustainability

The proposal is inheritably sustainable as it encourages higher density, mixed-use development in an area that is well served by public transport.

Sustainable Design Statements (SDS), Sustainable Tools for Environmental Performance Strategy (STEPS) assessments and the like will be required and assessed by council as part of the Planning Permit process.

Landscaping

A comprehensive landscape plan has been submitted as part of the proposal and indicates acceptable areas for landscaping. Council's Public Realm Unit have requested a condition requiring an amended landscape plan that shows:

- Planting details for shrubs, trees and any structural support used for climbers.
- Specifications of edging between garden beds and lawn or granitic gravel.
- Removal of proposed trees on the nature strip inspected for planting opportunities. When council is notified by the applicant that construction is complete, the site will be inspected for planting opportunities.

Building Legislation

In designing the proposed building, there are a number of options available to the applicant to achieve compliance with the regulations and in particular the Building Code of Australia with regard to the proposed Bell City South Office Building. Part A0 of the Building Code of Australia (BCA) outlines the methods by which an applicant can have a building designed assess by a building surveyor (either Council or private) for compliance with the Performance Requirements of the code.

The Performance Requirements are the only parts of the code with which compliance is mandatory and can be satisfied in three (3) ways;

1. Compliance with the **Deemed-to-Satisfy** provisions; or
2. **Alternative Solution** assessment method which:
 - Complies with the Performance Requirements; or
 - Is shown to be at least equivalent to the Deemed-to-Satisfy Provisions; or
3. A combination of the above.

The **Deemed-to-Satisfy** provisions of the BCA provide detailed prescriptive methods for establishing compliance with the performance requirements. These include examples of materials, components, design factors, and construction methods which, if used, will result in compliance with the Performance Requirements of the BCA.

The **Alternative Solution** assessment methods allow an applicant to provide evidence in support of a proposal that a material, form of construction or design meets a Performance Requirement rather than the Deemed-to-Satisfy provisions. With this option, there is no obligation to adopt any particular material, component, design factor or construction method. A building surveyor may still issue an approval if it differs in whole or in part from Deemed-to-Satisfy provisions described in the BCA if it can be demonstrated that the design complies with the relevant Performance Requirement.

An Alternative Solution must be assessed according to one or more of the Assessment Methods prescribed by the BCA.

1. **Evidence of Suitability** to support that the use of a material, form of construction or design meets a Performance Requirement or a Deemed to Satisfy Provision via documentary evidence as described in Clause A2.2, BCA Volume 1.
2. **Verification Methods** such as the Verification Methods in the BCA or any other Verification Method the appropriate authority accepts to determine compliance with the Performance Requirements.
3. **Comparison** with the Deemed-to-Satisfy Provisions.

4. Expert Judgment.

In using the performance-based provisions of the BCA an applicant may use any of these methods if the building surveyor can be satisfied that it establishes compliance with the BCA however, an Alternative Solution must be found to be equal to or greater than ('as good as') the Performance Requirement for the proposal to satisfy the BCA.

In the case of the proposed office building, the applicant would either need to alter the design or location in order to comply with the Deemed-to-Satisfy provisions or provide evidence to the building using one of the four (4) assessment methods to show that the building meets Performance Requirement. This may include Fire Engineering reports, manufactures product specifications, test certificates from approved testing authorities or any other relevant material.

The responsibility for determining that information submitted in support of the Alternative Solution meets the Performance requirements rests with the relevant building surveyor.

Notwithstanding the above options, the applicants may also use the provisions of Section 160 of the Building Act 1993. Section 160 allows for an application to be made to the Building Appeals Board for a determination that a provision of the Building Regulations 2006 does not apply or that the specific requirement be modified or varied. This provision allows the applicant to apply to the board to delete, modify or vary a Deemed-to-Satisfy provision of the BCA and all applications are assessed by a panel. In the case of this proposal, the applicants may seek approval to delete, modify or vary the requirements of Part C3 of the BCA relating to the protection of openings to allow the windows to be located on the boundary in lieu of the required setback.

Whilst there are a number of options available to the applicants with regard to achieving compliance with the Building Regulations and BCA, it remains the responsibility of the relevant building surveyor to determine that a design meets the requirements of the regulations. It is further noted that as this a matter contained with in the requirements of the Building Regulations 2006, it cannot be considered as part of the planning application process.

POLICY IMPLICATIONS**Environmental Sustainability**

Nil

Social Inclusion and Diversity

Nil.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

CONCLUSION

The amended development plan is generally in accordance with the Guiding Principles – PANCH Redevelopment Site, which state that it is the Council's objective to achieve an integrated mixed-use development, which provides opportunities for residential, medical, community commercial and education uses as well as the preservation of urban character and landscape features.

The amended development plan is consistent with, and will achieve the objectives identified in the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement (MSS) and local policy including the Bell Street Corridor Strategy.

FUTURE ACTIONS

Nil.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

Darebin Planning Scheme

Municipal Strategic Statement

Planning and Environment Act 1987

Bell Street Corridor Strategy – December 2006

Briefing Paper – Council Briefing Session on 28 February 2011 – Amendment to Development Plan at 205-215 Bell Street Preston

Council Report – Council Meeting on 7 March 2011 – Amendment to Development Plan at 205-215 Bell Street Preston

(Cr. Tsitas temporarily left the meeting at the conclusion of this item – 9.10pm)

8.3 FINANCIAL REPORT – 10 MONTHS ENDED 30 APRIL 2011**MINUTE NO. 158****AUTHOR: Financial Accountant – Michael O’Riordan****REVIEWED BY: Director Corporate and Business Services – Vijaya Vaidyanath****SUMMARY:**

A comprehensive third quarter financial review has been undertaken for the ten months ended 30 April 2011 to assess the financial performance of Council year-to-date and the forecast financial position as at 30 June 2011. The outcome of the review indicates that Council has achieved a year-to-date operating surplus of \$20.0 million, which is \$5.6 million ahead of budget and capital works expenditure of \$17.7 million, which is \$11.2 million behind the budget. The forecast actual results for the year ending 30 June 2011 are an operating surplus of \$4.0 million and capital works expenditure of \$34.0 million. All material variations have been explained in the report.

CONSULTATION:

Managers and Coordinators.

COUNCIL RESOLUTION**MOVED: Cr. G. Greco**
SECONDED: Cr. V. Fontana

THAT the contents of the “Financial Report for the ten months ended 30 April 2011” included as **Appendix A** to this report be received and the year-to-date and full-year forecast actual and budget operating and capital results be noted.

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

Under the Local Government Act 1989, at least every three months the Chief Executive Officer is required to present to the Council a statement comparing the budgeted with the actual revenues and expenses for the financial year to date. In complying with the Act, the attached report (**Appendix A**) compares the actual and budgeted operating revenues and expenses and the actual and budgeted capital revenues and expenses for the ten months ended 30 April 2011. It also compares the actual and budgeted movements in the Balance Sheet and Cash Flow Statement for that period.

In addition, a detailed review of the estimated financial results for the year ending 30 June 2011 has been performed as part of Council’s mid-year review process. The outcomes of this review are included within the report as the forecast financial results.

ISSUES AND DISCUSSION

Operating Performance

The Operating Performance for the ten months ended 30 April 2011 is an operating surplus before capital revenue and other items of \$17.8 million, which is \$5.3 million ahead of budget. The main items contributing to this favorable variance are rates, contributions, operating grants and contributions, other revenue, material and services, depreciation and other revenue partly offset by unfavorable variances in employee benefits, user fees and parking fines. After capital and other items, the operating surplus is \$20.0 million, which is \$5.6 million ahead of budget. The forecast Operating Performance for the year ending 30 June 2011 is an operating surplus of \$4.0 million, which is \$3.7 million more than budget.

Capital Performance

The Capital Performance for the ten months ended 30 April 2011 shows that a total of \$17.7 million has been expended on the capital works program, which is \$11.2 million behind the budget. The variance is due mainly to timing differences on the road, buildings, open space works projects and purchase of plant and equipment. The forecast total to be expended on capital works for the year ending 30 June 2011 is \$34.0 million, which is \$3.3 million less than budget. A total of \$6.5 million is forecast to be carried forward into the 2011/2012 year for capital works expected to be incomplete as at 30 June 2011. The carried forward includes \$1.4 million of new externally funded works which will not be completed this year.

Financial Position

The Financial Position as at 30 April 2011 shows a cash balance of \$36.4 million which is \$17.0 million ahead of budget. The variance is due mainly to the higher opening cash position compared with budget and timing differences in receipts from customers, purchase of property, infrastructure, plant and equipment, interest and government receipts. The net current asset position is \$40.5 million which is \$16.9 million more than budget. The variance is due mainly to the higher cash position, lower trade and other receivables and lower trade and other payables compared with budget. The net asset position is \$940.8 million, which is \$7.9 million ahead of budget. The forecast Financial Position as at 30 June 2011 shows a cash position of \$31.0 million and net current assets of \$14.9 million.

POLICY IMPLICATIONS

Environmental Sustainability

Nil.

Social Inclusion and Diversity

Nil.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

CONCLUSION

The Financial Report for the ten months ended 30 April 2011 shows that Council's year-to-date operating result is a surplus of \$20.0 million and \$17.7 million has been expended on capital works. The forecast actual results for year ending 30 June 2011 are an operating surplus of \$4.0 million and capital works expenditure of \$34.0 million

FUTURE ACTIONS

A further financial report will be presented to Council for the eleven months ending 31 May 2011.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

Nil.

**8.4 DAREBIN MUNICIPAL EMERGENCY MANAGEMENT PLAN
AUDIT****MINUTE NO. 159****AUTHOR: Municipal Emergency Resource Officer - Nik Filips****REVIEWED BY: Director City Works and Development - Michael Ballock****SUMMARY:**

Following the external audit of the plan in August - October 2010, Darebin has achieved the maximum 3 years of our Municipal Emergency Management Plan.

This report provides information of the audit process involved and highlights issues and outcomes of the audit for Council's information and endorsement.

CONSULTATION:

Deputy Municipal Emergency Resource Officer

Municipal Recovery Manager

Municipal Emergency Manager

Darebin Municipal Emergency Response Officer (Victoria Police)

Regional Support Officer (State Emergency Service)

Emergency Management Coordinator Department of Human Services

Municipal Emergency Management Committee (MEMPC)

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

- (1) Council formally endorse the Municipal Emergency Management Plan as at December 2010 as the current Council plan.
- (2) A signed copy of the endorsement be displayed in the MEMP alongside the current audit certificate as mandated by the Victorian Emergency Management Act 1986.

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

A comprehensive report was provided in August 2010 informing Council of Darebin's obligations under the Victorian Emergency Management Act 1986

Briefly, these include:

- That Council have a current and comprehensive documented Municipal Emergency Management Plan (MEMP). Broadly speaking these cover the 4 phases of emergency management, Planning, Preparedness, Response and Recovery and the MEMP focuses on the 4 environments at risk including, built, natural, economic and social.
- The MEMP also contains a Community Emergency Risk Management register (CERM) which has identified the top 12 risks for Darebin. This register is reviewed annually to ensure currency and relevant to both the plan and Council's responsibilities.
- That the MEMP has a number of sub plans relating to specific identified risks that have been further detailed and documented. These sub plans involve a cross Council and stakeholder committee and are updated on a regular basis
- The sub plans include Fire, Flood, Heatwave, Public Health, Pandemic, Technical Resources, After Hours/Communications and Municipal Recovery.
- That this plan be externally audited and assessed on its compliance to the Emergency Management Manual Victoria (EMMV), which is the instrument of the Emergency Management Act.
- Convene and resource a local committee of emergency management response agencies such as Police, Fire and Ambulance and include support agencies such as Red Cross, Salvation Army and Community agencies. This committee known as the Municipal Emergency Management Committee (MEMPC) and meets quarterly. Darebin is fortunate to have the current Mayor as the chair and the Director City Works and Development as the Municipal Emergency Manager.
- That Council have designated staff in the key roles of Municipal Emergency Manager, Municipal Emergency Resource Officer and Municipal Recovery Manager.
- That Councillors have knowledge of the plan, its intent and have endorsed it formally at a Council meeting. This will result in both the audit certificate and the Council endorsement signed by either the CE or the Mayor and contained in the MEMP document.
- The number and nurture of the MEMP sub plans are increasing in number and complexity. The need to enable Council to properly address identified risks will require these sub plans to be continually updated and resourced

The table below provides a list of the sub plan and their risk rating

MEMP SUB PLANS

As at October 2010

| Sub Plan | Last update | Next Update | CERM Rating |
|---|--------------------|--------------------|--------------------|
| Pandemic flu | May 2010 | 2011 | Extreme |
| Recovery /major incident | May 2010 | 2011 | Extreme |
| Flood /storm | June 2010 | 2011 | Extreme |
| Integrated Municipal Fire Management Plan | 2007 | 2010 | High |
| Public Health Emergency Management Plan | May 2010 | 2011 | Extreme |

| | | | |
|---|-----------|-----------|---------|
| Darebin Heatwave Strategy | Nov 2009 | 2010 | Extreme |
| Technical Resources Plan | July 2010 | July 2011 | N/A |
| Communications Emergency Response and Afterhours Plan | May 2010 | | N/A |

ISSUES AND DISCUSSION

Propose and Intent of Audit

The August report informed Council that the audit was to be held on 12 August 2010. If successful the accreditation was to be between 1 to 3 years depending on the amount of reworking required to address any gaps or shortfalls. Darebin had received the full 3 years accreditation in 2007.

In 2010 a lot of work went into ensuring the MEMP was up to date with State and Commonwealth Government polices, the EMMV and importantly, consistent with Darebin's day to day polices and procedures. A series of workshops and pre audit sessions were held, internal polices were collated and sub plans reformatted to ensure consistency with the MEMP.

Audit process

August 2010

The first audit was conducted by the Victorian State Emergency Service (SES) on the above date. Council's Emergency Management staff were in attendance to present information and answer any questions.

This was a very comprehensive review of the MEMP document as stipulated by the audit evidence guide of some 120 questions. *It is important to note that all 120 questions were covered and there was on display, all the MEMP sub plans and relevant operational documents.*

The audit questions covered 23 topic areas, for example, some of these included:

- *“Outline who has been appointed by council, to coordinate, support and manage municipal emergency management activities.*
- *Explain how the MEMPlan has been reviewed by the MEMPC and the frequency.*
- *Provide evidence that sub-plans are consistent with the risk profile of the municipal district.*
- *Demonstrate how the MEMPlan has considered and identified the response arrangements and whether these are consistent with State and Divisional level plans”.*

Each question required documented evidence and a process of tracking of how these have been developed reviewed and amended over the past three years. These answers were documented prior to the audit and it was able to be shown how each has been managed.

October 2010

A further panel audit meeting consisting of senior representatives of the Regional Police, Department of Human Services and SES was held on 21 October 2010. At this review, the panel went over the MEMP and sub plans and sought information on the operational procedures.

The panel recognised that the MEMP was of a very high standard and that there were no amendments to be made or areas identified gaps. The panel advised that the task now is to maintain the MEMP to the current standard into the future.

The outcome was that Darebin achieved the highest possible rating and was awarded the full 3 years accreditation until December 2013.

Information and communications

Given the size and the comprehensive nature of the MEMP, the CERM and the number of sub plans, it is very difficult to properly inform Councillors via a formal Council report. There is an opportunity at the beginning of this new planning and implementation cycle to provide Councillors with a briefing and allow for questions and clarifications, and obtain feedback on the status of Darebin's emergency management arrangements.

POLICY IMPLICATIONS**Environmental Sustainability**

There are a number of environmental sustainability issues that relate to the MEMP; for example the Climate Adaption and Peak Oil Strategy lists the MEMP as a key related document and the issues of heatwave, storm and flood are related to the issues highlighted for action with the strategy. In addition the Built and Natural environments as outlined above are key considerations analysing Darebin's CERM risk exposure and treatments.

Social Inclusion and Diversity

The MEMP details considerable efforts to ensure that the impact on the whole Darebin community is minimised and managed effectively. There is an overarching principle to ensure that the most vulnerable in our community are identified and offered additional support and assistance. Briefly, these groups include the aged, people with disabilities, the chronically ill, the very young, people living in supported or government housing and newly arrived residents. They can also be those residents living in flood prone areas or people who are impacted by events such as businesses close to a gas leak, for example.

Other

Emergency management at Darebin needs to relate strongly to the policies and procedures as these are well developed and endorsed by Council. The community is best served if there is a consistent approach to all aspects of Darebin's roles and responsibilities as emergency events require the same standards of service delivery and responsiveness. The MEMP has identified a number of Council policies and these have informed the analysis and management of these risks.

The table below identifies the range of Council policies and strategies that are related to the area of the Emergency Management and contained in the MEMP.

As at October 2010

| Name | Created/ Last Updated | Next Update | CERM Reference/ Linkage |
|--|-----------------------------|--------------------------|----------------------------|
| Darebin Council Plan 2009-2013 | 2009 | Annual reviews 2013 | MEMPC |
| Climate Adaptation and Peak Oil Strategy | 2009 | Annual reviews | Heatwave |
| Active Ageing Strategy June 2010 | 2010 - in progress | 2020 Annual reviews | Recovery |
| CALD Communications Strategy | 2010 - in progress | Annual reviews 2012 | Recovery |
| Community Health and Wellbeing Plan 2009-2013 | 2009 | Annual reviews | Public Health |
| Darebin Transport Strategy | 2007 | 2027 Annual reviews | Transport / Major Incident |
| Disability Action and Inclusion Plan 2009-2013 | 2009 | Annual action plans 2013 | Heatwave |
| Municipal Strategic Statement (MSS) | 2007 | Annual reviews | MEMP |
| Darebin Electronic Gaming Machine Policy and Strategic Action Plan | 2010 in progress | 2013 | Recovery |
| Information Technology Services Strategy | 2008 | 2012 review 2010 | Infrastructure Failure |
| City of Darebin Event Planning Guide | 2007 | 2009 | Festivals and Events |

FINANCIAL AND RESOURCE IMPLICATIONS

The overriding issue in emergency management for local government is the continual cost and responsibility shifting from other levels of Government. For example there is no funding available to employ dedicated staff at local government level. No funding is provided to enable planning or coordination and the MEMP and MEMPC are good examples of these.

There are funds in the form of Government recovery and infrastructure grants provided to Councils after emergency events, but these are usually after major events once Councils have spent over \$100,000.

There is no recognition of local government's resourcing role and that the additional work required maintaining the CERM and MEMP sub plans are becoming more compliance driven and therefore a mandated cost to Council without any compensation or recognition of the work required.

Darebin will continue to apply for external funding to support and enhance our emergency management work but it will still be mostly funded by Council.

CONCLUSION

Darebin is well placed in terms of current compliance to relevant legislation and procedures. The next 3 years will require ongoing diligence to maintain the MEMP and its associated sub plans up to the current standard. Darebin is also fortunate to have a good cross section of Council Directorate staff, managers, and Councillor involvement to facilitate an "whole of organisation" approach to emergency events.

As the emergency management environment is constantly changing and expanding it is most likely that there will be more work and staff time required to develop new and as yet unidentified sub plans. These will need to be resourced and comply with the existing standards.

FUTURE AND RELATED ACTIONS

- The formal presentation of the three year audit certificate was at the February 2011 MEMPC meeting by the SES to the Mayor/Chief Executive
- Staff to provide more information via a briefing to Council
- Formal Council endorsement of the MEMP; both these documents will be contained in the updated MEMP.
- Executive Management Team to review and recommend changes to the staffing and resource allocation.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

- Council Report 2 August 2010
- Victorian Emergency Management Act 1986
- Emergency Management Manual Victoria 2010
- MEMP Audit Workbook and Evidence Guide

8.5 LEAMINGTON STREET RESERVOIR – PUBLIC RECREATION AREA**MINUTE NO. 160****AUTHOR: Acting Manager Leisure Services – Susan Hecker****REVIEWED BY: Director City Design and Environment – Daniel Freer****SUMMARY:**

At its meeting on 21 March 2011 Council resolved:

That Council consider an upgrade of the Leamington Street Reservoir public recreation area as part of the Council's 2011/2012 budget deliberations with a focus on:

- (1) *Reviewing the closure of the public toilets.*
- (2) *Considering viable options for the future use of Council premises closed due to asbestos.*
- (3) *Undertaking a general upgrade of the dilapidated public sporting facilities.*

The Council premises at Leamington Street are known as the Leamington Youth Space and operate as an informal youth space providing facilities for netball, handball, basketball and skating and is one of the venues utilised for the Darebin Youth Services Ute Crew program. The youth space is also utilised for youth based activities during the Darebin Community and Kite Festival.

The pavilion included in this area is currently open and is utilised by the Darebin Youth Services Ute Crew and other community groups including the Australian Federation of Hellenic Gymnastics and Athletics Association. As part of a risk assessment of Council buildings a sign was installed on all buildings that may contain asbestos to warn contractors of possible dangers and to take precautionary measures against the possibility of asbestos in buildings, however these signs do not necessarily confirm the presence of asbestos.

As a direct action from the Leisure Strategy adopted by Council in 2010, Council is currently reviewing all sport and recreation facilities in order to create a community facilities plan that will inform and guide the direction of future facility development and refurbishment within the City. The Leamington Street facilities are included in this review.

CONSULTATION:

Manager Leisure, Public Realm and Venues

Manager Darebin Parks

Manager Leisure Services

Manager Facilities Maintenance

Manager Public Realm

Sport Development Coordinator

COUNCIL RESOLUTION

MOVED: Cr. G. Greco
SECONDED: Cr. S. Chiang

THAT Council note this report regarding the Leamington Street Reservoir Public Recreation Area.

CARRIED

REPORT**INTRODUCTION AND BACKGROUND****Edwardes Lake Park**

Leamington Street, Reservoir public recreation area forms part of Edwardes Lake Park, a 56 hectare district park situated in the north of the municipality within the La Trobe Ward. A masterplan was developed for the park and lake in 2000.

Over the past 11 years, the implementation of this masterplan has been funded by Council and has delivered significant capital improvements to the park for the local and broader Darebin community.

Leamington Street Precinct

The Leamington Street precinct includes tennis courts and a clubroom facility, lawn bowls facilities, guide and scout halls and a youth space which includes netball, basketball, skate facilities, a rebound wall and pavilion.

The youth space at the site has previously been utilised as competition netball courts however due to ongoing ground subsidence as a result of the facility being constructed on a former landfill site it was no longer able to meet minimum safety standards for competitive sport. This resulted in the netball club relinquishing their use of the site. New netball courts were built at the Darebin Community Sports Stadium in Plenty Road Reservoir as a replacement facility.

In 2000 as part of the Masterplan works the area was refurbished as an informal youth social area and this included informal facilities for netball, handball and basketball training and skate facilities including small ramps and skate elements, along with tree planting and some seating. The masterplan has nominated that the program for the area remains as a combination of informal sports and youth area.

Leamington Street Pavilion

The pavilion is currently utilised by Darebin Youth Services for delivery of the Ute Crew Program. The pavilion is also tenanted by the Australian Federation of Hellenic Gymnastics and Athletics Association.

Leamington Street Toilets

There are several public toilet blocks in the Edwardes Lake Park precinct some of which are opened daily. The Leamington Street toilets are open when the clubs that use the facility are in attendance at the site.

ISSUES AND DISCUSSION

Reviewing the Closure of the Leamington Street Public Toilets

The public toilets at Leamington Street are only opened when the user groups of the attached pavilion require them. Each user group has been allocated keys for the pavilion and toilets as part of their tenancy agreement.

The public toilets are not opened regularly by Council as there is currently insufficient demand to warrant the annual expenditure on opening and cleaning costs. In addition, there are several public toilet blocks within the Edwardes Lake Park precinct that are opened and cleaned daily, the nearest being less than 300 metres away. As part of a broader community facilities plan for the municipality, all toilet blocks will be assessed and consideration given to their future use.

Buildings Containing Asbestos

Under the Occupational Health and Safety Regulations 2007 Council is obligated to, as far as is reasonably practicable, identify all asbestos containing materials (ACM) and have them recorded in an asbestos register. The register must contain the location, type, friability, condition of the ACM and any activities likely to disturb it. The register must be reviewed and revised every five years, or earlier where there have been any changes to the condition, enclosure, sealing or presence of ACM.

In addition, Council has taken the precaution of indicating the possibility of asbestos being present in buildings such through signage to alert contractors.

The youth space pavilion has signs on the external wall indicating the possible presence of asbestos. The use of the asbestos register, signage and permit to work practices assist in safe maintenance and works practices in all Council buildings.

Future Works to the Youth Space

As a direct action from the Leisure Strategy adopted by Council in 2010, Council is currently reviewing all sport and recreation facilities in order to create a community facilities plan that will inform and guide the direction of future facility development and refurbishment within the municipality. The Leamington Street facilities are included in this review.

This will ensure that the future use of this site is appropriate to community need. Funding for future developments will be sought through the regular budgeting process and prioritised as per the strategy.

The area should continue to cater for existing user groups with additional focus on infrastructure to promote informal recreation for youth in Darebin.

In the interim, additional maintenance will be undertaken at the Leamington Street youth space to improve the general appearance of the site with removal of weeds, litter and hard rubbish, remarking of lines on the informal sports courts and additional maintenance of the street furniture and skate elements.

POLICY IMPLICATIONS

Environmental Sustainability

There are no identified environmental impacts to arise from this report. Council's continued adherence to asbestos management requirements will continue.

Social Inclusion and Diversity

The Edwardes Lake Park youth space is a popular area providing the setting for informal youth activities and the Darebin Ute Crew program as well as community group facilities

Other

The provision of informal spaces and value of leisure for youth is identified in the Open Space Strategy, Leisure Strategy, Youth Strategy (draft) and the Young People in Darebin Parks Study.

FINANCIAL AND RESOURCE IMPLICATIONS

The financial implications of undertaking the minor improvement works at the youth space will be funded from existing budgets. There will be no further ongoing impacts on Council's budget to continue operating the site as per the current arrangements.

CONCLUSION

The Leamington Street open space at Edwardes Park Lake will continue to be planned for as a Youth Space. Council officers will continue with the development of a leisure facilities plan that will guide the future direction of this space ensuring maximising future community use. Any funding for future developments will be sought through the regular budgeting process and prioritised as per the strategy.

Additional maintenance will be undertaken at the Leamington Street youth space to improve the general appearance of the site with removal of weeds, litter and hard rubbish, remarking of lines on the informal sports courts and additional maintenance of the street furniture and skate elements.

FUTURE ACTIONS

- The Leamington Street youth space will be considered for future capital works as part of Council's Community Facility Strategy.
- Additional maintenance will be undertaken at the Leamington Street precinct to improve the general appearance of the site.
- The future use of the Leamington Street public toilets will be considered as part of the broader Community Facility Strategy.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

- Open Space Strategy 2007-2017
- Leisure Strategy 2010 - 2020
- Youth Strategy (draft)
- Young People in Darebin Parks Study 2005
- Occupational Health and Safety Regulations 2007

(Cr. Fontana temporarily left the meeting at the conclusion of this item – 9.14pm)

8.6 ROAD SURFACE ISSUES – CORNER OF WOOLHOUSE STREET AND BEACONSFIELD PARADE, NORTHCOTE**MINUTE NO. 161****AUTHOR: Manager Major Projects, Engineering and Transport – Nick Mazzarella****REVIEWED BY: Director City Works and Development – Michael Ballock****SUMMARY:**

A 'General Business' item was raised at the Council Meeting on 4 April 2011 with regard to the condition of the road surface at the intersection of Woolhouse Street and Beaconsfield Parade, Northcote.

The location identified is within the scope of road reconstruction works (Beaconsfield Parade - St Georges Road to Leinster Grove) being undertaken as part of Council's 2010/2011 Capital Works Program, and the issue is to be rectified as part of the current road reconstruction works.

CONSULTATION:

Coordinator Capital Works

Major Works Officer

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

THAT Council receive and note this report regarding road surface issues at the corner of Woolhouse Street and Beaconsfield Parade Northcote.

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

A 'General Business' item was raised at the Council Meeting on 4 April 2011 with regard to the condition of the road surface at the intersection of Woolhouse Street and Beaconsfield Parade, Northcote.

The location identified is within the scope of road reconstruction works (Beaconsfield Parade - St Georges Road to Leinster Grove) being undertaken as part of Council's 2010/2011 Capital Works Program.

ISSUES AND DISCUSSION

The intersection of Woolhouse Street and Beaconsfield Parade is a modified T-intersection arrangement which has a considerable volume of turning vehicles. As a result of this high volume of turning movements, the asphalt road surface has warped and rutted over time, with the effect exacerbated by a number of pavement patches by service authorities over the years.

The reconstruction of Beaconsfield Parade between St Georges Road and Leinster Grove is identified within Council's Capital Works Program for 2010/2011. The works include kerb and channel, drainage, footpath, vehicle crossing and pavement reconstruction/resurfacing works. The intersection of Woolhouse Street and Beaconsfield Parade is within the scope of these works.

A tender for the reconstruction of Beaconsfield Parade (St Georges Road to Leinster Grove) was awarded in March 2011, and works commenced on site on 13 April 2011. Works are expected to be completed by 30 June 2011.

POLICY IMPLICATIONS**Environmental Sustainability**

Nil.

Social Inclusion and Diversity

Nil.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

The works are being undertaken within the project budget allocated within the 2010/2011 Capital Works Program.

CONCLUSION

The poor road surface identified at the intersection of Woolhouse Street and Beaconsfield Parade, Northcote will be rectified as part of the Beaconsfield Parade (St Georges Road to Leinster Grove) road reconstruction works that are currently in progress.

FUTURE ACTIONS

No further action required.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

Nil.

(Crs. Fontana and Tsitas returned to the meeting during discussion of the above item – 9.16pm)

**8.7 NORTHCOTE AQUATIC AND RECREATION CENTRE
PROPOSED COGENERATION SYSTEM****MINUTE NO. 162****AUTHOR: Manager Major Projects, Engineering and Transport – Nick
Mazzarella****REVIEWED BY: Director, City Works and Development – Michael Ballock****SUMMARY:**

This report summarises the key findings of the recently completed feasibility study into a gas fuelled cogeneration plant at the Northcote Aquatic and Recreation Centre (NARC) to heat the outdoor pools and provide energy for the entire site.

The capital cost is in the order of \$800,000 with a return on investment of about 7 to 10 years depending on the level of heat recovery.

In addition, there would be 35 per cent reduction in carbon dioxide emissions attributable to energy consumed at the site.

The proposed cogeneration system at NARC has been referred to the 2011/2012 Capital Works Budget for consideration.

CONSULTATION:

City Design and Environment Directorate
YMCA Victoria

COUNCIL RESOLUTION

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

THAT Council note the findings of the feasibility study into a cogeneration system at the Northcote Aquatic and Recreation Centre.

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

Northcote Aquatic and Recreation Centre (NARC) is owned by Darebin City Council and is operated under contract by YMCA Victoria (refer to Figure A (**Appendix A**) for an aerial photo). The facility consists of heated indoor and outdoor pools using natural gas energy. A detailed feasibility study has been completed by an independent technical consultant,

Bridgewater Engineering Pty Ltd for the installation of a cogeneration system which will simultaneously generate power for the entire complex and heat the outdoor pools. This site is considered to have many of the optimal factors that normally would favour a successful cogeneration project. In this case, the proposed cogeneration system will comprise a reciprocating engine using natural gas to generate power, with the waste heat from the engine recovered to heat the outdoor pool water.

The outdoor 50 metre pool was relined in 2007 and a conventional gas heater was installed in mid 2008 to heat both outdoor pools for the first time to cater for the increase in use. Following this, an extensive analysis was undertaken of gas and power consumption records for NARC to determine an accurate picture of the energy demand for heating of the outdoor pools.

The indoor pool has a separate conventional gas heating system in a separate plant room to that of the outdoor pools. Although it is possible to install a separate cogeneration system for the indoor pool, the return on investment for this separate system is less than for the outdoor pools. As such, the focus of this initiative will be on the outdoor pools.

ISSUES AND DISCUSSION

As NARC is operated by YMCA Victoria under contract to the Darebin City Council, the installation of a cogeneration system will require an agreement with the operator for the ongoing operation and management of the new cogeneration system.

The feasibility study undertook detailed assessments for the potential to export power to the grid and found that it is not viable due to the relatively low value of peak and off-peak energy that could be sold to the Victorian Electricity Pool.

The installation of a cogeneration plant at NARC will require the construction of a plant room to accommodate the engine, pipe work and electrical systems. The location of this proposed plant room is shown in the aerial photo in Figure A (**Appendix A**).

CitiPower recognises that this proposed cogeneration plant will have minimal impact on the power distribution network and therefore there should be no requirement for an expensive "system fault level study" or a "network study". CitiPower has advised that a 'non-export embedded generator' is acceptable and that a simple Connection Agreement will be required.

Gas Demand

The NARC indoor and outdoor pools are heated 24 hours per day and the indoor spaces also have ventilation air heating, spa heating and domestic hot water heating demands – all gas fired. The heating demand for the outdoor pools accounts for over half (55%) of the total site heating load. The thermal energy demand for the outdoor pools is around 2,775,800 kWh (kilowatt hour), averaging over 315 kW (kilowatt). It peaks at about 470 kW in July and is much lower in summer (about 150 to 190 kW). Refer to Figure B (**Appendix A**) for the heat profiles.

TRU Energy is the present natural gas retailer and the site is on a negotiated contract rate with the YMCA for all gas used.

Power Demand

Electrical demand at NARC varies from an overnight low of about 60 to 70 kW to a typical high of about 200 kW on summer afternoons, when the site's air-conditioning is fully in operation. The maximum demand seen in 2009 was 222 kW, in December. The minimum demand seen in 2009 was 56 kW, in June. The site's annual average power demand is

approximately 121 kW. There is a seasonal variation in power demand, primarily due to use of air conditioning in summer. Refer to Figure C (**Appendix A**) for the power demand profiles.

Electricity is supplied from the CitiPower Network at 415V, with Country Energy as the current Retailer.

Proposed Cogeneration System

The economic performance of various cogeneration plant options have been examined and the optimum long term solution is a 'lean burn' reciprocating gas engine based cogeneration plant in the power range of 200 to 260 kW. The recommended engine is the 'Guascor FGLD 180-80' engine with a power output of 250 kW (or similar).

This is a larger engine than the other options, which is more efficient and has the capacity to accommodate future expansion of NARC which would add power demand or an increase in use and possibly broaden the times of high power load. The Return on Investment (ROI) for this engine is about 7 - 10 years depending on the level of heat recovery. Refer to Figure D (**Appendix A**) for a summary of the engine's energy demands and payback.

A new plant room is proposed to be built adjacent to the existing external plant room located at the eastern end of the site (refer to aerial photo in Figure A – **Appendix A**).

Gas Engine Performance

The proposed cogeneration plant would normally operate in parallel with the grid power supply and meet all the electricity power requirements of the site up to the cogeneration plant's maximum continuous rating (250 kW), above which the grid supply would top up the site power demand until the peak has passed. A minimal 10 kW import power will be supplied from the grid (CitiPower) with the balance of site load from the cogeneration plant.

During a grid outage, automatic controls will enable the cogeneration plant to pick up the site load and avoid a site black out.

Engine Heat Recovery – Hot Water

The cogeneration plant can deliver hot water at a temperature of 85 to 105 degrees celsius for the outdoor pools. If the heat recovered from the gas engine is insufficient, the existing gas heater will be fired up to achieve the required temperature.

If the outdoor pools do not require heating, the cogeneration plant will continue to operate to generate power for the site; however surplus heat from the cogeneration plant will be sent to a radiator and vented to the open air. The alternative is to salvage this surplus heat which requires additional infrastructure to pipe the surplus heat to the indoor pools, or to a storage tank for later use. These additional works would require an additional capital cost of approximately \$100,000 - \$150,000 and will extend the return on investment up to 10 years.

The feasibility study shows that the cost of generating power from the cogeneration plant even with no heat store or redirection of the surplus heat is still more favourable than the peak or off-peak green grid power cost. Nevertheless, it is proposed to consider the provision of some form of heat salvage and to seek prices during the tender process. The decision to include this can then be left depending on the cost and budget provision.

POLICY IMPLICATIONS

Environmental Sustainability

Noise is an issue with gas engines (although quieter than their diesel versions) and sound attenuation measures are required in the plant room to bring the 95 -100 dB(A) level down to acceptable levels.

With the cost of energy in Victoria predicted to rise steeply in coming years, driven by carbon taxes and related environmental factors, a cogeneration system would be an excellent investment in the pursuit of environmental sustainability. As such, many Victorian Councils have either installed or are about to install cogeneration systems in their aquatic centres.

Cogeneration Economics with Carbon Dioxide Credits / Taxes

A trading market for carbon dioxide may be possible in the future via 'carbon credits' that various players in energy production, distribution and end use will use to balance carbon dioxide emissions and reduction mechanisms by means of tradable instruments of some sort or by a levy on producers of power.

The Federal Government has also announced a proposed Carbon Tax, of which the details are yet to be made public

There is insufficient detail at this stage to assess the impact of any changes to the retail electricity and gas distribution markets, however, it is clear that any increase in energy prices will affect the cost of the current operational cost as well as any future cogeneration system. The economics of a cogeneration system could vary depending on the type of changes to energy prices and the future differential price between gas and electricity. For the NARC site, these changes may have an impact on the current return on investment anywhere from a more favourable situation (ie. less than 7 years) to a less favourable situation (ie. an addition 1 to 1.5 years). Considering this issue, the overall economic feasibility of the cogeneration systems should still be within a return on investment of 10 years, which is seen to be acceptable.

Emissions

Small scale cogeneration plants using natural gas fuel would be expected to provide the global environment with a net reduction in greenhouse gas emissions and the selected cases that were studied for this report certainly do result in significant reductions in that greenhouse gas.

One of the most significant benefits of cogeneration at NARC, as described in the feasibility study would be a reduction in greenhouse gas emissions attributable to energy consumed at the site by 35 per cent.

Reciprocating gas engines also have by-product exhaust emissions, however emissions limits do not apply to engines of less than 500 kW rating such as that proposed for this site.

Social Inclusion and Diversity

The cost efficiencies in the proposed cogeneration system will help meet the proposed increase in subsidy for concession visits at NARC during off peak times (8am - 4pm).

Increasing the amount of heated water space at NARC will better meet the increasing demand to use the centre by residents and community groups.

Increased participation in leisure activities / programs at NARC will have an improved effect on the community's health and wellbeing, such as:

- Reduced onset of cardiovascular disease.
- Improved physical and mental health.
- An effective intervention strategy in reducing anti-social behaviour in some young people.
- Provision of opportunities for socialising, building self esteem and friendship networks, reducing social isolation and enhancing community well being.

NARC is located in a diverse and disadvantaged area with a large majority of participants coming from Thornbury, Northcote, Preston and Fairfield. One of NARC's strengths is its appeal to disability groups, high access by women (58% of users), utilisation by children, innovative programs for young people and special programs for people with disabilities. NARC also aims to increase participation by traditionally disadvantaged groups and culturally and linguistically diverse communities through the increased availability of heated indoor water space by relocating lap swimmers to the outdoor heated pool.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

The economics of cogenerating electrical power and heat from natural gas are highly dependent on the following parameters:

- The conversion efficiency of the cogeneration plant.
- The price of engine fuel, in this case the natural gas marginal cost.
- The utilisation of "free" waste heat to replace heat on site.
- The competing cost of grid electricity when the cogeneration plant is on line.
- The cost of long term maintenance and operating the plant.

An analysis of the expected operating costs of the reciprocating gas engine chosen for the purposes of this report show that power could be generated on the NARC site for about 5.5 to 5.8 cents/kWh, including an allowance for the value of recovered heat and routine maintenance costs.

The marginal cost of generation without any heat recovery benefit (ie. with full heat dumping) is about 9.1 to 9.5 cents/kWh.

From the 2009 NARC power billing data, the average cost of grid power, inclusive of network Distribution Use of System and Transmission Use of System, Contract Maximum Demand charges, the Green Energy premium (assumed to be 3.91 c/kWh) and all Australian Energy Market Operator pass throughs, is about 15.1 cents per kWh, exclusive of GST.

The cost of "green" peak period power (7am to 11pm Monday to Friday) is about 17.1 c/kWh while the average cost of "green" off-peak power (including all weekends) is about 12.5 c/kWh.

The implication of the relative costs of green power from the grid versus on site generation with heat recovery is that cogeneration is always significantly cheaper during both the peak and off-peak price periods with the power cost differential depending on heat utilisation.

The model assumes that the cogeneration plant would operate continuously, 24 hours per day, seven days per week for the whole year. The only exception for running under this regime would be during programmed maintenance down time and unscheduled outage stoppages for the plant.

The 250 kW rated Guascor FGLD 180-80 cogeneration system provides a net reduction in energy costs at NARC of about \$ 106,540 per year (a 37.6 per cent reduction), would reduce greenhouse gas emissions by about 942 tonnes per year (a 35 per cent reduction) and would have a return on investment of approximately seven years.

A DCF (Discounted Cash Flow) analysis for the cogeneration project with the 250 kW cogeneration system shows an Internal Rate of Return of 20.8 per cent and a NPV of \$676,800 over 15 years at a discount rate of 8 per cent. This confirms the economic viability of the proposed initiative.

Refer to Figure E (**Appendix A**) for a sensitivity analysis of the financial modelling for the cogeneration system.

Cogeneration Economics

| | |
|--|-------------------|
| BASE CASE ENERGY COSTS (excluding GST) | |
| BASE CASE GREEN GRID POWER COST | \$ 160,127 |
| <u>BASE CASE NATURAL GAS COST</u> | <u>\$ 124,141</u> |
| TOTAL BASE CASE ENERGY COST | \$ 284,268 |

Annual "With Cogen" Energy Costs & Savings Analysis
Without CO2 credits

| Cogen Engine | Cogen Engine Rating kW(e) | Net Power Cost | Net Gas Cost | Plant Maintenance | Total Cost With Cogen | Annual Savings | Reduction compared with base costs |
|--------------|---------------------------|----------------|--------------|-------------------|-----------------------|----------------|------------------------------------|
| FGLD 180-80 | 250 | \$ 20,710 | \$151,923 | \$ 22,984 | \$ 195,618 | \$ 87,693 | 31.0 % |

Estimates of Capital Cost

The capital cost estimate for the proposed cogeneration system using the Guascor FGLD 180-80 engine is approximately \$800,000 (see table below). A submission has been made to the Council budget for funding over two years (2011/2012 and 2012/2013) to implement this initiative. External funding opportunities are also being investigated to consider other complementary programs such as energy and water conservation works.

Cogeneration System Cost Estimate

| ITEM | ESTIMATED COST |
|------------------------------------|----------------|
| Generating Set Nominal 250 kW | \$ 155,000 |
| Cogen Engine Installation | \$ 8,000 |
| Lube Oil Tank & Level Control | \$ 6,000 |
| Fuel Gas Train | \$ 8,000 |
| Fuel Gas sub-Meter | \$ 5,000 |
| Exhaust Muffler & Stack System | \$ 15,000 |
| Exhaust Gas Heat Recovery Silencer | \$ 12,000 |
| Dump Radiator | \$ 18,000 |

| | |
|---|------------------|
| Jacket Water Loop Pipe Work | \$ 40,000 |
| Pumps/Controls etc | \$ 10,000 |
| Heat Recovery PHX | \$ 5,000 |
| Intercooler HX | \$ 5,000 |
| Civil/Structural/Building Works | \$ 140,000 |
| Enclosure Ventilation & Acoustics | \$ 28,000 |
| Power Cabling & Switchboard Mods | \$ 55,000 |
| Cogen Engine Control Panel & PLC Controls | \$ 25,000 |
| Design & Documentation | \$ 40,000 |
| Testing and Commissioning | \$ 5,000 |
| Tender | \$ 20,000 |
| Project Management | \$30,000 |
| Authority Studies / Fees | \$30,000 |
| Contingency | \$ 60,000 |
| Escalation to July 2012 | \$80,000 |
| TOTAL COST pre GST | \$800,000 |

CONCLUSION

The most viable option for a cogeneration system consists of a natural gas fuelled, 250 kW reciprocating engine driven, 415 Volts AC generation set, arranged to operate in parallel with the CitiPower supply to the site.

The proposed cogeneration plant would return its estimated \$800,000 project capital cost between seven and ten years (depending on scale of heat recovery, authority fees, future carbon taxes, contingency and project management), based on current energy use, current electricity and natural gas energy prices.

The cogeneration engine will supply the majority of NARC's electrical power but with a small import (10 kW) from the power grid to ensure voltage stability and instantaneous pick up of grid power should the gas engine trip or be shut down.

The cogeneration system provides a net reduction in energy costs at NARC of about \$106,540 per year (a 37.6 % reduction), which would reduce greenhouse gas emissions by about 942 tonnes per year (a 35 % reduction).

FUTURE ACTIONS

A submission has been made to the 2011/2012 and 2012/2013 Capital Program for the implementation of a cogeneration system at NARC.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

Cogeneration Detailed Feasibility Study for the Northcote Aquatic and Recreation Centre, Bridgewater Engineering Serviced – May 2010.

Appendix A – Figures A to E

8.8 STATUS REPORT ON REPORTS AND 'GENERAL BUSINESS' ITEMS OUTSTANDING

MINUTE NO. 163

AUTHOR: Council Business Coordinator – Ron Downes**REVIEWED BY:** Director Corporate and Business Services – Vijaya Vaidyanath**SUMMARY:**

This report provides a summary of the status of reports and 'General Business' items outstanding as at April 2011.

CONSULTATION:

Executive Management Team

COUNCIL RESOLUTION**MOVED:** Cr. S. Chiang
SECONDED: Cr. B. Morgan

THAT the status report on Reports and 'General Business' items outstanding as at April 2011, attached as **Appendix A** to this report, be received and noted.

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

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

ISSUES AND DISCUSSION

A schedule of the reports and actions outstanding as at April 2011 is attached as **Appendix A**.

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

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

POLICY IMPLICATIONS

Environmental Sustainability

Nil.

Social Inclusion and Diversity

Nil.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

CONCLUSION

It is recommended that this status report on Reports and 'General Business' items outstanding as at April 2011 be received and noted.

FUTURE ACTIONS

The next status report will be submitted to Council at its meeting on 6 June 2011.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

Minutes of previous meetings of the Council.

9. URGENT BUSINESS

Nil.

10. GENERAL BUSINESS**10.1 APPRENTICESHIP AND TRAINEESHIP POSITIONS WITHIN COUNCIL****MINUTE NO. 164**

| |
|---------------------------|
| COUNCIL RESOLUTION |
|---------------------------|

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

THAT Council officers prepare a report to Council within two months on how Council can tap into funding from both levels of government to create apprenticeships and traineeships positions within Council for people from low socio-economic backgrounds, including youth, Aborigines and refugees in Darebin.

THE MOTION WAS PUT AND LOST**10.2 OVERSEAS QUALIFIED PROFESSIONAL WORK PLACEMENT PROGRAM****MINUTE NO. 165**

| |
|---------------------------|
| COUNCIL RESOLUTION |
|---------------------------|

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

THAT Council officers provide a report to Council by the end of July 2011 on the results of the overseas qualified professional work placement program recently concluded, including plans for its future continuation.

CARRIED

10.3

COGENERATION - RESERVOIR LEISURE CENTRE

MINUTE NO. 166

COUNCIL RESOLUTION

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

THAT Council receive a report within three months on the potential timeline and opportunities for investment from other levels of government in the cogeneration facility at Reservoir Leisure Centre.

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

MOVED: Cr. N. Katsis
SECONDED: Cr. S. Chiang

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

11.1 Award Cleaning Services Umbrella Contract (Ref: CT201069)

CARRIED

The meeting was closed to the members of the public at 10.02pm.

The Council considered and resolved on Report Item 11.1 (Award Cleaning Services Umbrella Contract (Ref: CT201069)) which had been circulated to Councillors on Thursday 12 May 2011 with the Council Agenda Paper.

RE-OPENING OF MEETING

MOVED: Cr. S. Tsitas
SECONDED: Cr. S. Chiang

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

CARRIED

The meeting was re-opened to members of the public at 10.13pm.

CONFIDENTIAL**11.1 AWARD CLEANING SERVICES UMBRELLA CONTRACT
(REF: CT201069)****MINUTE NO. 167****AUTHOR: Chief Financial Officer – Kerrie Jordan****REVIEWED BY: Director Corporate and Business Services - Vijaya
Vaidyanath****SUMMARY:**

The current cleaning services umbrella contract incorporates individual agreements with five cleaning contractors servicing 39 Council facilities. These agreements expire on 30 June 2011. Tenders were invited for the provision of cleaning services for the 39 Council facilities on 17 December 2010.

A Tender Evaluation Panel has evaluated the tenders.

The preferred tenderers will deliver to the Council, the municipality and the users of the Council facilities a cleaning service that is based on best value principles balancing cost and service.

RECOMMENDATION

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

COUNCIL RESOLUTION

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

THAT the following Council Resolution:

That:

- (1) *Council resolves that, subject to final contract agreement, Academy Services (Vic) Pty Ltd is the preferred tenderer for an individual agreement, for the provision of Cleaning Services for Council's City Design and Environment Directorate – six facilities, under Contract CT 201069 for a 3 year period from 1 July 2011 to 30 June 2014.*
- (2) *Council resolves that, subject to final contract agreement, Storm International Pty Ltd is the preferred tenderer for an individual agreement, for the provision of Cleaning Services for Council's Business and Corporate Services and City Works and Development Directorates – three facilities,*

under Contract CT 201069 for a 3 year period from 1 July 2011 to 30 June 2014.

- (3) Council resolves that, subject to final contract agreement, Centrepoint Cleaning Pty Ltd is the preferred tenderer for an individual agreement, for the provision of Cleaning Services for Council's Community Services Directorate – 30 facilities, under Contract CT 201069 for a 3 year period from 1 July 2011 to 30 June 2014.*
- (4) The Chief Executive Officer be authorised to finalise and execute the contract documentation for these agreements with the preferred tenderers.*
- (5) A 12 month review be undertaken on the successful tenderers and the findings presented to Council on their performance in relation to their respective key performance indicators.*

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

CARRIED

12. CLOSE OF MEETING

The meeting closed at 10.14pm.