



MINUTES OF THE COUNCIL MEETING

HELD ON

MONDAY, 2 MAY 2011

RELEASED TO THE PUBLIC ON THURSDAY 5 MAY 2011

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**MINUTES OF THE ORDINARY MEETING OF THE
DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE,
350 HIGH ST, PRESTON ON MONDAY 2 MAY 2011**

THE MEETING OPENED AT 7.01P.M.

1. PRESENT

Councillors

Cr. Diana Asmar (Mayor)
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
Fred Warner – Group Manager People and Performance
Rhys Thomas - Governance and Corporate Planning Manager
Katia Croce – Acting Council Business Coordinator

2. APOLOGIES

Nil.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

RECOMMENDATION

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

THAT the Minutes of the Ordinary Meeting of Council held on 18 April 2011 be confirmed as a correct record of business transacted.

CARRIED

5. REPORTS BY MAYOR AND COUNCILLORS

MINUTE NO. 135

5.1 REPORT OF CR. STANLEY CHIANG

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

- Interview with ABC Mandarin program
- Award ceremony of the Wings Foundation and 2Future School
- Launch of Pacific Daily Newspaper
- Council Briefing Sessions
- Resident Issues.

5.2 REPORT OF CR. TRENT MCCARTHY

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

- Budget Briefing session
- Darebin Enterprise Centre Limited (DECL) Board meeting
- Various planning, traffic and local amenity issues with residents and traders.

5.3 REPORT OF CR. GAETANO GRECO

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

- Darebin Ethnic Communities Council (DECC) Steering Committee meeting
- Planning Committee meeting
- Council Briefing session
- Budget briefing session
- Darebin Enterprise Centre Limited (DECL) Board meeting
- Interfaith Forum Governing Committee meeting
- Classic Music event 'Sinfonia al Dente'
- Resident issues.

5.4 REPORT OF CR. BEN MORGAN

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

- Budget Briefing sessions
- Council Briefing session.

5.5 REPORT OF CR. STEVEN TSITAS

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

- Council Briefing sessions
- Planning Committee meeting
- ANZAC Day Ceremony at Fairfield/Alphington RSL.

5.6 REPORT OF CR. TIM LAURENCE

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

- Planning Committee meeting
- Council Briefing session
- Budget Briefing sessions.

5.7 REPORT OF CR. VINCE FONTANA

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

- All Nations Park Stations of the Cross Easter Event
- Chaired the most recent Planning Committee meeting
- Budget Briefing sessions
- Classical Music event 'Sinfonia al Dente'
- Volunteer Award presentation to George Bennett
- Met with Gilbert Road/Miller Street traders
- Met with representatives of Plenty Road traders.

5.8 REPORT OF CR. NICK KATSIS

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

- Council Briefing session
- Planning Committee meeting
- Budget Planning sessions
- Onsite Planning meetings
- Constituent concerns.

5.9 REPORT OF THE MAYOR, CR. DIANA ASMAR

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

- Various Community groups
- Press meetings
- Volunteer Award presentation to George Bennett

- Presentation to Dr. Pierre Raffoul
- Classical Music event 'Sinfonia al Dente'
- Budget meetings
- Meeting with Northcote/Darebin RSL
- Mental Illness Fellowship meeting
- Briefing session
- Press Briefing
- Residential meeting regarding various issues
- Citizenship Ceremony
- ANZAC Day at Bundoora Extended Care
- Dawn Service at all Nations Park on ANZAC Day
- Darebin RSL ANZAC Day Service
- Various business meetings regarding new initiatives that Darebin could do in partnership
- Planning Committee as an observer
- Local traders regarding tram Route 86 and other issues.

6. PUBLIC QUESTION TIME

MINUTE NO. 136

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

The following questions were submitted:

- John Nugent of Epping asked a question about commencement of major works at Donath Reserve. The question was responded to by the Mayor, Cr. Asmar, and the Director City Design and Environment, Daniel Freer.
- Mary Soumbasis of Preston made an apology to council for her behaviour at last Council meeting. The Mayor, Cr. Asmar advised no apology required as it is Council's duty to respond to questions and thanked her for her comments.
- Gordon Blake from Northcote asked a question about the Australian Horizons site at Arthurton Road, Northcote. The question was responded to by the Director City Works and Development, Michael Ballock.

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

7. RECORDS OF ASSEMBLIES OF COUNCILLORS

MINUTE NO. 137

7.1 ASSEMBLIES OF COUNCILLORS HELD

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

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

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

An Assembly of Councillors record was kept for:

- Councillor Briefing Sessions – 13, 16, 18 and 27 April 2011

COUNCIL RESOLUTION

MOVED: Cr. V. Fontana
SECONDED: Cr. S. Chiang

THAT the records of Assemblies of Councillors held on 13, 16, 18 and 27 April 2011 be noted and incorporated in the minutes of this meeting.

CARRIED



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing Session
	Date:	13 April 2011
	Location:	Conference Room, Darebin Civic Centre
PRESENT:	Councillors:	Cr Diana Asmar (Mayor), Cr Steven Tsitas, Cr Gaetano Greco, Cr Nick Katsis, Cr Ben Morgan , Cr Tim Laurence, Cr Trent McCarthy, Cr. Stanley Chiang, Cr Vince Fontana
	Council Staff:	Rasiah Dev, Vijaya Vaidyanath, Michael Ballock, Daniel Freer, Fred Warner, Katrina Knox, Kerrie Jordan, Rhys Thomas
	Other:	None
APOLOGIES:		None

The Assembly commenced at 7.08pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Conflict of Interest Legislative Provisions	No disclosures were made
2	Council Budget 2011/2012	No disclosures were made

The Assembly concluded at 9.14pm

RECORD COMPLETED BY:	Officer Name:	Daniel Freer
	Officer Title:	Director City Design and Environment



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing Session
	Date:	16 April 2011
	Location:	Conference Room, 350 High Street, Preston
PRESENT:	Councillors:	Cr Diana Asmar (Mayor), Cr Vince Fontana, Cr Nick Katsis, Cr Stanley Chiang, Cr Ben Morgan, Cr Tim Laurence, Cr Gaetano Greco, Cr Steven Tsitas joined meeting 9.30am
	Council Staff:	Rasiah Dev, Vijaya Vaidyanath, Fred Warner Michael Ballock, Katrina Knox, Kerrie Jordan, Chris Meulblok, Rhys Thomas, Pradeep Agrawal, Daniel Freer
APOLOGIES:		Cr. Trent McCarthy

The Assembly commenced at 9.15am

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Presentation – E-Information Flow	No disclosures were made Pradeep Agrawal and Rhys Thomas left at the conclusion of this item
2	Budget	No disclosures were made
3	Annual Budget 2011/2012	<p>The Mayor, Cr. Asmar disclosed a conflict of interest in the matter of Hayes Park classifying the type of interest as an indirect interest because of impact on residential amenity and describing the nature of the interest as that she resides in the area and there is a reasonable likelihood that her residential amenity will be altered if the matter is decided in a particular way – left meeting at 11.28am and returned at 11.33am.</p> <p>The Mayor, Cr. Asmar disclosed a conflict of interest in the matter of Flinders Street Rehabilitation Works classifying the type of interest as an indirect interest because of impact on residential amenity and describing the nature of the interest as that she resides in the area and there is a reasonable likelihood that her residential amenity will be altered if the matter is decided in a particular way – left meeting at 11.37am and returned at 11.38am.</p> <p>No further disclosures were made</p> <p>Daniel Freer arrived during this item</p> <p>Cr Vince Fontana left the meeting at 11.45am</p> <p>Cr Tim Laurence left the meeting at 11.58am</p>

The Assembly concluded at 12.25pm

RECORD COMPLETED BY:	Officer Name:	Katrina Knox
	Officer Title:	A/Group Manager Community Services



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing Session
	Date:	18 April 2011
	Location:	Conference Room, Darebin Civic Centre
PRESENT:	Councillors:	Cr Diana Asmar (Mayor), Cr Steven Tsitas, Cr Gaetano Greco, Cr Nick Katsis, Cr Ben Morgan , Cr Tim Laurence, Cr Trent McCarthy, Cr. Stanley Chiang, Cr Vince Fontana
	Council Staff:	Rasiah Dev, Vijaya Vaidyanath, Michael Ballock, Daniel Freer, Fred Warner, Katrina Knox, Kerrie Jordan, Chris Meulblok
	Other:	None
APOLOGIES:		None

The Assembly commenced at 9:10pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Council Budget 2011/2012	No disclosures were made

The Assembly concluded at 10:32pm

RECORD COMPLETED BY:	Officer Name:	Daniel Freer
	Officer Title:	Director City Design and Environment



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing Session
	Date:	27 April 2011
	Location:	Conference Room, Darebin Civic Centre
PRESENT:	Councillors:	Cr Diana Asmar (Mayor), Cr Steven Tsitas, Cr Gaetano Greco, Cr Nick Katsis, Cr Ben Morgan, Cr Tim Laurence, Cr. Stanley Chiang, Cr Vince Fontana
	Council Staff:	Rasiah Dev, Vijaya Vaidyanath, Michael Ballock, Daniel Freer, Fred Warner, Katrina Knox, Kerrie Jordan, David Archer, Kerrie Wellington
	Other:	None
APOLOGIES:		Cr Trent McCarthy

The Assembly commenced at 7:11pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Cleaning Contract	No disclosures were made
2	Council Budget 2011/2012	No disclosures were made Cr Katsis left the meeting at 8:30pm Cr Chiang left the meeting at 9:02pm

The Assembly concluded at 9:17pm

RECORD COMPLETED BY:	Officer Name:	Daniel Freer
	Officer Title:	Director City Design and Environment

8. CONSIDERATION OF REPORTS

8.1 DAREBIN ABORIGINAL ADVISORY COMMITTEE

MINUTE NO. 138

AUTHOR: Equity and Diversity Coordinator – Mandy Bathgate

REVIEWED BY: Group Manager People and Performance – Fred Warner

SUMMARY:

The purpose of this report is to provide an update on the establishment of the Darebin Aboriginal Advisory Committee (DAAC) replacing the former Darebin Aboriginal and Torres Strait Islander Community Council (DATSICC).

Officers have now developed a Draft Terms of Reference and time frames:

Key elements for consideration include:

- Community membership – reinvigorating participation
- Councillor representation
- Committee selection panel
- DATSICC succession planning
- Timeframes.

CONSULTATION:

Manager, Community Planning, Partnerships and Performance
Aboriginal Policy Officer

COUNCIL RESOLUTION

MOVED: Cr. T. McCarthy

SECONDED: Cr. V. Fontana

THAT Council endorses the Darebin Aboriginal Advisory Committee and its Terms of Reference.

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

DATSICC was formed in 2002 as a Special Committee of Council established under S86 of the Local Government Act. While DATSICC has achieved significant outcomes and has been

instrumental in forging stronger relationships between Council and community, consultation and review undertaken in 2007 and 2010, highlighted ongoing limitations and challenges.

Key concerns included:

- High incidence of general business and issues raised at the meeting.
- Members not feeling comfortable with the level of formality required at the meetings.
- Members wishing to focus on DATSICC business rather than Council reports.
- History of inability to have a quorum at meetings which require formal adjournment with the committee to be reconvened.
- Members having 'interests' in business coming before the Committee because of their various memberships and activities in the local Indigenous community.
- Difficult to obtain 'Returns of Interest' from members within statutory timeframe.

The review process concluded that a Darebin Aboriginal Advisory Committee (DAAC) may be an effective alternative to DATSICC due to the following reasons:

- Less onerous legislative requirements to be adhered to – except for compliance with code of conduct and Council governance protocols.
- It would support the development of an Action Plan which could be integrated into Council planning and budgeting processes, similar to the Disability Access and Inclusion Plan.
- DAAC could still provide input into Council business (Officer proposals of interest) but the key focus would be the Action Plan.

Based on these findings and after further discussions with DATSICC members, Council and Executive, consensus was reached to move towards a new model.

A formal decision was made at the Special Meeting of Council, 6 December, 2010 to dissolve DATSICC as a Section 86 and establish a new community advisory committee structure in its place.

ISSUES AND DISCUSSION

Reinvigorating community participation and representation

The new community advisory committee structure will have significant benefits and outcomes including:

- Re-energising community participation.
- Broader, more diverse community membership and expertise base.
- Closer working relationship with Officers to progress work.
- Regular reporting on meeting outcomes back to Council.
- Greater flexibility.

Draft Terms of Reference

Draft Terms of Reference for the Darebin Aboriginal Advisory Committee have now been developed. It is envisaged, as with the establishment of the Darebin Women's Advisory

Committee, that an establishment and monitoring phase will be built into the process to ensure capacity building for the new Committee.

Key elements contained within the Terms of Reference include:

- Diversity of community membership, with preference given to people who live, work or study within the municipality with a maximum of 12 and minimum of six people.
- Representation on the Committee by two Councillors.
- Councillor Chairperson (providing neutrality and reflecting high level leadership and commitment by Council to community).
- Duration of membership – two years with opportunity for reappointment.
- Officer support through the Aboriginal Policy Officer position.
- A sitting fee of \$60 per two hour meeting will be provided to support participation recognising high level of demand placed on community members and need to ensure access/equity provisions that promote inclusion and sustainability within the structure. The fee is capped and would cover travelling costs and other expenses associated with attending the meetings.

(See **Appendix A: Darebin Aboriginal Advisory Committee - Draft Terms of Reference**).

Selection Panel

Selection of the new Committee will be through an Expression of Interest process.

A report will be provided to Council with recommendation on the successful candidates for endorsement. The Report will also seek the appointment of the two Councillor representatives on the Committee.

Darebin Aboriginal Action Plan

The proposed Darebin Aboriginal Advisory Committee will help drive and support activities articulated within the Darebin Aboriginal Action Plan. It will reflect the strategic directions for Council and community and act as a platform for progressing both newly identified and outstanding commitments made under DATSICC.

It is anticipated that a key role for the newly established Committee will be to review the Plan and check assumptions around priorities, resources and deliverables. Council Officers are in the process of preparing a Draft Plan.

The residual commitments to be followed up by DAAC include:

Aboriginal Employment Program: Building on a Council commitment to the community about Aboriginal trainees, and subsequent provision in the budget for up to three Aboriginal trainees to undertake a 26 week traineeship program.

Stolen Generations Monument: Northcote Town Hall civic square. Public Art process managed through Arts and Culture. (Cost allocated in the current budget).

Koorie Conversations: The 'Koorie Conversations' project was undertaken during 2009 and identified issues and priorities of participating Aboriginal community members. Findings from this consultation will further inform the Action Plan.

DATSICC succession planning

In recognition of the significant contribution of DATSICC and the contribution of DATSICC members, a ceremony is being organised for 2 June 2011 as a way of demonstrating Council appreciation and ongoing commitment. Details of this event are yet to be confirmed however it is aimed that this activity occurs prior to the commencement of recruitment for the new Committee.

Time frames

Expression of Interest Process – May

Appointment of successful candidates and Councillors – 6 June Council Meeting

First Meeting – 8 June 2011 (thereafter 2 Wed of the month bi-monthly)

POLICY IMPLICATIONS**Environmental Sustainability**

Nil.

Social Inclusion and Diversity

Aligns with Darebin Diversity Policy, Council Plan, Human Rights and Social Inclusion Frameworks that aim to ensure Council is inclusive and responsive to the needs and aspirations of local communities through our services, programs and civic structures.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

\$10,000 per annum will be allocated for the Committee meetings and member costs.

CONCLUSION

Darebin Council has a long standing commitment and relationship with the Darebin Aboriginal community as articulated in the Council's Statement of Commitment 1998. Council continues to be committed to building a future based on equity, respect, understanding and the elimination of the disadvantages Aboriginal people endured. Council respects the diversity and distinctiveness of Aboriginal culture. The establishment of a new Darebin Aboriginal Advisory Committee structure and reinvigoration of our relationship with the Aboriginal community forms part of this commitment and as such is a continuing priority for Council to advance and support.

FUTURE ACTIONS

- Recognition Ceremony for DATSICC members - 2 June 2011
- Expression of Interest - May 2011

- Appointment of Members - 6 June 2011
- First meeting of DAAC Wednesday - 8 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

- Executive Management Team Briefing 8 March 2011
- Special Council Meeting 6 December 2010
- Council Briefing 22 November 2010
- DATSICC Options Paper November 2007
- DAAC Draft Terms of Reference (**Appendix A**)

8.2 DAREBIN ENVIRONMENTAL REFERENCE GROUP - ANNUAL REPORT**MINUTE NO. 139****AUTHOR: Acting Environmental Strategy Coordinator - Heidi Hamm****DIRECTOR: Director City Design and Environment - Daniel Freer****SUMMARY:**

Darebin's Environmental Reference Group (DERG) is a community advisory group and has been operating since 2001. DERG provides valuable input to Council on policies, strategies and projects of environmental significance and plays an important role in building community engagement and participation in environmental issues. This report summarises DERG's key achievements in 2010 and recommends endorsement of an increase in group size to twelve community members.

CONSULTATION:

Darebin's Environmental Reference Group is a key platform for consulting and engaging with the community on environmental issues. Throughout 2010 DERG considered presentations on the following issues: Council budget, Community Climate Change Action Plan, Food Security, Sustainable Food, Backyard Harvest Festival, Municipal Strategic Statement and Planning Issues, Darebin Parklands leachate treatment ponds, the Darebin Parklands Association and a presentation on wood smoke and air quality issues. DERG made formal submissions to the Council budget and the Food Security Policy.

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

- (1) Note this report regarding the 2010 achievements of Darebin's Environmental Reference Group and continue to support Darebin's Environmental Reference Group to improve environmental outcomes and participation; and
- (2) Endorse the amended Darebin Environmental Reference Group Terms of Reference to increase the group size to twelve community members.

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

To coincide with World Environment Day on 5 June 2001, Darebin Environmental Futures Day was held involving the participation of schools and community to develop a shared environmental vision for Darebin. Establishment of an Environmental Reference Group was a recommendation from this day for the most suitable framework to engage with the community regarding environmental and sustainability issues on a regular basis. Darebin's Environmental Reference Group (DERG) was established as a Community Advisory Group and the first DERG meeting was held in October 2001.

The purpose of DERG is:

- To facilitate community action and to assist in strengthening links and partnerships between the Darebin community and Council's contribution to environmental sustainability.
- To provide an avenue of community consultation regarding policy, strategies and matters pertaining to environmental sustainability in Darebin and to operate as a "sounding board" for key strategies and policies.
- To provide community feedback and assistance to Council regarding local environmental issues.
- To contribute to the content of environmental forums and events.

The group to date has consisted of ten community members and two Councillors. In December 2010, Cr. Trent McCarthy was appointed as the sole Councillor representative. Community members are appointed on a voluntary basis for a two year period. Half the committee retire at the end of each year providing a continuing balance of existing and new members - on retirement current members are eligible to re-apply. Positions are advertised through the local newspaper, environmental community groups and to subscribers of *Sustainability News*.

The selection criteria for appointment to DERG are:

- Demonstrated knowledge of and commitment to environmental and sustainability issues, particularly issues relevant to local government and the Darebin community.
- Demonstrated commitment to community action/involvement.
- Understanding and interest in local government issues.
- A broad representation of the Darebin community is sought – based on location (home address) and diversity.

DERG consistently attracts a strong field of candidates with more applicants than positions available. Eighteen applications were received for the 2011 - 2012 term. Three retiring members who re-applied and three new members were appointed to the group.

The DERG Terms of Reference (**Appendix A**) outline the purpose, roles and responsibilities and operations and processes that the group observes.

ISSUES AND DISCUSSION

Change to the DERG Terms of Reference

Following a high number of well qualified applications to DERG, the Selection Panel consisting of Cr. Trent McCarthy, a community member of DERG and the Manager of Environment and Natural Resources discussed the possibility of appointing additional applicants. This would require an amendment to the DERG Terms of Reference (Attached as **Appendix A**).

DERG discussed the issue of potential increased membership at its first meeting of the year on 23 February 2011. The group endorsed the proposal for increasing community membership to twelve.

The group agreed that the increased membership would provide more opportunity for community participation and diversity of perspectives while continuing to be a workable group size for the current meeting format.

It is proposed that two applicants identified as being on the waiting list via the selection process be invited to join DERG mid-year and be offered a slightly extended membership until the end of 2013.

Climate Change Action

Climate Change Action continued to be a priority theme for DERG in 2010.

DERG provided ongoing guidance and input into the implementation of the Community Climate Change Action Plan via:

- Ongoing project updates, feedback and input at meetings re specific projects including Solar Hot Water roll-out and Energy and Water Taskforce program
- Members' participation and feedback on project promotions and roll-out
- Members' input into and attendance at Community Climate Change Leaders Forums (two of which were held in 2010)

Key climate change projects included the Solar Hot Water Roll-out which resulted in more than 260 Darebin households installing new cost effective systems and 5 installs at Darebin childcare centres. The successful promotion and uptake of the Victorian Government's Energy and Water Taskforce program by more than 750 concession card holding households with 80 households benefiting from additional blinds via the Darebin enhancement.

DERG continue to have input into Darebin's Climate Change advocacy work with submissions to the: Renewable Energy Certificates (RECs) multiplier discussion paper; the discussion paper around the Treatment of Voluntary Purchases of Renewable Energy Under the National Greenhouse and Energy Reporting System (NGERs); and the Australian Energy Regulators Review of Network Service Providers. With the support of DERG, Darebin Council endorsed the One Million Homes Campaign for free retrofit of low income households and has written to the new Environment Minister and local MPs encouraging their support. In consultation with DERG, Darebin also participated in the Municipal Association of Victoria's Green Our Street lights Campaign and contributes to and supports a range of submissions with the Northern Alliance for Greenhouse Action.

Sustainable Food

Sustainable Food has been a key emerging issue with a high level of community interest and support. DERG members have also demonstrated a lot of passion around this topic and contributed expertise and knowledge from a broad range of community groups and activities. Strong linkages exist with Food Insecurity with an alarming 17% of respondents to the 2009 Darebin Household Survey indicating members of their household had run out of food in the previous 12 months and were unable to afford to buy more. DERG provided input into the draft Food Security Policy and priority sustainable food actions for the March Council report which responded to a Council general business request. Following Council interest in further community input and consultation DERG also provided input into the structure, promotions and invitation list for the Sustainable Food Leaders' forum in September 2010 which was well attended by a diverse range of groups.

DERG Submissions

DERG regularly receives presentations from Council staff as policies and strategies of environmental significance are developed or reviewed. Through these discussions DERG provides early input into the content and in some cases the consultation processes of these strategies. DERG made formal written submissions to the Council budget and the draft Food Security Policy, adopted by Council in November 2010.

POLICY IMPLICATIONS

Environmental Sustainability

DERG's primary purpose is to provide input and advice to Council on issues relating to environmental sustainability. DERG members bring a diverse range of perspectives including significant professional expertise to their input and advice.

Social Inclusion and Diversity

The DERG Terms of Reference include as a selection criteria that broad representation of the Darebin community will be sought based on home address and diversity. Through the Terms of Reference DERG continues to provide input and advice on effective means to consult and engage with Darebin's diverse community. Input from community members on effective engagement strategies is very valuable and DERG currently includes members with professional expertise in this area.

Other

The DERG Terms of Reference are consistent with the Council Plan.

FINANCIAL AND RESOURCE IMPLICATIONS

Within current budget and staff resourcing.

FUTURE ACTIONS

Darebin's Environmental Reference Group (DERG) have eight meetings scheduled for the 2011 year.

It is proposed that two DERG applicants identified as being on the waiting list via the selection process be invited to join DERG mid-year and be offered membership until the end of 2013.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

Darebin's Environmental Management Strategy (2000)

Darebin's Environment Policy (2000)

DERG Terms of Reference – **Appendix A**

Darebin Community Climate Change Action Plan.

8.3 HARD WASTE AND DUMPED RUBBISH SERVICE ISSUES**MINUTE NO. 140****AUTHOR: Manager Environment and Natural Resources - Libby Hynes****REVIEWED BY: Director City Works and Development - Michael Ballock****SUMMARY:**

This report responds to the Council resolution at its meeting on 4 October 2010 that:

- (1) Council officers report back to Council on the environmental impacts and additional funding required for an additional hard waste voucher per year; and
- (2) Council officers report to Council regarding the feasibility of developing Local Laws and fines to clear hard rubbish in front of single dwellings, multi unit developments, and public housing properties in line with Darebin's Local Laws that currently govern the problem of overhanging branches.

Council also resolved on 7 September 2009 to receive a report on the limited hard waste optional tip pass following the trial to review outcomes, and as the trial has completed and relates to this issue, the outcomes of this trial have been included within this report.

During budget discussions, further information has been requested regarding the costs for area based hard waste collections, where hard waste in an entire area is collected during a specific timeframe, rather than the current booked collection service.

The report concludes that:

- The hard waste service could be expanded to provide 2 annual booked collections of 1 cubic metre for each household and costs will depend on take up of these services by the community with an estimated service cost of \$600,000. (An increase of \$260,000 from the current service) This would provide additional service to residents but is not expected to reduce dumped rubbish based on other councils' experience.
- Alternatively, an area based hard waste service could be provided at an estimated cost of \$550,000 to \$850,000 with additional transitional service costs in the first year. This would provide service to a greater number of residents, but be a barrier to some not able to use the service during the period and is not expected to reduce dumped rubbish based on other councils' experience.
- Additional resources are required in the current service to reduce current waiting times from 9 weeks. Continuation of the HOT pass system is recommended whilst waiting periods extend beyond 2 weeks.
- Dumped rubbish issues require broad solutions and community engagement. Hard waste services provide convenient services for residents to remove larger items of rubbish, however education and enforcement are recommended as being more effective in reducing dumped rubbish. A plan is presented around these actions. The current resourcing around enforcement and notices issued in relation to dumped waste is limited and an additional local laws officer would cost \$84,000 to better resource this issue. Half funding has been sought from the EPA.

It is recommended that these issues be referred to 2011/2012 budget considerations and that the hard waste optional tip pass (HOT pass) trial be continued whilst hard waste waiting periods extend beyond 2 weeks.

CONSULTATION:

Director City Works and Development

Director City Design and Environment

Manager City Works

Coordinator Water and Waste Strategy

Manager Compliance and Amenity

Darebin Progress Association

RECOMMENDATION

THAT Council:

- (1) Notes this report and refers the additional resourcing of hard waste and dumped rubbish issues to 2011/2012 budget considerations.
- (2) Continues the limited hard waste optional tip pass (HOT pass) trial whilst hard waste waiting periods extend beyond 2 weeks.

COUNCIL RESOLUTION

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

THAT:

- (1) Consider as part of the 2011/2012 budget, the transition of the current booked hard waste service to an area based hard waste collection in 2012.
- (2) Continues the limited hard waste optional tip pass (HOT pass) trial whilst hard waste waiting periods extend beyond two weeks.

CARRIED

REPORT**INTRODUCTION AND BACKGROUND**

This paper responds to the Council resolution at its meeting on 4 October 2010 that:

- (1) Council officers report back to Council on the environmental impacts and additional funding required for an additional hard waste voucher per year; and
- (2) Council officers report to Council regarding the feasibility of developing Local Laws and fines to clear hard rubbish in front of single dwellings, multi unit developments, and public housing properties in line with Darebin's Local Laws that currently govern the problem of overhanging branches.

Council also resolved on 7 September 2009 to receive a report on the limited hard waste optional tip pass following the trial to review outcomes, and as the trial has completed and relates to this issue the outcomes of this trial have been included within this report.

During budget discussions further information has been requested regarding the costs for area based hard waste collections, where hard waste in an entire area is collected during a specific time frame, rather than booked collections.

The City of Darebin is committed to the reduction of waste to landfill. The hard waste collection was originally provided to residents as a replacement for the "free tip" tickets before the effects of the environmental and long term costs of waste to landfill were appreciated. It provides all residents with a free waste removal service for larger items. Items collected include whitegoods, furniture, mattresses and general household waste that is too large to put in a mobile garbage bin.

In a recent Darebin Community Survey - 81% of those surveyed responded that they were aware of the hard waste service, while only 43% responded that they had used the service. Just over 13% of residents used the service in 2010.

ISSUES AND DISCUSSION

Background Data

Table A – Darebin Dumped Rubbish and Hard Waste – annual requests

Year	Dumped Rubbish Requests			Hard Waste Requests		
	Yearly	Month	Daily	Yearly	Monthly	Daily
2006	1164	97	4.6	6336	528	27
2007	1224	102	4.8	6612	551	28
2008	2040	170	8.1	7116	593	30
2009	2292	191	9.1	7464	622	32
2010	2748	229	10.9	7716	643	33

Requests have significantly increased over the last five years (more than doubling in dumped rubbish and by 22% in hard waste). This is consistent with anecdotal evidence from many metropolitan councils. Waste prices and proximity to rubbish disposal are factors in higher dumping rates. Transfer station prices have increased for general rubbish between 40-50% over the last five years with a boot load of waste now costing \$22 and the per cubic metre charge set at \$49 (a single axle trailer load is one cubic metre). Mattress disposal costs have more than doubled over the same period increasing from \$11 to \$22. These costs reflect changing disposal costs and government levies.

Waste is also increasing in volume due to any number of factors including: improved living standards and higher consumption, cheaper goods, products designed for short life spans, inbuilt obsolescence, and broad scale factors such as the introduction of technologies like digital TV. Other factors coming into play are smaller block sizes with less room for storage.

Dumped Rubbish

Council provides services and opportunities for people to dispose of their unwanted items through kerbside collections, hard waste collections, bundled branch collections and the local Darebin Resource Recovery Centre - which includes free computer recycling, free and safe toxic recycling and disposal, some free second hand shop recycling opportunities and other waste disposal options. We provide information regarding these services but can improve the spread of communications, as well as providing targeted information to culturally and linguistically diverse (CALD) groups and shorter term renters such as students.

Some rubbish dumping can be unintentional and people may believe that they are doing the right thing, when in fact they are dumping. A recent Darebin community survey indicated that 18% of respondents left their large items (hard rubbish) on their nature strips when they no longer wanted them. When asked whether they believed residents are allowed to leave large items they no longer want on their nature strips, around one-third of all respondents (32.7%) believed residents were allowed to do this. Some thought it was permissible if items were left there for someone else to salvage/reuse/recycle (17.6%), while others thought it was allowed because the items would be removed by authorities (15.1%). While this type of rubbish dumping is potentially done with good will, it is still illegal. Education and clear messaging around this issue are important.

This behaviour may follow on from Council's current practice of removing rubbish as quickly as possible, rather than following through an investigation/notice process, (except where there is explicit evidence of who has dumped the rubbish). A number of years ago Council issued notices to the majority of abutting properties when rubbish was dumped on nature strips. This reinforced with residents that dumping was not permitted, but allowed dumped rubbish to stay outside a property for over a week while the issue was followed up, negotiated and where possible resolved. This is recognised as best practice in terms of education and enforcement but is resource intensive and would require additional resourcing to investigate the 2,750 dumped rubbish reports currently experienced each year.

Other waste is knowingly dumped and enforcement is the main tool to address this behaviour. Part VIIA of the Environment Protection Act (1970) allows councils to issue on the spot penalties, prosecute offenders, obtain information on how litter left a person's possession and issue notices to offenders to clean up litter and ensure that litter is dealt with appropriately on their premises. Nature strips are not strictly premises, however Section 45X can be used to require those who dumped the rubbish to remove it and if disputed, Council can proceed to court to enforce this issue. Sufficient evidence is required to prosecute these matters and can limit action taken.

Council could consider a local law which made abutting properties, including multi unit developments responsible for dumped rubbish on abutting nature strips and has already included in the existing local law that *An owner or occupier of land abutting an unmade right of way must ensure that the unmade right of way is free of litter and obstructions.*

In practice these joint/public ownership areas are difficult to enforce and are untested in court. It is unlikely that Council would wish to enforce that an innocent (or no proof of guilt) resident/property owner had to pay for removal of rubbish where they claimed no involvement in dumping, simply because the land was adjacent their property. However persons at the property can be issued with a Notice as the suspected dumper and can be fined through Section 45X if evidence exists, as discussed above.

This level of investigation would take at least one additional local laws officer to address. Reinforcement by taping the rubbish with "under investigation" labels and letterboxing nearby houses could also provide further educational benefits. This method would reinforce that dumping was not tolerated. Council has applied through the EPA Litter Prevention Officer Fund for part resourcing for an additional officer to investigate these issues.

The community will be asked to help too. They, along with Council staff, are able to report dumped rubbish either through phone calls to customer service, or through filling out information on line, or on printed forms. A communication strategy will be developed to support community involvement in this issue.

At sites known to be regular dumping locations – in industrial areas, laneways, etc, signs will be progressively installed with educative messaging around littering and dumping and explaining that penalties apply. Closed circuit television (CCTV) cameras will continue to be rotated at key locations to help identify dumpers. Generally these cameras are only useful in situations where a car licence plate can be identified and recorded.

Multi unit developments are frequently reported as dumped rubbish sites. Anecdotally rental properties and particularly properties with a higher turn over of residents such as students, where people are moving frequently, also have higher incidences of rubbish dumping. It is more difficult to reach and communicate with these transient groups. Targeting these issues will involve working more closely with real estate agents, tertiary institutions, Office of Housing and Owners Corporations to educate residents. Trials will be established at targeted sites, to assess the effectiveness of this work and to help us determine the best methods to minimise littering, rubbish dumping and improve waste management.

The attached table in **Appendix A** provides the suite of actions proposed to reduce dumped rubbish in Darebin. We will continue to support and expand these as part of our ongoing commitment to reduce dumping.

Hard waste Optional Tip Pass (HOT Pass)

In September 2009, Council resolved to trial a limited hard waste optional tip pass (HOT pass) for a three month period. The trial commenced 7 June 2010 and was limited to ten residences per week and enabled them to take the equivalent of one cubic metre of hard waste to the Darebin Resource Recovery Centre (DRRC) themselves at no cost, in lieu of using the hard waste kerbside collection service. The kerbside hard waste collection service remained in operation for those who did not use the HOT pass.

The HOT pass offered the opportunity to support the existing hard waste collection service, potentially help alleviate lengthy waiting periods and enable further flexibility for residents. The HOT pass trial was not advertised but was offered directly to those who experienced the longest waiting period between making a hard waste booking and the collection occurring. Hard waste collections occur the same day of the week as other Council kerbside collections and as indicated in Table B below, when the trial was introduced, Wednesday collections experienced the longest waiting period (four weeks).

Table B – Hard Waste Collection Waiting Periods

Collection day	Hard waste waiting periods (weeks from booking to collection)			
	Jun-2010	Sep-2010	Oct-2010	Mar-2011
Monday	3 weeks	1 week	3 weeks	6 weeks
Tuesday	1 week	1 week	2 weeks	5 weeks
Wednesday	4 weeks	4 weeks	4 weeks	9 weeks
Thursday	3 weeks	1 week	3 weeks	9 weeks
Friday	1 week	1 week	1 week	3 weeks

After the initial three month trial, uptake of the HOT passes had been low with only 13 HOT passes used (see Table C below). Sufficient funding remained and the trial was extended

until 31 October 2010. At the end of October, dumped rubbish and hard waste had become key issues, so the trial was further extended and was also offered to those whose hard waste collections were on Mondays. This situation remains operational at the moment, but the trial budget has been exhausted.

Table C: HOT Pass Trial Outcomes

Period of HOT Pass	HOT pass availability	Hot Passes Issued	Average numbers Issued
7/6/10 – 7/9/10	Initial Trial. Targeted to Wednesday collections only.	13 issued over 13 weeks	1 per week
7/9/10 – 31/10/10	Extended timeframe, Wednesday collections only.	4 issued over 8 weeks	0.5 per week
31/10/10 – 25/12/10	Extended timeframe and days to include Wednesday and Monday collections.	73 issued over 8 weeks	9 per week
25/12/10 – 7/2/11	Numbers issued since Christmas (Monday and Wednesday collections)	128 issued over 6 weeks	21 per week
TOTAL ISSUED	Total HOT passes issued since trial commenced.	218 issued over 35 weeks	6 per week average

The uptake of HOT passes was slow initially, but has increased in the last three months. While some of this change is seasonal (ie. people clean their garages etc in spring and summer), this is also expected to relate to promotional material about the hard waste service included in the Recycling and Green Waste Calendar, delivered to households in November.

The total cost of the trial to 7 February 2011 was just under \$10,000, with each pass on average costing \$44.55.

Feedback from residents has been mixed – those who are not time-pressed are happy to wait for a hard waste service, whilst those without cars are frustrated by the delay in hard waste collections and are unable to access the HOT pass option. Customer Service feedback indicates residential preference to have a hard waste collection, reporting that most residents only revert to using a HOT pass if the waiting period for a hard waste collection is too long. As seen in Table B above, waiting periods for the service increased over the trial period with the longest waiting time of nine weeks experienced on Wednesdays and Thursdays.

The trial has shown that HOT passes are generally not preferred by residents over booked hard waste collections and that there are barriers to people taking up this type of service. However it is recommended that the availability of HOT passes be continued as an adjunct to the hard waste service while waiting periods remain beyond three weeks. This will require additional budget and will depend on other measures to reduce hard waste waiting times.

Options to provide additional hard waste service

The hard waste service is currently provided by in house staff with a compactor truck, in line with OHS best practice. Benchmarking with 10 other metropolitan Councils shows that most Councils offer more than one cubic metre to be collected each year with four offering more than one free collection each year. Choosing to double the amount of waste collected would set Darebin on par with other Councils in this service in terms of volume collected and choosing to double the number of collections per year would be providing a premium service.

Current annual costs are \$340,000, providing a capacity of 8,750 collections annually - \$39 per pick up. City Works staff have investigated this issue and recommend that hiring

additional crew and double shifting the existing truck could provide up to an additional 8,750 collections at an additional cost of \$326,000. This option could be phased in dependent on demand. Based on other council's experience it is estimated that only a further 5,750 bookings would be made equating to an estimated additional \$250,000. This option would provide residents with two booked hard waste collections each year. As council already has the truck and infrastructure and an available casual staff pool, this appears to be the best value option to deliver the scale of service required for an additional collection. Other options considered were service outsourcing, Saturday and overtime collections.

Best practice recommendations are that waiting periods are maintained at two weeks maximum. In order to achieve this additional resources of an estimated \$45,000 would be required to address the existing backlog and reduce waiting times to two weeks.

Area Based Hard Waste Services

Council has requested further information regarding comparison of current service to an area wide service. An area based service involves collection of an entire area during a specific time period. Generally an entire municipality would be collected over a two month period with each area be given a week for put out and collection – rolling across the municipality. The attached table in **Appendix B** summarises the issues in relation to provision of service by booked collection (the current service) or by an area based collection process. An area collection would cost in the order of \$550,000 to \$850,000 annually and generate over three times as much waste. It would have a higher participation (60%) and engagement of the community, however would be a barrier to people who needed the collection at a specific time such as those moving house. There is no evidence that area wide collections reduce dumped rubbish incidence. Across municipal Melbourne there does not appear to be a link between type and number of hard rubbish services provided and reduction of dumped rubbish.

As area based hard waste collections are generally provided over a two month period each year they would not be suited to the current in-house collection team methodology and would favour a contracted service model. Other councils have reported receiving only one or two tender responses for these services recently and are considering alternatives such as annual booked collections.

If this type of service model replaced the current model it is recommended that there be some transition of the service. Ideally this would be a six month transition to provide the community with the advertised booked service for the remainder of the calendar year and time to allow planning and certainty around the new service. To clear the current backlog the booked service would have to continue to operate for at least nine weeks.

POLICY IMPLICATIONS

Environmental Sustainability

Reduce, reuse, recycle are the key considerations in all types of waste management. Reinforcing the costs of waste has always been seen as a key factor in waste reduction and “free” services fly in the face of this concept. However dumping is also an environmental issue and is related to waste removal costs. Practically hard waste services are viewed by many in our community as a right and part of the service they expect from their rates. It is unlikely that introducing an additional annual hard waste entitlement would generate significant additional wasteful behaviour in our community and the messaging could be managed so that residents were given information about other options for reuse and recycling.

The current booked hard waste collection service does not allow for recycling as the material is compacted. Some metal is recovered but the majority of waste is sent to landfill. Councils delivering an area based system report between 2-15% recycling. Current experience is that to recover and recycle materials beyond metal, such as mattresses and e-waste, increases service costs and would need to be considered in the service specifications. Area based collection generate significantly more waste to landfill than booked collections.

Currently Council have partnered with the Brotherhood of St Laurence's Phoenix Project to provide free pick up, reuse or recycling of white goods – resulting in 624 items collected last year between June and December – and keeping these out of our dumped rubbish and hard waste collections. The Phoenix Project will continue to be promoted and offered to residents as an additional free service. Later this year, the Federal Government will introduce a national television and computer recycling scheme with drop off points for these. Consideration of other themed collections such as computer equipment and use of the recycling bin on alternate weeks for small reusable household items such as clothing, bric-a-brac etc will be explored in coming months.

Area based collections provide opportunity for community recycling and scavenging. Other avenues that can be explored are the promotion of increasing community recycling opportunities such as charity collections, swap meets, garage sales and websites. There is an increasing community desire to have their “good junk” reused by someone who needs it and our challenge is to get them to use somewhere other than their nature strip to advertise this – and to take responsibility for disposing of it if it is not actually wanted.

Social Inclusion and Diversity

Low income households are less likely to be able to afford waste disposal and more likely to be purchasing cheaper shorter lived items. The current hard waste service has been designed to allow access for all. It provides a good service for people who need the service at a particular time – such as those moving home (more likely to be renters). An area wide service does not have this capacity as they occur at set times but engage higher levels of participation.

Targeted communication on these issues to culturally and linguistically diverse groups is an important issue and part of planned actions.

Other

This report is consistent with the Council Plan.

FINANCIAL AND RESOURCE IMPLICATIONS

The current 2010/2011 expenditure budgets for key hard waste and litter areas are:

- Litter/dumped rubbish - \$245,000
- Hard/dumped rubbish - \$340,000 and
- Local Laws currently spend in the order of \$67,000 annually on litter and dumped rubbish enforcement, this figure is reducing due to increasing and competing local laws priorities.

Based on the current service provision to ensure that waiting times are reduced to (best practice recommended) two weeks an additional estimated \$45,000 would be required in the 2011/2012 budget to fund additional service hours.

Alternatively the hard waste service can be expanded to provide 2 annual booked collections of one cubic metre for each household with an estimated additional operating cost in the 2011/2012 budget of an estimated \$250,000 (based on an estimated 14,500 bookings).

It is estimated that an area wide collection for the municipality would cost in the order of \$550,000 to \$850,000 annually, based on other similar sized municipality's costs. Significant service changes would be required to change to this type of service and would need to be considered as a one-off cost in addition to operating costs.

The transition time to finish the booked service and start a new area based service would impact on costs. The preferred scenario would be to run the current service for a further 6 months finishing the backlog and providing opportunity to use the booked service in the calendar year as advertised. The new area based service could be started late in the financial year, defraying half or full costs of the new service to the following financial year. This timing would depend on operational issues and further work would need to be undertaken to determine costings.

Local laws resources would need to be increased to provide follow up to dumped rubbish issues. Cost estimates primarily based around an additional officer are \$84,000 annually and half funding has been sought from the State Government to resource this action under the EPA Litter Prevention Officer Fund.

CONCLUSION

Across Melbourne dumped rubbish issues are increasing and appear unaffected by the type and frequency of hard waste collections. Hard waste collections are a valued service provided by Council in addition to other waste collections and used by a small percentage of the community each year. Dumped rubbish issues require broad solutions and community engagement. Hard waste services provide convenient services for residents to remove larger items of rubbish, however education and enforcement are recommended as being more effective in reducing dumped rubbish and a plan is presented around these actions in **Appendix A**. The current resourcing around enforcement and notices issued in relation to dumped waste is limited and an additional local laws officer would cost \$84,000 to better resource this issue. Half funding has been sought from the EPA.

Based on the current service provision to ensure that waiting times are reduced to under three weeks an additional \$45,000 would be required in the 2011/2012 budget to fund additional service hours. Continuation of the HOT pass system is recommended whilst waiting periods extend beyond two weeks.

The hard waste service can be expanded to provide two annual booked collections of one cubic metre for each household and costs will depend on take up of these services by the community with a estimated additional cost of \$250,000.

Alternatively an area based hard waste service could be provided at an estimated cost of \$550,000 to \$850,000 annually with additional transitional service costs in the first year. This would provide service to a greater number of residents, but be a barrier to some not able to use during the pick up period. There is no evidence to suggest that an area based hard waste collection will reduce dumped rubbish incidence but this type of service would increase participation and amount of waste collected.

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

FUTURE ACTIONS

Consideration of budget priorities – May

Outcome of EPA Litter Prevention Officer Fund – May/June

Further investigation of themed hard waste collections and clothing/bric-a-brac being placed in the recycling bin on alternate week collections.

RELATED DOCUMENTS

Darebin Waste Management Strategy 2007-2014

At the conclusion of Cr. Greco's opening remarks the Mayor, Cr. Asmar told Cr. Tsitas that she had observed uncharacteristic behaviour and unacceptable language and asked Cr. Tsitas to apologise.

Following the Mayor's request, Cr. Tsitas left the meeting – 7.51pm

The Mayor, Cr. Asmar reminded Councillors of the need to behave appropriately in the Chamber, not to interject and to address all comments to the Chair.

Cr. Tsitas later sent an apology by email to all Councillors and Council officers present.

The Mayor, Cr. Asmar with the advice of the Chief Executive, now considers the matter closed.

8.4 CONSULTATION REQUIREMENTS FOR ACTIVITIES ON COUNCIL OWNED LAND**MINUTE NO. 141****AUTHOR: Manager City Development – Darren Rudd****REVIEWED BY: Director City Works and Development – Michael Ballock****SUMMARY:**

Recently an issue arose with regard to the lack of any formalised approach for consultation where a non Council activity is proposed on Council land. The situation arose last year with a farmers market proposal on Merri Park where there was no clear consultation process in place to guide the manner in which the community is either engaged or informed.

This report sets out an approach where the Council is:

- The land owner and manager.
- The landowner but not the occupier/manager.
- The responsible authority under the Planning and environment Act (1987).

CONSULTATION:

Asset Strategy

Communications

RECOMMENDATION**THAT:**

- (1) Community consultation relating to non Council activities on Council land be undertaken in accordance with a communications strategy approved by the Coordinator of Communication and by the relevant department within Council assigned the responsibility for managing the land.
- (2) Where Council is the Responsible Authority under the planning and Environment Act (1987) that the minimum notification requirements be undertaken in accordance with Section 52 of this Act for non Council activities on Council land (where a planning permit is required).

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

- (1) Community consultation relating to non Council activities on Council owned and managed land be undertaken in accordance with a communications strategy approved by the Coordinator of Communication and by the

relevant department within Council assigned the responsibility for managing the land.

- (2) Where Council is the Responsible Authority under the planning and Environment Act (1987) that the minimum notification requirements be undertaken in accordance with Section 52 of this Act for non Council activities on Council land (where a planning permit is required).

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

The Council requires a general approach to guide the community consultation process prior to activities being undertaken on Council land by interests other than Council. The first step in this process is to determine whether the activity is supported in principle. If it is supported in principle then the process outlined in this report would be applied. There are essentially two consultation processes proposed. The first involves situations where a planning permit is not required and the second involves situations activities that require planning approval. This approach excludes one off events and festivals, which need to be dealt with as specific cases on their merits.

The need for an approach to be defined was identified by the Council when it was asked if it would consent to allowing a farmers market on the Merri Park Reserve at Northcote. This report sets out a more strategic approach to informing and engaging with the community in relation to non Council related activities on Council land and would arise where the Council has provided in principle support to that activity being undertaken on its land.

ISSUES AND DISCUSSION

To ensure there is a clear and consistent approach to consulting with the community on activities involving Council land there needs to be a well thought out communications strategy. This needs to consider the significance of the activity, its impact on the facility or reserve and the impacts on the general area beyond the Council land.

These decisions in regard to the impacts on the facility/reserve and existing user groups is best undertaken by the department in Council responsible for the management. The communications strategy should consider the following criteria:

- Who is impacted by the activity and what is the level of impact?
- Are there impacts on surrounding properties and to what extent are they affected?
- How can the impacts be mitigated?
- What are the risks and how can these be mitigated?
- Is there a precedent for this type of request/activity and if so how was this managed?
- How are user groups to be informed/consulted?
- Will the proposal generate concerns and how can these concerns be addressed?
- How will the community be consulted?
- What will the process be for considering feedback?
- How will the decision be communicated back to user groups and the community?

There are also formal requirements under the Local Government Act (1989) where the Council, in its capacity as property manager, would look to grant a licence for such activities.

The Local Government Act (1989) places a requirement for Council to undertake community consultation on land that is not being used for the purpose for which it was acquired. The Act stipulates in Section 192 - Use of land for another purpose:

- (1) *If a Council has acquired any land for a particular purpose the Council may use the land or part of the land for another purpose if the Council is satisfied that-*
 - (a) *The land or part of the land is not required by the Council for the purpose for which it was acquired; or*
 - (b) *It is no longer necessary or desirable to use the land or part of the land for the purpose for which it was acquired.*
- (2) *A person has a right to make a submission under section 223 on the use of any land for another purpose.*

In terms of the activities that are likely to require a planning approval there are notification requirements set out in Section 52 of the Planning and Environment Act (1987). These are summarised as follows:

- It must be in the prescribed form.
- Sent to owners and occupiers or land surrounding or considered to be impacted by the proposal.
- To the adjoining Council if the land adjoins a municipal boundary.

Notices are required to be provided through the following means:

- By placing a sign on the land concerned.
- By publishing a notice in newspapers generally circulating in the area.
- By giving the notice personally or sending it by post; or
- In any other way that the responsible authority considers appropriate.

In these types of situations it is proposed that the relevant department complete its communications strategy and takes into consideration whether or not the circumstances warrant consultation to extend beyond the requirements of the Planning and Environment Act (1987).

The responsible department will need to undertake the preparation of a consultation strategy, undertake the associated administration required by the consultation strategy and where appropriate assist with the relevant organisation in ensuring that the information required for a planning application is correctly provided. In cases where a planning permit is required it is suggested that the planning process take precedence and be the processed that is followed.

POLICY IMPLICATIONS

Environmental Sustainability

The process will provide the opportunity for community input into potential environmental issues relating to activities by other parties on Council land.

Social Inclusion and Diversity

The community and relevant user groups have an interest in how Council land may be used for non Council activities and a communication process assists ensuring all potential impacts can be considered.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

Depending on the communication strategy selected there will be some costs associated with the consultation process. These costs should generally be borne by the proponents.

CONCLUSION

To avoid confusion and adverse reaction in the community it is important that a clear strategy for consultation is developed and tailored to suit each particular proposal that arises for the use of Council owned/managed land.

It is also important to consider that the pressures associated with the loss of significant trees comes through redevelopment and most redevelopment occurring already requires a planning permit and consideration toward the maintenance of significant vegetation.

FUTURE ACTIONS

Communication with relevant Council departments to implement the new process.

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

Planning and Environment Act (1987)

8.5 PARKING MATTERS IN GONELLA CRESCENT BUNDOORA**MINUTE NO. 142****AUTHOR: Senior Transport Planner – Daniel Neave****REVIEWED BY: Director City Works and Development – Michael Ballock****SUMMARY:**

Delays to the Polaris development on Plenty Road Bundoora has resulted in anti-social behaviour on the site and concerns from residents abutting the area.

Residents of Gonella Crescent Bundoora were consulted on the introduction of a residential parking permit scheme to deter anti-social visits to the area, whilst giving residents a permit to park for an unlimited amount of time.

There was very little interest in a residential parking permit scheme.

CONSULTATION:

Residents of Gonella Crescent Bundoora.

RECOMMENDATION

THAT Council note this report.

COUNCIL RESOLUTION

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

THAT Council:

- (1) Note this report.
- (2) Write to Deal Corporation asking when they intend commencing approved construction.

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

Gonella Crescent Bundoora is a local road connecting to Barlow Rise at each end. Dwellings built in Gonella Crescent were awarded occupancy permits from 10 April 2007 onwards.



Figure 1. Gonella Crescent Bundoora aerial photo taken in 2009



Figure 2. Gonella Crescent Bundoora aerial photo taken in 2004

Due to delays with the Polaris development, concerns have been raised by residents of the rate of anti-social behaviour in and around the former Larundal Hospital vacant buildings.

ISSUES AND DISCUSSION

On-street Parking Controls

Council requested an investigation into the introduction of a residential parking permit scheme in Gonella Crescent, Bundoora along the area adjacent to the Polaris development. Parking restrictions may deter anti-social visits to the area, whilst giving residents a permit to park for an unlimited amount of time.

Traffic Enforcement

The enforcement of any parking restriction after hours carries additional operational implications and as such is limited due to the current enforcement regime in place.

Residential Parking Permits

The current residential parking permit scheme does not allow for parking permits to be issued to dwellings occupied after 20 December 2004. As the site on the east side of Gonella Crescent had no dwellings prior to 20 December 2004 (Figure 2), these dwellings would not be eligible for a parking permit.

If Council was to install parking restrictions, then a Council resolution would be required to over-ride the resolution from 20 December 2004 to allow residents of Gonella Crescent the ability to purchase a parking permit. This issue is discussed in a separate report.

Community Consultation

The residents of Gonella Crescent Bundoora were consulted on their opinion on the introduction of a residential parking permit scheme within the street.

16 residents surveyed	Yes	No
5 responses (31% response rate)	1 (20%)	4 (80%)

The result of the survey was clearly 'No' and with only 5 responses to the survey, this shows that there is little interest from the residents in the area for a residential parking permit scheme.

Residents outside of the survey area raised concerns that a residential parking permit scheme in Gonella Crescent would displace the non-local traffic near their home.

POLICY IMPLICATIONS

Environmental Sustainability

There are no environmental sustainability issues.

Social Inclusion and Diversity

The introduction of a residential parking permit scheme in Gonella Crescent, Bundoora along the area adjacent to the Polaris development may deter some people from unnecessary visits to the area, whilst giving residents with a permit to park for an unlimited amount of time.

Other

This report has considered the *Darebin Transport Strategy 2007-2027*.

FINANCIAL IMPLICATIONS

Public consultation and the installation of parking signs were undertaken within existing budgets.

Additional enforcement may be required to police any new after-hours restriction.

FUTURE ACTIONS

Send a letter to residents of Gonella Crescent advising the outcome of this report.

CONCLUSION

Residents understood that the introduction of a residential parking permit scheme was not the best solution to their problem, but were aware that it may assist. Residents found the

conditions (number of permits and cost) of the parking policy to be too restrictive, and did not support the introduction of time restrictions in Gonella Crescent.

DISCLOSURE OF INTERESTS

Section 80C of the *Local Government Act 1989 (Vic)* 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 meeting minutes 20 December 2004

8.6 RESIDENTIAL PARKING PERMIT SCHEME AND NEW DEVELOPMENTS**MINUTE NO. 143****AUTHOR: Senior Transport Planner – Daniel Neave****REVIEWED BY: Director City Works & Development – Michael Ballock****SUMMARY:**

At the Council meeting on 22 December 1997, Council adopted a Residential Parking Permit Policy. The following was the resolution:

1. *The Residential Parking Permit policy be adopted.*
2. *... fees be fixed for resident and temporary permits issued*
3. *A review of the scheme, including financial implications be conducted 12 months after introduction of the scheme and reported to Council*

A review of the Residential Parking Permit Policy was undertaken in 2004 and at the Council meeting of 20 December 2004 Council resolved to:

That Council amend its Parking Permit Policy as follows:

- (1) *For all new development (whether they be conversions or new), including residential, mixed use, commercial or industrial development:*
 - a. *Which is not occupied or lawfully available for occupation on the date adopted by Council (ie. 20 December 2004), and*
 - b. *Which increases the number of dwellings, or, in the case of mixed use, industrial or commercial development, which increases the number of separate occupancies, on a site*

all future residents and other occupiers will not be permitted to obtain parking permits irrespective of the level of off-street (on-site) parking;
- (2) *The Policy will apply from the date of its adoption by Council (ie. 20 December 2004)*
- (3) *Development affected by heritage controls under the Darebin Planning Scheme that can prove adequate provision for parking vehicles on site would adversely affect the integrity of the heritage place be exempt from the policy; and*
- (4) *For the purpose of paragraph (a)(i) of this policy, the onus be on the applicant for a parking permit to satisfy Council that the separate dwelling or occupancy was occupied or lawfully available for occupation on the day of adoption by Council (ie. 20 December 2004).*

In order to allow for green field sites be eligible for parking permits it is necessary to alter the above resolution to include the words "creating a medium or high density residential site" to (1)b. This will allow for low density residential properties in Springthorpe, Lancaster Gate and Mount Cooper to be eligible for a parking permit.

CONSULTATION:

Local Laws

COUNCIL RESOLUTION

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

THAT Council amend its Parking Permit Policy as follows:

- (1) *For all new development (whether they be conversions or new), including residential, mixed use, commercial or industrial development:*
 - a. *Which is not occupied or lawfully available for occupation on the date adopted by Council (ie. 20 December 2004), and*
 - b. *Which increases the number of dwellings, or, in the case of mixed use, industrial or commercial development, which increases the number of separate occupancies, creating a medium or high density residential site*

all future residents and other occupiers will not be permitted to obtain parking permits irrespective of the level of off-street (on-site) parking;
- (2) *The Policy will apply from the date of its adoption by Council (ie. 20 December 2004)*
- (3) *Development affected by heritage controls under the Darebin Planning Scheme that can prove adequate provision for parking vehicles on site would adversely affect the integrity of the heritage place be exempt from the policy; and*
- (4) *For the purpose of paragraph (a)(i) of this policy, the onus be on the applicant for a parking permit to satisfy Council that the separate dwelling or occupancy was occupied or lawfully available for occupation on the day of adoption by Council (ie. 20 December 2004).*

CARRIED

REPORT**INTRODUCTION AND BACKGROUND**

Since the adoption of the Council resolution of 20 December 2004, the green field sites of Springthorpe, Lancaster Gate and Mount Cooper have been completed, or are near completion. Residents within these estates have experienced a high parking demand around Kingsbury Gardens, Polaris and Bundoora Extended Care respectively.

Due to the Council resolution of 20 December 2004, these parking issues cannot be handled as per normal practice as the Residential Parking Permit Policy is not an available solution.

The intention of the 20 December 2004 Council resolution was:

- To ensure each new development is “self-sufficient” in car parking provision;
- To minimise the on-street parking impact of new development;
- To encourage greater consideration of sustainable transport modes;
- To reduce the impact of the car on the local community and environment;
- To optimise the availability of kerb side space for existing resident and visitor parking permit holders; and
- To minimise future traffic growth and likely congestion.

Legal advice has been sought from Maddocks who have provided the following advice:

- The amended Policy appears to apply to all new dwellings – including those in green fields – where a certificate of occupancy issued after 20 December 2004 (excepting those properties falling within the ‘heritage’ exception).
- It would be prudent of Council to incorporate the 2004 resolution and the 1997 Policy into one Policy document for clarity.

ISSUES AND DISCUSSION

Consultation

It is not proposed to consult on this issue as the purpose of this report is to bring the Policy in line with its intention.

Implementation

Eligibility for all low density residential developments in the Residential Parking Permit Policy will be immediately implemented.

POLICY IMPLICATIONS

Environmental Sustainability

There are no environmental sustainability issues.

Social Inclusion and Diversity

A Parking Permit Scheme only for residents of low density housing excludes a significant growing proportion of Darebin residents who live in a medium or high density residential area occupied after 20 December 2004.

Other

This report has considered the *Darebin Transport Strategy 2007-2027*.

FINANCIAL IMPLICATIONS

A minor increase in revenue from new parking permit applications partially offsets the costs associated by installing new signs and management of the scheme.

CONCLUSION

The intention of the Council resolution from 20 December 2004 was to minimise inconvenience to existing residents from the increase in on-street parking demand from multiunit developments. Since this time Springthorpe, Lancaster Gate and Mount Cooper green field sites have been developed and this Council resolution includes these residents. A minor wording change will allow residents in these low density developments be eligible for a parking permit.

FUTURE ACTIONS

Continue reviewing the existing Darebin Parking Policy and present a draft Darebin Parking Policy before the end of 2011, with public consultation to be undertaken in 2012.

DISCLOSURE OF INTERESTS

Section 80C of the *Local Government Act 1989 (Vic)* 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 Meeting minutes 22 December 1997 – Resident Permit Parking Policy

Council Meeting minutes 7 June 2004 – Resident Permit Parking Scheme Review

Council Meeting minutes 6 September 2004 – Parking Permit Policy for new developments

Council Meeting minutes 20 December 2004 – Parking Permit Policy for new developments

9. URGENT BUSINESS

Nil.

10. GENERAL BUSINESS**10.1 LOCATION OF SPEED DETECTION CAMERA INVESTIGATION****MINUTE NO. 144****COUNCIL RESOLUTION**

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

THAT Council:

- (1) Council Officers write to the appropriate authority and request under Freedom of Information the details of all speeding infringement notices issued to drivers heading south along High Street Northcote between Clarke and Union Streets on Saturday 23 April 2011 between 9.00am and 11.00am.
- (2) Council Officers request an in-depth explanation for the positioning of a speed detection camera on the descent and how this area is perceived to be of a safety concern and why the noted camera operator was not positioned on a level roadway rather than on the descent.

CARRIED**10.2 TRAFFIC ISSUES AND PROPOSED SAFETY IMPROVEMENTS – NORMANBY AVENUE, THORNBURY****MINUTE NO. 145****COUNCIL RESOLUTION**

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

THAT Council Officers convene a meeting with residents on Normanby Avenue, Thornbury (between Comas Grove and St Georges Road) regarding traffic issues and proposed safety improvements.

CARRIED

**10.3 TIMELINES FOR SUPPORTING VACANT SHOPFRONTS
THROUGHOUT THE CITY OF DAREBIN****MINUTE NO. 146****COUNCIL RESOLUTION****MOVED: Cr. T. McCarthy**
SECONDED: Cr. T. Laurence

THAT Council Officers report to the next Council briefing session and a future Council Meeting on the timelines for developing strategies, targets and associated costs to facilitate and support short term occupancies in vacant shopfronts throughout the City of Darebin.

CARRIED**10.4 IMPLICATIONS OF SIGNING THE ETHICAL PAPER PLEDGE****MINUTE NO. 147****COUNCIL RESOLUTION****MOVED: Cr. T. McCarthy**
SECONDED: Cr. G. Greco

THAT Council officers report on the financial, social, employment and environmental implications of Darebin City Council signing the Ethical Paper Pledge.

CARRIED**10.5 ESTABLISHMENT OF GOOD NEIGHBOUR AND GOOD
CORPORATE CITIZEN AWARDS****MINUTE NO. 148****COUNCIL RESOLUTION****MOVED: Cr. G. Greco**
SECONDED: Cr. B. Morgan

THAT Council Officers report to Council within three months on the feasibility of establishing good neighbour and good corporate citizen awards to recognise and celebrate acts of exceptional community contribution carried out by both individual residents and businesses within the City of Darebin.

CARRIED

11. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

CLOSE OF MEETING

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

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

11.1 Award Cleaning Services Umbrella Contract (Ref: CT201069)

The meeting was closed to members of the public at 8.45pm.

The Council considered and resolved Item 11.1 (Award Cleaning Services Umbrella Contract (Ref: CT201069)) which had been circulated to Councillors on Thursday 28 April 2011 with the Council Agenda Paper.

RE-OPENING OF MEETING

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

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

CARRIED

The meeting was re-opened to members of the public at 9.13pm.

CONFIDENTIAL**11.1 AWARD CLEANING SERVICES UMBRELLA CONTRACT
(REF: CT201069)****MINUTE NO. 149****AUTHOR: Tendering and Contracts Specialist – Fred Olsen****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 31 May 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. N. Katsis**

THAT the following Council Resolution:

THAT Council defer consideration of this report and extend the existing cleaning contracts to 30 June 2011.

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

CARRIED

12. CLOSE OF MEETING

The meeting closed at 9.14pm.