



MINUTES OF THE COUNCIL MEETING

HELD ON

MONDAY, 6 AUGUST 2012

RELEASED TO THE PUBLIC ON THURSDAY 9 AUGUST 2012

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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 6 AUGUST 2012**

THE MEETING OPENED AT 6.35 PM

1. PRESENT

Councillors

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

Council Officers

Rasiah Dev – Chief Executive
Fred Warner – Group Manager People and Performance
Katrina Knox – Group Manager Community Services
Kerrie Jordan – Acting Director Corporate and Business Services
Daniel Freer – Director City Design and Environment
Michael Ballock – Director City Works and Development
Jacinta Stevens – Acting Manager Corporate Governance
Dalal Smiley – Manager Community Planning, Partnerships and Performance (9.54pm)
Katia Croce – Acting Council Business Coordinator
Karlee Gray – Council Business Officer

2. APOLOGIES

An apology was lodged for Cr. Diana Asmar (Deputy Mayor).

3. DISCLOSURES OF CONFLICTS OF INTEREST

Cr. Fontana disclosed a conflict of interest in Report Item No. 8.2 (Sport and Recreation Victoria, Community Facility Funding Program) - see Page 21.

Cr. Chiang and Cr. Laurence disclosed a conflict of interest in Report Item No. 8.20 (Community Grants Scheme 2012/2013 – Annual and No Cap Cash Grants) - see Page 126.

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

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

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

THAT the Minutes of the Ordinary Meeting of Council held on 16 July 2012 be confirmed as a correct record of business transacted.

CARRIED

5. REPORTS BY MAYOR AND COUNCILLORS

MINUTE NO. 345

5.1 REPORT OF CR. BEN MORGAN

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

- Council Briefing Session.
- Mayor's Event.
- Planning Committee meeting.
- Special Briefing Community Grants meeting.
- Resident matters.

5.2 REPORT OF CR. VINCE FONTANA

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

- Northern Bullants Presidents Breakfast.
- West Preston Football Club vs. Montmorency Presidents Lunch.
- Met with Regent strip shopping centre tenants to discuss local area improvements.
- Council Briefing Session - 23 July 2012.
- Attended the Northcote Park Football Club vs. Whittlesea Night football match.
- Australian Careers Services Workshop hosted at the Darebin Arts and Entertainment Centre.
- Council Community Grants Briefing Session.
- Northcote High School Debutant Ball.
- 'Our Lady's' Debutant Ball.

5.3 REPORT OF CR. NICK KATSIS

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

- Planning Committee Meeting.
- Chief Executive Officer Performance Review Committee.
- Attended to constituent concerns regarding planning and other matters.
- Mayors Event (in recognition of Volunteers).

5.4 REPORT OF CR. GAETANO GRECO

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

- Active Ageing Advocacy Board.
- Inner Northern Group Training Board meeting.
- Apprenticeships Plus Board meeting.
- Community Grants Briefing.
- 2012 Victoria Police Ramadan IFTAR dinner.
- Mayor's Event.
- Municipal Association of Victoria Board meeting.
- Racism Inquiry Steering Committee meeting.
- Darebin Ethnic Communities Council Steering Committee meeting.
- Council Briefing session.
- Resident concerns regarding parking at Reservoir Station, Planning issues, traffic issues along Main Drive Macleod, Reservoir Outdoor Velodrome.

5.5 REPORT OF CR. STANLEY CHIANG

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

- Chinese Singing competition.
- Mayor's Event.
- Chief Executive Officer Performance Review Committee.
- Residential matters.

5.6 REPORT OF CR. TIM LAURENCE

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

- Council Briefing Session.
- Council Information session on Community Grants.
- Inspection of Bundoora Park in relation to Aboriginal heritage with Council officers.
- West Preston Lakeside Football match at Preston oval.
- Met with traders and residents in Reservoir regarding planning issues.

5.7 REPORT OF CR. TRENT MCCARTHY

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

- Meeting with residents regarding Grandview pokies application and traffic issues in surrounding Streets.
- Council Briefing Session.

- Spoke at Brunswick Terminal Station protest.
- Council Briefing on Community Grants.
- Meeting with residents regarding community garden project in Thornbury streets.
- Various resident and trader enquiries regarding waste collection, traffic, white ribbon, library services, rates, cycling on High Street, Community Grants, Foodworks development on St Georges Road.

Cr. McCarthy also welcomed members of the Same-Sex Attracted and Gender Diverse Advisory Committee (SSGD) in the gallery.

5.8 REPORT OF THE MAYOR, CR. STEVEN TSITAS

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

- Council Briefing Session
- Council Meeting.
- Planning Committee meeting - 6 August 2012.
- Strategic Projects Steering Committee meetings – 23 July 2012.
- Culturally and Linguistically Diverse meeting.
- Hon. Jeanette Powell MP, Minister for Local Government Of Victorian State Local Government Agreement (VSLGA)
- 2012 Victoria Police Ramadan IFTAR dinner.
- Local Government Ministerial and Mayors Dinner “Leading Now for Our Future”.
- Mayor’s Event.
- Meeting with Northcote Business Association.
- Chief Executive Performance Review Committee.
- Community Grants Briefing.

6. PUBLIC QUESTION TIME

MINUTE NO. 346

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

The following questions were submitted:

- Anna Joske of Macleod asked a question about traffic congestion on Main Drive Macleod. The question was responded to by the Mayor, Cr. Tsitas.

Note: A Petition was submitted to Cr. Greco during Public Question Time regarding the above item.

- Josh Fergeus of Fairfield asked a question about Council's submission to Victorian Commission for Gambling and Liquor Regulation. The question was responded to by the Mayor, Cr. Tsitas.
- Meaghan Flack of Northcote asked a question about reducing the childcare waiting list. The question was responded to by the Mayor, Cr. Tsitas.
- Bo Li of Preston asked a question about the Community Health and Wellbeing Plan 2009-2013. The question was responded to by Group Manager People and Performance, Fred Warner and the Mayor, Cr. Tsitas.
- Mark Tregonning of Preston asked a question about dummy candidates. The question was responded to by the Mayor, Cr. Tsitas.
- Jeremy Graham of Preston asked a question about a significant tree register. The question was responded to by the Mayor, Cr. Tsitas.

After Public Question Time had concluded, one further question was submitted in writing.

7. RECORDS OF ASSEMBLIES OF COUNCILLORS

7.1 ASSEMBLIES OF COUNCILLORS HELD

MINUTE NO. 347

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 Public Education Committee – 16 July 2012
- Active and Healthy Ageing Advisory Committee – 19 July 2012
- Councillor Briefing Session – 23 July 2012
- Community Grants Session – 30 July 2012

COUNCIL RESOLUTION

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

THAT the record of the Assembly of Councillors held on 16, 19, 23 and 30 July 2012 and be noted and incorporated in the minutes of this meeting.

CARRIED



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

| | |
|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ASSEMBLY DETAILS: | Title: Darebin Public Education Advocacy Committee (DPEAC) Date: Monday 16 July 2012 Location: Conference Room, Darebin Civic Centre |
| PRESENT: | Councillors: Cr. Gaetano Greco Council Staff: Dalal Smiley, Wendy Dinning, Cheryl Hermence, Shanaka Perera Other: Representatives from La Trobe University, Swinburne University, High School For Coburg Group, Preston Girls Secondary College and Community Members |
| APOLOGIES: | Cr. Vince Fontana, Cr. Tim Laurence, Fred Warner, Judi Benney , Cate Hall, Alperhan Babachan, Allan Waterson |

The Assembly commenced at 4pm

| MATTERS CONSIDERED | | DISCLOSURES AND COMMENTS |
|--------------------|--------------------------------------------------------|--------------------------|
| 1 | Welcome and Apologies | No disclosures were made |
| 2 | Review of previous minutes (at the end of this Agenda) | No disclosures were made |
| 3 | Review of DPEAC workplan | No disclosures were made |
| 4 | Education Inquiry Project Brief | No disclosures were made |
| 5 | 2011 Census statistics on education in Darebin | No disclosures were made |

ASSEMBLY OF COUNCILLORS – PUBLIC RECORD (CONT)

| MATTERS CONSIDERED | | DISCLOSURES AND COMMENTS |
|--------------------|---------------------------------------------------------------------------------------------|--------------------------|
| 6 | Update on Inner Northern Local Learning and Employment Network The Darebin Under-16 Project | No disclosures were made |
| 7 | Other Business | No disclosures were made |

The Assembly concluded at 5.45pm

| | | |
|---------------------------------|-----------------------|------------------|
| RECORD COMPLETED BY: | Officer Name: | Shanaka Perera |
| | Officer Title: | Research Officer |



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

| | | |
|--------------------------|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| ASSEMBLY DETAILS: | Title: | Active and Healthy Community Advisory Board |
| | Date: | Thursday 19 July 2012 |
| | Location: | Conference Room, Darebin Civic Centre |
| PRESENT: | Councillors: | Cr. Gaetano Greco |
| | Council Staff: | Katrina Knox, Shadi Hanna Nicola Johnson, Jackie Mansourian, Ronnie Spykers |
| | Other: | Representatives from Darebin University of the Third Age, Nazarene Greek Senior Citizens Club, Union of Australian Women, older residents of Darebin. |
| APOLOGIES: | | |

The Assembly commenced at 5.00pm

| MATTERS CONSIDERED | | DISCLOSURES AND COMMENTS |
|--------------------|---------------------------------------------------|--------------------------|
| 1 | Welcome, Introductions and Agenda Overview. | No disclosures were made |
| 2 | Minutes and matters arising from previous minutes | No disclosures were made |
| 3 | Darebin Seniors Festival | No disclosures were made |
| 4 | Human Rights | No disclosures were made |
| 5 | Board Work Plan for next 12 months | No disclosures were made |
| 6 | Communication Plan | No disclosures were made |

The Assembly concluded at 7.00pm

| | | |
|-----------------------------|-----------------------|-------------------------------------------|
| RECORD COMPLETED BY: | Officer Name: | Shadi Hanna |
| | Officer Title: | Acting Manager Aged & Disability Services |



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

| | | |
|--------------------------|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ASSEMBLY DETAILS: | Title: | Councillor Briefing Session |
| | Date: | Monday 23 July 2012 |
| | Location: | Conference Room |
| PRESENT: | Councillors: | Cr Steven Tsitas (Mayor), Cr Tim Laurence, Cr Ben Morgan, Cr Vince Fontana, Cr Gaetano Greco, Cr Trent McCarthy (from 8.20pm),. |
| | Council Staff: | Rasiah Dev, Michael Ballock, Daniel Freer, Kerrie Jordan, Katrina Knox, Dalal Smiley, Cesar Diaz, Sally Jones (7pm to 7.40pm), Vanessa Pigrum (7.30pm to 7.55pm), Grant Thomas (8.20pm to 8.55pm), David Shephard (8.20pm to 9.20pm). |
| | Other: | |
| APOLOGIES: | | Cr Stanley Chiang, Cr Nick Katsis Cr Diana Asmar on leave of absence. |

The Assembly commenced at 7.05pm

| MATTERS CONSIDERED | | DISCLOSURES AND COMMENTS |
|--------------------|-----------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|
| 1 | Review and Evaluation of Darebin Library Services from a Social Inclusion and Diversity Perspective | No disclosures were made |
| 2 | Darebin Youth Engagement Strategy 2012-2017 | No disclosures were made |
| 3 | Festival and Events Program for 2012/2013 | No disclosures were made |
| 4 | Local Government Legislation Amendment (Miscellaneous) Bill 2012 (Verbal Presentation) | No disclosures were made Cr Fontana absent from 7.58pm to 8.05pm |

ASSEMBLY OF COUNCILLORS – PUBLIC RECORD (CONT)

| MATTERS CONSIDERED | | DISCLOSURES AND COMMENTS |
|--------------------|----------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 5 | New Residential Zones (Verbal Presentation) | No disclosures were made Cr McCarthy entered the meeting at 8.20pm Cr Morgan absent from 8.24pm to 8.27pm Cr Greco absent from 8.35pm to 8.39pm |
| 6 | Cycling Strategy, Prior to Public Consultation | No disclosures were made Cr Tsitas absent from 8.42pm to 8.47pm |
| 7 | Options for Externally Managed Leisure Facilities | No disclosures were made Cr Morgan left the meeting at 9.20pm |
| 8 | Allocation of Three-Year and No Cap Community Grants | No disclosures were made Cr Greco absent from 9.35pm to 9.40pm |
| 9 | Allocation of Annual Community Grants | No disclosures were made Cr Tsitas left the meeting at 10.27pm |
| 10 | Darebin's Sam Sex Attracted and Gender Diversity Action Plan | No disclosures were made |
| 11 | Right of Way Located Between Northernhay and Southernhay Streets, Reservoir | No disclosures were made |
| 12 | Disabled Parking Permits | No disclosures were made |
| 13 | Proposal to Introduce 50 EGS at the Grandview Hotel, Fairfield | No disclosures were made |
| 14 | Darebin Intercultural Centre | No disclosures were made |
| 15 | Darebin Planning Scheme Review Project – Inundation Overlay and the Special Building Overlay | No disclosures were made |

The Assembly concluded at 10.35pm

| | | |
|-----------------------------|-----------------------|-----------------------------------|
| RECORD COMPLETED BY: | Officer Name: | Katrina Knox |
| | Officer Title: | Group Manager, Community Services |



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

| | | |
|--------------------------|-----------------------|----------------------------------------------------------------------------------------------------------------------|
| ASSEMBLY DETAILS: | Title: | Community Grants Information Session |
| | Date: | Monday 30 July 2012 |
| | Location: | Function Room, Darebin Civic Centre |
| PRESENT: | Councillors: | Cr Steven Tsitas (Mayor), Cr. Ben Morgan, Cr. Vince Fontana, Cr. Gaetano Greco, Cr. Tim Laurence, Cr. Trent McCarthy |
| | Council Staff: | Fred Warner Jacinta Stevens, Dalal Smiley, Cesar Diaz |
| | Other: | Nil |
| APOLOGIES: | | Cr. Nick Katsis, Cr. Stanley Chiang Cr. Diana Asmar on leave of absence |

The Assembly commenced at 7.00pm

| MATTERS CONSIDERED | | DISCLOSURES AND COMMENTS |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|
| 1 | <p>Discussion on the allocation of the 2012/2013 three (3) year and No Cap Grant Funding Applications.</p> <p>Agreement by Councillors and Council officers that financial information and event details for all existing three (3) year grant recipients will be fully assessed in accordance with the 'Conditions of Grant'.</p> <p>Council officers will report back to Council with their recommendations at a briefing session prior to the Council meeting.</p> | <p>No disclosures were made.</p> <p>7:15pm Cr Trent McCarthy joined the assembly.</p> |
| 2 | <p>Discussion on the allocation of the 2012/2013 One (1) year Grant Applications.</p> | <p>Cr Laurence disclosed a conflict of interest</p> <p>10:10pm Cr Tim Laurence left the assembly</p> |

The Assembly concluded at 10.26pm

| | | |
|---------------------------------|-----------------------|--------------------------------------|
| RECORD COMPLETED BY: | Officer Name: | Jacinta Stevens |
| | Officer Title: | Acting Manager, Corporate Governance |

8. CONSIDERATION OF REPORTS

MINUTE NO. 348

8.1 DAREBIN SEXUALITY, SEX AND GENDER DIVERSITY ACTION PLAN 2012-2015

AUTHOR: Diversity Officer

REVIEWED BY: Group Manager People and Performance

SUMMARY:

This report summarises the process followed to develop the Darebin City Council Sexuality, Sex and Gender Diversity Action Plan 2012-2015 and outlines its content. Cascading from the Equity and Inclusion Policy 2012-2015, the Plan sets out actions to address discrimination on the basis of sexuality or sex and gender diversity at the local level. It will help further enhance inclusion of Darebin Sexuality, Sex and Gender Diverse (SSGD) residents and promote equality.

CONSULTATION:

Same-Sex Attracted and Gender Diverse Advisory Committee
Coordinator Equity and Diversity
Manager Community Planning, Partnerships and Performance
Community Wellbeing Team Leader and Community Safety Consultant
Social Policy Officer
Human Rights Officer
Coordinator Youth Services
Coordinator Family and Community Projects
Manager Communications and Outreach (Libraries) and Manager Libraries, Learning and Youth
Coordinator Planning and Advocacy (Aged and Disability Services)
Senior coordinator People and Development
Manager Communication and Advocacy
Manager Arts, Culture and Venues and Festival and Cultural Events Coordinator
Leisure Services Coordinator
Coordinator Business Development
Hobsons Bay City Council

COUNCIL RESOLUTION

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

THAT Council endorse the Darebin Sexuality, Sex and Gender Diversity Action Plan 2012-2015.

CARRIED UNANIMOUSLY

REPORT**INTRODUCTION AND BACKGROUND**

At its meeting on 21 June 2010, Council responded to calls from community members for Council to support International Day against Homophobia (IDAHO) by committing to celebrating the event the following year. IDAHO is celebrated in over 60 countries around the world on 17 May, the day when, in 1990, the World Health Organisation removed homosexuality from its list of mental disorders.

Consequently, a Council-led consultation and engagement forum was held on 17 May 2011 to recognise and celebrate IDAHO. Through this event, Council was able to do some foundation work to address a policy gap in its diversity policy package, as sexual orientation was an aspect of diversity which had not yet been given formal consideration. The 2011 IDAHO event marked Council's initial engagement with the local lesbian and gay communities in Darebin and consideration of sexual orientation as part of diversity and of the role Council can play in addressing homophobia and promoting social inclusion.

The forum identified a number of issues, notably the continuing impact of homophobia and heterosexism at all levels of society and barriers to equality affecting people in the City of Darebin who identify as gay, lesbian, bisexual, transgender or intersex (GLBTI).

Following this foundational event, at its meeting on 15 August 2011, Council resolved to:

- “establish a GLBTI Advisory Committee”; and
- “endorse the development of a Sexual Orientation Inclusion Plan to coordinate Council's response to IDAHO forum recommendations”.

The Darebin Same-Sex Attracted and Gender Diverse Advisory Committee's (SSAGDAC) terms of reference were adopted by Council at its meeting on 21 November 2011. Following a process of expressions of interest, 12 members were nominated by Council at its meeting on 5 March 2012 and the SSAGDAC commenced operating.

One of the first tasks of the newly-established committee, in response to Council's resolution of 15 August 2011, was to assist Council officers with the development of the Inclusion Plan.

ISSUES AND DISCUSSION

A Process

The development of the Darebin Sexuality, Sex and Gender Diversity Action Plan 2012-2015 followed a robust, incremental process.

Building on the work done from May 2011 onwards, a draft plan was written by Council officers, with potential actions in the plan stemming from:

- Issues identified by, and suggestions and recommendations from, participants to the community engagement event held on IDAHO 2011;
- Issues identified internally;
- Good practices from municipalities (such as Hobsons Bay) already doing work in this space; and
- Mapping of what was already being done within Council to be inclusive of GLBTI residents, what could be acted on and what needed further scoping.

A draft Action Plan was presented to the Same-Sex Attracted and Gender Diverse Advisory Committee (SSAGDAC) at its first meeting on 26 April 2012 with requests for initial comments.

Wider and more in-depth engagement about the plan was achieved through a community forum held on IDAHO 2012 at Northcote Town Hall. Between 50 and 60 people gathered to discuss issues for gay, lesbian, bisexual, transgender, intersex and queer (GLBTIQ) residents of Darebin. Six round tables were organised, around the themes (identified through the forum held on IDAHO 2011) of:

- Visibility
- Inclusiveness
- Safety
- Services
- Ageing GLBTIQ
- Same-sex attracted, sex and gender diverse youth.

The 2012 community forum provided an opportunity for discussion about how Council and the community can work together to encourage enhanced community understanding about sexuality, sex and gender diversity. Numerous suggestions and recommendations were made that further informed and fed into the Action Plan.

With guidance from the SSAGDAC at two subsequent meetings, Council officers refined the draft Action Plan.

The draft Action Plan was then made publicly available for comments for three weeks from 15 June 2012. Circulated widely to networks, notably via members of the SSAGDAC, as well as to the attendees to the IDAHO event, the draft was also publicised through a press release and Darebin City Council's column in community newspaper MCV, and made available on the Darebin website in the 'Have your say' section.

A few comments were received by the 6 July 2012 deadline. They were reviewed and considered, leading to marginal modification of the Action Plan (finalised version is attached as **Appendix A**).

B Content of the Action Plan

The Action Plan was initially called “Sexual Orientation Inclusion Plan” in the Council resolution of 15 August 2011. However, this title was not as such explicitly inclusive of sex and gender diversity (which notably covers trans and intersex people), which was identified as a gap. In addition, sexual orientation was felt by some SSAGDAC members to be too legalistic and contested by some in the community. With the aim of fighting the marginalisation that sometimes comes through labels and the will to be as inclusive and holistic as possible, agreement was reached within the SSAGDAC to call the Plan “Sexuality, Sex and Gender Diversity Action Plan”. This was thought to help capture the diversity of the GLBTIQ community while insisting on inclusiveness. Sexuality, Sex and Gender Diversity / Diverse (SSGD) is therefore used throughout the Action Plan.

All of this is made clear in the Action Plan, which contains a section on terminology, drawing on the Australian Human Rights Commission’s best practice and the recognition of the impact that terminology can have.

The Action Plan also provides some background information on the issues faced in Australia in general and in Darebin in particular by SSGD communities, providing the rationale for Council’s action.

In line with the suite of action plans cascading from the Equity and Inclusion Policy 2012-2015, the SSGD Action Plan contains sections on:

- Related policies and frameworks;
- Strategic goals and principles; and
- Evaluation and monitoring.

It details a number of actions, organised under the three goals of:

- Inclusive organisation:
 - o SSGD-sensitive internal practices (eg. training);
 - o Research and data-gathering; and
 - o Partnerships.
- Inclusive services and programs:
 - o Work on inclusiveness of SSGD communities;
 - o Youth;
 - o Libraries;
 - o Aged and disability;
 - o Communication and marketing; and
 - o Community grants.
- Inclusive community:
 - o Recognition of SSGD residents;
 - o Arts and culture and sports;
 - o Diverse families;

- Culturally diverse SSGD; and
- Safe, inclusive city.

It should be underlined that the SSGD Action Plan is a work in progress with a built-in review clause, which means the Plan will be reviewed annually and modified over the course of its three years.

POLICY IMPLICATIONS

Environmental Sustainability

The SSGD Action Plan 2012-2015 does not have direct environmental implications.

Social Inclusion and Diversity

Sex and gender diversity and sexuality are aspects of diversity captured in Council's Equity and Inclusion Policy (E&IP). Under the terminology of GLBTI, both are recognised in the E&IP as characteristics that place people at risk of exclusion. The SSGD Action Plan 2012-2015 assists and strengthens Council's approach to social inclusion and diversity by proposing concrete actions to begin addressing issues of discrimination and exclusionary practices on the basis of sexuality and sex and gender diversity across the municipality. SSGD people, identified as vulnerable by the E&IP, will benefit from the Action Plan.

Other

The SSGD Action Plan 2012-2015 is aligned with the explicit support for diversity expressed in Darebin City Council Plan 2009-2013.

FINANCIAL AND RESOURCE IMPLICATIONS

The City of Darebin Sexuality, Sex and Gender Diversity Action Plan 2012-2015 has been allocated a \$10,000 budget for the year 2012-2013 and, at this stage, will not require additional resources beyond that and the budget allocated to the Community Planning, Partnerships and Performance department.

An application for funding of youth-specific actions (HEY grants from Youth Affairs Council of Victoria) has been lodged on 25 June 2012 (decision pending) and further external funding might be sought for specific actions.

CONCLUSION

The Sexuality, Sex and Gender Diversity Action Plan 2012-2015 addresses a gap in Council's diversity package. It is a local response to address discrimination and strengthen social inclusion in Darebin. Under the umbrella of the Equity and Inclusion Policy, it develops actions to address homophobia, biphobia and transphobia and promote equality for our SSGD residents, making Darebin a fairer and more cohesive community.

FUTURE ACTIONS

- Implementation of the first year of the Sexuality, Sex and Gender Diversity Action Plan 2012-2015
- Launch of the Sexuality, Sex and Gender Diversity Action Plan 2012-2015 as part of the suite of Equity and Inclusion Action Plans.

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 Sexuality, Sex and Gender Diversity Action Plan 2012-2015 (**Appendix A**)
- Council minutes 15 August 2011

Cr. Fontana disclosed a conflict of interest in the following matter classifying the type of interest as an indirect interest because of an interested party and describing the nature of the interest as his sons both play at two of the sporting clubs requesting lodgement of submissions. Cr. Fontana is a life member of the Northcote Junior Football Club. He left the meeting prior to consideration of the matter – 7.19pm.

8.2 SPORT AND RECREATION VICTORIA, COMMUNITY FACILITY FUNDING PROGRAM

MINUTE NO. 349

AUTHOR: Manager Leisure and Public Realm

REVIEWED BY: Director City Design and Environment

SUMMARY:

The Sport and Recreation Victoria (SRV) Community Facility Funding Program (CFFP) is an annual State Government funding program that provides funding to Councils to support the development of community facilities. The program has five categories under which funding is provided and Darebin is eligible to apply:

- Better Pools
- Major Facilities
- Minor Facilities
- Soccer Facilities
- Planning

This report outlines the CFFP 2013-2014 assessment process, and recommends projects to be submitted by Council for consideration by SRV.

CONSULTATION:

Leisure Planning and Development Officer
Recreation Liaison Officer
Manager Reservoir Leisure Centre
Darebin Sporting Clubs
Sport and Recreation Victoria

RECOMMENDATION

THAT:

(1) The following project be submitted to Sport and Recreation Victoria for consideration for funding under the Better Pools category:

- Cogeneration Project – Reservoir Leisure Centre, Reservoir.

- (2) The following projects be submitted to Sport and Recreation Victoria for consideration for funding under the Minor Facilities category:
- Lighting Project at CH Sullivan Reserve, Reservoir - Northern Panthers Rugby Union Club
 - Fitness Stations, TW Andrews Reserve, Reservoir
 - Half Court Basketball, Dole Reserve, Reservoir.
- (3) The following projects be submitted to Sport and Recreation Victoria for consideration for funding under the Soccer Facilities category:
- Lighting Project at BT Connor Reserve, Reservoir – Preston Lions Junior Soccer Club.
- (4) The following project be submitted to Sport and Recreation Victoria for consideration for funding under the Planning category:
- Cycle Sports Study.
- (5) Officers inform clubs of the outcomes of their submissions for funding.

COUNCIL RESOLUTION

MOVED: Cr. T. Laurence

SECONDED: Cr. B. Morgan

THAT:

- (1) The following project be submitted to Sport and Recreation Victoria for consideration for funding under the Better Pools category:
- Cogeneration Project – Reservoir Leisure Centre, Reservoir.
- (2) The following projects be submitted to Sport and Recreation Victoria for consideration for funding under the Minor Facilities category:
- Lighting Project at CH Sullivan Reserve, Reservoir - Northern Panthers Rugby Union Club
 - Fitness Stations, TW Andrews Reserve, Reservoir
 - Half Court Basketball, Dole Reserve, Reservoir.
 - Lighting project at McDonnell Park Northcote – This project be recommended for next year's funding round.
- (3) The following projects be submitted to Sport and Recreation Victoria for consideration for funding under the Soccer Facilities category:
- Lighting Project at BT Connor Reserve, Reservoir – Preston Lions Junior Soccer Club.

- (4) The following project be submitted to Sport and Recreation Victoria for consideration for funding under the Planning category:
- Cycle Sports Study.
- (5) Officers inform clubs of the outcomes of their submissions for funding.

CARRIED UNANIMOUSLY

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| REPORT |
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INTRODUCTION AND BACKGROUND

The Sport and Recreation Victoria (SRV) Community Facility Funding Program (CFFP) is an annual funding program which supports the development of community facilities and consists of six categories:

| Category | Closing date | Funding ratio | Max grant |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------------------------|------------------|
| Better Pools | 22/08/2012 | SRV \$1 : \$3 local | \$3M |
| <u>Funding Objectives:</u> To encourage a planned approach to developing aquatic leisure facilities. To encourage local governments to meet the needs of current and future aquatic leisure users. To encourage new or redeveloped spaces that create participation and programming opportunities. | | | |
| <u>Application Numbers:</u> Only one application can be submitted from this category or the Major Facilities category | | | |
| Major Facilities | 22/08/2012 | SRV \$1 : \$3 local | \$650,000 |
| <u>Funding Objective:</u> To encourage the development of community sport and recreation facilities that are high-quality, accessible, innovative, effectively managed, sustainable and well used. | | | |
| <u>Application Numbers:</u> Only one application can be submitted from this category or the Better Pools category | | | |
| Minor Facilities | 26/09/2012 | SRV \$1 : \$1 local | \$100,000 |
| <u>Funding Objectives:</u> To encourage participation in sport and recreation through innovative facility initiatives. To encourage involvement of community organisations in planning and developing facilities. To encourage co-operation between local governments, State Sporting Associations / peak bodies and local sports clubs and organisations. To strengthen communities through the development of sustainable sport and recreation | | | |

| | | | |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------|----------------------------|------------------|
| <p>facilities. To encourage greater female participation.</p> <p><u>Application Numbers:</u></p> <p>Up to three applications can be submitted from this category with a total grant request of \$200,000.</p> | | | |
| | | | |
| Soccer Facilities | 31/10/2012 | SRV \$1 : \$1 local | \$100,000 |
| <p><u>Funding Objective:</u></p> <p>To encourage football (soccer) clubs, working in partnership with local government to upgrade or develop new facilities to maximise their capacity to cater for additional participation in soccer.</p> <p><u>Application Numbers:</u></p> <p>Up to two applications can be submitted from this category with a total grant request of \$100,000</p> | | | |
| | | | |
| Planning | 31/10/2012 | SRV \$1 : \$1 local | \$30,000 |
| <p><u>Funding Objectives:</u></p> <p>To encourage integrated recreation planning linked to other local governments planning processes, including land-use, health and wellbeing and municipal.</p> <p>To encourage recreation planning (particularly with State Sporting Associations and other peak bodies) and / or strategies for improving community participation.</p> <p>To encourage sub-regional and regional facility planning and development.</p> <p>To encourage feasibilities for proposed major facility developments. To encourage co-operation between neighbouring councils and / or State Sporting Associations.</p> <p><u>Application Numbers:</u></p> <p>Only one application can be submitted from this category.</p> | | | |

Funding for successful projects is for the 2013/2014 financial year. Projects cannot commence before 1 July 2013.

Only local government can apply to SRV for this funding program and it is up to each local government authority to decide to what extent and how it should inform local community sport and recreation groups about this funding program.

Assessment Criteria for all six categories

Why – does the project respond to a specific need.

How – confirmed project scope, costs, funding, design and is operationally viable, incorporates environmentally sustainable design.

Who – consults stakeholders, managed by qualified team.

What – increases participation, encourages broad usage particularly by under-represented groups, has significant regional benefit and improves quality of recreational facilities.

The timeline below summarises Council’s CFFP planning process and key dates:

- Tues 19 June – CFFP information session for sport and recreation groups.

- Mon 9 July – Closing date for applications (expression of interest forms) to Council.
- Mon 9 July – Council briefing to inform of CFFP process.
- Mon 6 August – Report submitted for consideration at Council meeting.
- Wed 22 August – CFFP Better Pools and Major Facilities applications due to SRV.
- Wed 26 September – CFFP Minor Facilities applications due to SRV.
- Wednesday 31 October – CFFP Soccer Facilities and Planning applications due to SRV.

Council is not required to involve sport and recreation organisations or to seek expressions of interest, however SRV considers this to be good practice. This process also provides clubs the opportunity to focus their facility development priorities and commit to a financial contribution for their nominated project. Sporting Clubs were invited to submit project ideas and an information session was held in June to encourage their submissions.

ISSUES AND DISCUSSION

Assessment Summary and Recommendations

Better Pools and Major Facilities Categories

Council can submit one application within either the Better Pools or Major Facilities categories. To be able to apply the project must be fully designed and accurately costed.

Reservoir Leisure Centre Cogeneration

At Reservoir Leisure Centre the cogeneration project could be submitted following the confirmation of Federal funding for the project. This project can increase participation through the savings Council would make from reduced electricity costs enabling fees to be kept low and additional programming to be scheduled. Given the surrounding low socio-economic demographics and neighbourhood renewal area of the Reservoir Leisure Centre this is an excellent application although Sport and Recreation Victoria officers have advised that the links to increased participation and programs must be strongly evident (which can be achieved). Total cost of this project is estimated at \$1,181,000 meaning a maximum grant application of \$295,250. \$472,000 (40%) is available through the Federal Government funding, leaving \$413,750 for Council to contribute if the application is successful.

Council does not have any projects fitting the major facilities category that are sufficiently advanced for an application. However the operator of Sullivan Sports Stadium has submitted the following proposal which meets the criteria.

Conversion of Sullivan Stadium to an ice skating facility

The operator of Sullivan Stadium, Puckhandlers, has submitted a proposal to convert the facility to an ice skating rink. The project has an estimated cost of \$2.65M. Puckhandlers are willing to contribute \$1.35M and are seeking a contribution from Council of \$650,000 along with a Major Facilities Grant of \$650,000.

Whilst this project meets the grant criteria, a business case for the facility has been provided to Council but has not had a financial analysis. It is assumed that the project would possibly provide Council with an increased income from the site (currently approximately \$77,000 per annum), based on Puckhandlers usage projections and subject to future lease negotiations. These figures have not been independently assessed. It is recommended that officers

discuss this application further with the Puckhandlers and assess the feasibility of this project for a future funding round bid.

Puckhandlers lease expires in 2013. This could provide Council with an opportunity to test the market for a redevelopment of the site in return for extended tenure. The completion of the facility lease in 2013 and limited analysis regarding the proposal limit consideration of a grant application and Council commitment of \$650,000.

The application for cogeneration at Reservoir Leisure Centre is worth completing to further reduce the amount Council will need to contribute to the project although the application will be competing with projects that more clearly meet the grant criteria.

Minor Facilities

In previous years Council has received an average of approximately ten expression of interest forms from sport and recreation clubs for the minor facility category, however this year only three were received despite an increase in communication to clubs.

Contributing factors to the low response rate include the following:

- As recommended in Council's Leisure Strategy, a Council funded Leisure Minor Works Funding Program commenced in 2010/2011 which has given clubs a mechanism to put their funds towards minor infrastructure works in partnership with Council. Clubs are aware that this program is continuing in 2012/2013 and officers are promoting this program to clubs which has been well received.
- Council's investment in Leisure related infrastructure has increased to deliver recommendations from the Leisure Strategy. Projects that have been or are budgeted to be delivered have previously been put forward from clubs through the CFFP expression of interest process.
- Clubs are now better educated of the requirements to put forward a thorough and well prepared expression of interest to Council and understand what types of projects are likely to be funded through the CFFP. They are also more aware of alternative avenues for funding minor projects.

Two of the three applications were of high quality and are strategically aligned with Council's priorities.

Club Applications

| Applicant | Project | Club contribution | Total project cost |
|-------------------------------------------|--------------------------|-------------------|--------------------|
| Northcote Junior Football Club | Sports ground lighting | \$20,000 | \$250,000 |
| McDonnell Park, Northcote | | | |
| Northern Panthers Rugby Union Club | Sports ground lighting | \$10,000 | \$250,000 |
| CH Sullivan Reserve, Reservoir | | | |
| Northcote Park Football Club | Scoreboard Redevelopment | \$10,000 | \$150,000 |
| Bill Lawry Oval, Northcote | | | |

Each application was assessed using a structured assessment form which included the CFFP Minor Facilities criteria as well as key Council criteria. A summary of each club application has been provided as follows:

Northcote Junior Football Club

This club has requested additional sports ground lighting at McDonnell Park, Northcote. The Northcote Junior Football Club has experienced rapid growth in recent years and whilst they have access to two sports fields, they cannot utilise these grounds to their full potential due to inadequate lighting. This impacts on the ability of the club to service the recent increase in player numbers within the existing lit facilities and this is causing uneven wear and additional maintenance costs on both grounds. Northcote Junior Football Club has indicated they will commit funds to the project.

Northern Panthers Rugby Union Club

This club has requested additional sports ground lighting at CH Sullivan Reserve, Reservoir. The Northern Panthers Rugby Union Club has a regional catchment, given that this is the only Rugby club in the northern suburbs, yet more than half of the club's players and members live in Darebin. The club constantly has players representing the state and national teams as well as the national rugby women's team, the Wallaroos. CH Sullivan Reserve has three rugby fields however the club's twelve teams train in a small area lit by just one light pole. The club has a broad spread of members including a women's team, 125 juniors, is located between two Neighbourhood Renewal Areas (East Reservoir and Heidelberg West) and over 90 per cent of members are from culturally and linguistically diverse communities.

Northcote Park Football Club

This club has requested an upgrade to the existing scoreboard at Bill Lawry Oval. This project is not suitable for this funding opportunity as it would not lead to increased participation. It has been proposed in the draft sports venue infrastructure policy that scoreboards are funded 100% by clubs.

Alternative Options

Whilst SRV encourages local governments to invite expressions of interests from local sport and recreation groups, Council also has the ability to apply for these grants to fund projects not linked to an expression of interest. Council may elect to put forward projects that directly support the implementation of other community based projects that increase physical activity such as playgrounds, masterplan recommendations, shared paths and youth spaces.

| Club | Project | Club contribution | Total project cost |
|-------------------------------------|-------------------------------------------|-------------------|--------------------|
| Not directly related to club | Fixed fitness equipment for community use | NA | \$80,000 |
| TW Andrews Reserve, Reservoir | | | |
| Not directly related to club | Fixed fitness equipment for community use | NA | \$80,000 |
| All Nations Park, Northcote | | | |

| | | | |
|-------------------------------------|-------------------------------------------|----|----------|
| Not directly related to club | Fixed fitness equipment for community use | NA | \$80,000 |
| Bundoora Park, Bundoora | | | |
| Not directly related to club | Half Court Basketball | NA | \$50,000 |
| Dole Reserve, Reservoir | | | |

Fixed Fitness Equipment

- There is a growing trend towards providing outdoor fitness infrastructure for community use.
- These facilities provide opportunities to those who can not afford gym memberships.
- The selected location is within the East Reservoir Neighbourhood Renewal area .
- Reservoir Leisure Centre would be able to use the equipment as part of the boot camp program which is based in this reserve.
- Council would have to consider the type of equipment most suitable.
- As this would be a new facility participation would grow from zero making this a particularly strong application.

Half Court Basketball

- This would provide additional informal recreation facilities to the community.
- Council has received funding from the Community Facility Funding Program in 2012/2013 to install a half court in the South of the Municipality.
- There is demand from Club based Dole Stadium.
- The half court would complement the existing indoor basketball court at Dole Stadium.

In considering the applications submitted by clubs as well as the alternative options listed above, the three projects recommended are those that are best aligned with Council's priorities and the Leisure Strategy 2010-2020 as well as meeting the SRV criteria.

The three projects recommended are:

- **Northern Panthers Rugby Union Club** - CH Sullivan Reserve, Reservoir

| Project | Financial Contributions | | | |
|------------------------|-------------------------|----------|-----------|------------|
| | SRV | Club | Council | Total Cost |
| Sports ground lighting | \$100,000 | \$10,000 | \$140,000 | \$250,000 |

- **TW Andrews Reserve, Reservoir**

| Project | Financial Contributions | | | |
|-------------------------|-------------------------|------|----------|------------|
| | SRV | Club | Council | Total Cost |
| Fixed Fitness Equipment | \$40,000 | N/A | \$40,000 | \$80,000 |

- **Dole Reserve, Reservoir**

| Project | Financial Contributions | | | |
|-----------------------|-------------------------|------|----------|------------|
| | SRV | Club | Council | Total Cost |
| Half Court Basketball | \$25,000 | N/A | \$25,000 | \$50,000 |

If successful, the recommended projects will support the key directions of the Leisure Strategy priorities in the following ways:

- Increased participation in physical activity;
- Encouraging women's participation in sport and recreation activities;
- Leisure infrastructure renewal;
- Meeting community expectations of contemporary facility provision;
- Involving the community in planning of leisure infrastructure;
- Supporting and encouraging informal recreation; and
- Delivering facilities to a range of participation levels.

Installing lights contributes to an increase in sports participation and assists Council in meeting the commitments made in the Leisure Strategy 2010-2020 and the Community Health and Well Being Plan 2009-2013. Investment in lighting also enabled clubs to spread training activities over a larger area which reduces wear to the playing surface and reduces maintenance requirements.

The application received from Northcote Junior Football Club for additional lighting a McDonnell Park is a lower priority than the application for CH Sullivan Reserve due to the greater diversity of participants catered for by the Northern Panthers. McDonnell Park will be considered for future internal lighting projects.

Soccer Category

Council can apply for two projects in the category with a total grant request of \$100,000.

The following project is aligned with Council's priorities, the Leisure Strategy 2010-2020 as well as meeting the SRV criteria.

- **BT Connor Reserve, Reservoir**

| Project | Financial Contributions | | | |
|------------------------|-------------------------|----------|-----------|------------|
| | SRV | Club | Council | Total Cost |
| Sports ground lighting | \$100,000 | \$10,000 | \$140,000 | \$250,000 |

BT Connor Reserve has three junior fields, for which there are only three light poles in total. These pitches are underutilised due to the inadequate lighting. Increased lighting would enable more junior players to participate in soccer as well increasing female participation. The club has expressed interest to develop an all abilities team once the sports field lighting is improved.

There is currently a program at the club where the club pays for all costs associated with participation including registration and uniforms for over 40 juniors with low socio economic background. Free coaching for females is also provided two nights a week with a qualified coach.

There are no other projects currently suitable for grants submission in this category.

Planning Category

Council can apply for one project in the planning category for a maximum grant of \$30,000. Projects identified by officers that would make strong applications are:

- Feasibility study – Cycle Sports Study.
- Feasibility study on indoor basketball/netball courts in the south of the municipality – possibly in conjunction with City of Yarra.

The project recommended for submission is an application for the Cycle Sports Study as this will make the strongest application and there is demand for improvements to cycling infrastructure in the municipality. The project cost is estimated at \$60,000 with an application to be made for \$30,000.

POLICY IMPLICATIONS**Environmental Sustainability**

Environmental Sustainability considerations are reflected within the assessment criteria.

Social Inclusion and Diversity

Whilst the major focus of the CFFP is to broadly increase participation in sport and recreation activities, improving access to those groups traditionally disadvantaged, including women and girls, culturally and linguistically diverse (CALD) communities, indigenous people, people with a disability and people of low socio economic status, is a significant priority.

Other

The assessment criteria contains the proposed priority areas of the leisure strategy, all of which flow down from the current Council plan.

FINANCIAL AND RESOURCE IMPLICATIONS

Council is required to contribute to the projects if SRV funding applications are successful. Any funding secured from SRV will be for the 2013/2014 financial year. If all projects are successful, which is unlikely, \$788,750 excluding GST will be required from the 2013/2014 Council budget.

If all projects are successful Council would receive \$560,250 in grant funding.

CONCLUSION

The SRV CFFP presents an opportunity to deliver Leisure infrastructure improvements at a reduced cost to Council. The projects recommended are in line with existing Council priorities and are the types of projects that have been successful through this funding program in previous years. Should Council choose to support these projects, applications will be submitted to SRV for consideration for funding.

FUTURE ACTIONS

- Submit a Better Pools application to SRV by 22 August 2012
- Submit three Minor Facilities applications to SRV by 26 September 2012
- Submit a Soccer Facilities application to SRV by 31 October 2012
- Submit a planning application to SRV by 31 October 2012
- Contact each applicant to advise whether successful or unsuccessful.

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 Leisure Strategy 2010-2020

Cr. Fontana returned to the meeting at the conclusion of the above item – 7.30pm

8.3 PROPOSED VACANT LAND REBATE**MINUTE NO. 350****AUTHOR: Acting Director Corporate and Business Services****REVIEWED BY: Chief Executive****SUMMARY:**

This report is in response to a General Business item raised at the Council meeting on 2 July 2012:

That Council officers prepare a report for the 16 July 2012 Council meeting outlining the costs, benefits and steps (including a 28 day advertising period) in relation to introduction of a rebate or concession from the 300% vacant land rating differential on those residential blocks where proof of a single dwelling covenant can be provided by ratepayers to Council.

Furthermore that officers present timeline options for consultation so that the adoption of this rating differential rebate or concession could be considered by full Council before 24 September 2012.

The *Local Government Act 1989* requires rates to be levied and the amount Council intends to raise by general rates, to be declared by the 31 August.

Introduction of a rebate or concession for ratepayers after the budget has been adopted requires the adoption of a revised budget. In preparing a revised budget, the Act requires 28 days for public consultation and submissions. There is insufficient time to adopt a revised budget amending the rates or introducing a rate rebate or concession by the 31 August 2012.

CONSULTATION:

Chief Executive

Manager City Development

City Valuer

COUNCIL RESOLUTION**MOVED: Cr. T. Laurence****SECONDED: Cr. G. Greco****THAT** Council note this report.**CARRIED**

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INTRODUCTION AND BACKGROUND

Council, through the Local Government Act 1989, has the ability to apply what are known as 'differential rates' to different classes of property. Different rates in the dollar are applied to residential land, business land, vacant residential land, vacant business land and land that is used for electronic gaming machines.

The application of differential rates enables Council to use property rates to achieve policy outcomes. In the case of vacant land, an increased rate has been applied to encourage landowners to develop this land.

The increased rate for vacant land was introduced in 2010/2011 at one and a half times the residential rate. This was increased to three times the residential land rate for 2011/2012. The maximum allowable difference is four times the base rate. In 2012/2013 the differential rate for residential vacant land has remained unchanged at three times the residential rate. The business vacant land has increased to 2.3 times the business rate.

The differential rate is not applied to land for which a building permit has been issued. Should a rate payer obtain a building permit during the course of the financial year the extra amount will be refunded pro-rata.

Funds raised by differential rates are used to maintain Council services, expansion of other services to meet identified needs and to support Darebin's continued economic development.

ISSUES AND DISCUSSION**Vacant land differential rate**

The rules determining when a property would be rated as vacant land have changed.

- In 2010/2011 an Occupancy Certificate was required before the property was rated as residential/business and not vacant land
- In 2011/2012 a Building Permit was required before the property was rated as residential/business and not vacant land
- In 2012/2013 an 18 month rule has been introduced. Council's vacant residential land will only be applied to a property 18 months after it becomes vacant if no Building Permit has been issued.

The following table shows the reduction in vacant land properties in the municipality since the introduction of the vacant land differential in 2010/2011.

Number of vacant properties:

| | 2010/2011 | 2011/2012 | 2012/2013 Budget |
|-------------|-----------|-----------|------------------|
| Residential | 609 | 375 | 288 |
| Business | 144 | 114 | 111 |

The 2012/2013 budget estimates that the rate revenue to be raised from the residential vacant land rate is \$884,595.

Rate revenue that would be raised if the vacant residential land rate did not apply would be \$294,865.

Introducing a further rule that allows vacant residential land that has a single dwelling covenant to be rated as residential property and not the higher vacant residential land, could result in a loss of rate revenue of between \$195,607 and \$589,730.

Rebates and concessions

Section 169 of the *Local Government Act* 1989 allows for a Council to grant a rebate or concession. This section states:

- (1) A Council may grant a rebate or concession in relation to any rate or charge —
 - a) To assist the proper development of the municipal district; or
 - b) To preserve buildings or places in the municipal district which are of historical or environmental interest; or
 - c) To restore or maintain buildings or places of historical, environmental, architectural or scientific importance in the municipal district; or
 - d) To assist the proper development of part of the municipal district.

(1A) A Council resolution granting a rebate or concession must specify the benefit to the community as a whole resulting from the rebate or concession.

The introduction of a rebate or concession to assist ratepayers that own vacant residential land with a single dwelling covenant would have an adverse impact on Council's financial position.

The extent of this financial impact would be dependent on the quantum of the rebate or concession and the number of ratepayers eligible. A rebate of \$100 could result in a loss of revenue up to \$28,800, whilst a \$500 rebate could result in loss of revenue of up to \$144,000.

Single Covenant Estates

Merrilands Estate:

This is the largest area of covenants and is located in Reservoir and was subdivided in the 1920s. The area is bordered by High Street (east), Mahoneys Road (north), Broadhurst Avenue (south), and Massey Avenue (west). A significant number of properties are affected but the total numbers are difficult to determine because the single lot covenants are peppered throughout the area and not one large concentration. There are around 3,000 properties in this area and about 2,500 would be the proportion affected by covenants.

In the 2012/2013 budget, there are 33 properties in the Merrilands Estate that have been rated as vacant residential land.

Newer estates:

Gresswell, Mt Cooper, Springthorpe and Gresswell Grange all have fairly tight concentrations of single lot covenants and are easier to enumerate. There would be around a 4,000 properties.

In the 2012/2013 budget, there are 21 properties in the Mt Cooper Estate, 32 in Springthorpe, and 1 in Gresswell Grange that have been rated as vacant residential land.

Restrictions:

There would also be a number of recent subdivisions which are affected by a covenant (a restriction under the Subdivision Act 1988) which ties the development of the land to a planning approval. Up until a couple of years ago, these were used where subdivision of land occurred prior to development, and the parcels were under 300m². They would be distributed throughout the municipality. There would be around a 1,000 of these.

The number of these properties rated as vacant residential land in the 2012/2013 budget is unknown.

Considerations

Amending the differential rates or providing a rebate or concession to ratepayers with vacant residential land that has a single dwelling covenant raises a number of considerations.

- The higher differential rate for residential vacant land is intended to *'promote responsible land management through appropriate maintenance and development of the land so that foregone community and economic development resulting from underutilisation of land is minimised'* (Budget Report 2012/2013). Building either a single dwelling or multiple dwellings on vacant land would achieve this aim.
- The economic conditions prevailing at the time the ratepayer decides to build may not generate adequate yield for the ratepayer.
- A number of Councils, both metropolitan and regional councils, impose a higher differential rate to promote development.
- Verifying a single dwelling covenant on a property would require checking of the property title, which is time consuming and costly. This verification would still be required even if the ratepayer identified the property as holding a single dwelling covenant.
- When declaring differential rates or approving rate rebates, Council needs to be mindful of the Victorian State Government's recent scrutiny in relation to the application of differential rates, as indicated by:
 - The proposal to amend the *Local Government Act* to allow the Minister to issue Guidelines about the appropriate uses of differential rating and to be able to seek an Order in Council to disallow a particular classification of land for differential rates where the use of the classification is inconsistent with the Guidelines. This proposal has arisen from concerns about the way some Councils classify properties for differential rating: especially where a particular industry is targeted for unusually high rates.
 - The current performance audit of *Rating Practices in Local Government* being undertaken by the Auditor General. Darebin is participating in this audit.
- When declaring a differential rate, the Local Government Act requires:

'it <council> considers that the differential rate will contribute to the equitable and efficient carrying out of its functions'.

The differential rate needs to be tested to ensure that it is equitable. It may be argued that providing rebates or concessions to certain ratepayers of vacant land is not equitable.

- The Act requires the Council resolution granting a rebate or concession must specify the benefit to the community as a whole resulting from the rebate or concession. It may be difficult to specify this community benefit if only a small section of the community benefits from the proposed rebate or concession.
- An underlying surplus of \$184,000 is budgeted for 2012/2013. A reduction in rate revenue of up to \$589,730 may reduce Council's ability to provide services or fund capital works projects.

Process for amending

To introduce a rebate or concession or revise the definition of vacant residential land to assist ratepayers that own vacant residential land with a single dwelling covenant following the adoption of the 2012/2013 budget on 2 July 2012, a revised budget would need to be completed.

In preparing a revised budget, the Act requires 28 days for public consultation and submissions. The earliest a revised budget could be adopted would be the 24 September, as indicated by the timetable below:

| Action required | Date |
|-------------------------------------------------------------------------------------------------------|------------------------|
| Notice of special meeting | Wednesday 8 August |
| Special Council meeting <ul style="list-style-type: none"> • to approve revised budget | Wednesday 15 August |
| Closing of Submissions | Wednesday 12 September |
| Notice of special meeting | Monday 10 September |
| Special Council meeting <ul style="list-style-type: none"> • Hearing of Submissions | Monday 17 September |
| Notice of special meeting | Monday 17 September |
| Special Council meeting <ul style="list-style-type: none"> • To adopt revised Budget | Monday 24 September |

Adoption of Rates

Section 158 of *Local Government Act* requires rates to be levied and the amount Council intends to raise by general rates, to be declared by the 31 August.

There is insufficient time to adopt a revised budget amending the rates or the rate rebate or concession by the 31 August 2012.

POLICY IMPLICATIONS

Environmental Sustainability

Nil.

Social Inclusion and Diversity

Nil.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

Introducing a further rule that allows vacant residential land that has a single dwelling covenant to be rated as residential property and not the higher vacant residential land, or introducing a rebate or concession could result in a loss of rate revenue of between \$28,800 and \$589,730.

An underlying surplus of \$184,000 is budgeted for 2012/2013. A reduction in rate revenue may reduce Council's ability to provide services or fund capital works projects.

CONCLUSION

There are a number of issues to be considered in determining whether or not a rebate or concession should be introduced for vacant residential land that has a single dwelling covenant. Notwithstanding these issues, the *Local Government Act* requires rates to be levied and the amount Council intends to raise by general rates, to be declared by the 31 August 2012.

Introduction of a rebate or concession for ratepayers after the budget has been adopted requires the adoption of a revised budget. In preparing a revised budget, the Act requires 28 days for public consultation and submissions. There is insufficient time to adopt a revised budget amending the rates or introducing a rate rebate or concession by the 31 August 2012.

FUTURE ACTIONS

Consideration of a rebate or concession for vacant residential land that has a single dwelling covenant or amendment of the definition of vacant residential land to be included in the 2013-2014 budget.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

Darebin City Council Budget Report 2012/2013

Local Government Act 1989

8.4 REVIEW OF DAREBIN LIBRARIES SERVICES FROM AN EQUITY AND INCLUSION PLANNING AND DIVERSITY PERSPECTIVE**MINUTE NO. 351****AUTHOR: Manager Libraries Learning and Youth****REVIEWED BY: Group Manager Community Services****SUMMARY:**

At its Council meeting on 18 July, 2011 Council passed the following resolution.

That:

- 1. Council Officers prepare a report on conducting a review and evaluation of Darebin Library Services from a social inclusion and diversity perspective.*
- 2. The purpose of such a review would be to identify barriers and limitations that may be inadvertently excluding certain Darebin groups from accessing and benefiting from Darebin Libraries.*
- 3. An interim report be presented to Council within the next two months outlining a Terms of Reference, a steering committee structure and a detailed evaluation methodology.*

Further to this, on 21 November 2011 Council requested:

An interim report to Council on the 19 December 2011 regarding the Terms of Reference, steering committee structure and detailed evaluation methodology for the review of Darebin Libraries services from an equity and inclusion planning and diversity perspective.

In response a report was endorsed by Council on 19 December 2011 that detailed the terms of reference, steering committee structure and detailed evaluation methodology for the review.

Guided by this process a review that identified gaps in the services offered and also indicated those that presented barriers or limitations that might lead to exclusion was finalised in April, using the Council's Equity and Inclusion Planning and Audit Tool. The tool was key in identifying target groups who should be considered in the review. This was followed by a consultation meeting in May with representatives from a range of Council supported Advisory groups and committees - Darebin Ethnic Communities Council, Darebin Interfaith Council, Darebin Women's Advisory Committee and Same Sex Attracted and Gender Diverse Advisory Committee.

This meeting discussed both the identified gaps and sought to identify any additional ones the groups had identified.

The identified gaps were categorised into six priority areas:

- Partnerships
- Policy, strategy and planning
- Consultation

- Information, collections and resources
- Learning programs
- Accessibility.

An action plan has been developed along with a process to implement the action plan through the development of an updated strategy for Darebin Libraries. The analysis identified the need to improve communication and consultation with the community as critical to ensuring that collections, services and programs reflect community needs and expectations.

Accordingly the Community Engagement Framework currently under development will be an important guiding document in the communication and consultation process adopted by the library.

Although a number of gaps in the delivery of the service have been identified through the review it has also been demonstrated that the principles of social inclusion and universal access guide Darebin Libraries service and program delivery.

CONSULTATION:

Darebin Ethnic Communities Council

Darebin Interfaith Council

Darebin Women's Advisory Committee

Same Sex Attracted and Gender Diverse Advisory Committee

Group Manager Community Services

Manager Community Planning Partnerships and Performance

RECOMMENDATION

THAT Council:

- (1) Note the Review of Darebin Library Services from an Equity and Inclusion Planning and Diversity Planning Perspective report.
- (2) Endorse the Darebin Libraries Gap Analysis and Action Plan attached as **Appendix A** to this report.

MOTION

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

THAT Council:

- (1) Note the Review of Darebin Library Services from an Equity and Inclusion Planning and Diversity Planning Perspective report.

- (2) Endorse the Darebin Libraries Gap Analysis and Action Plan attached as **Appendix A** to this report.
- (3) Receive a further report in four weeks on a 12 month calendar of culturally inclusive events to better engage with Darebin's diverse communities.
- (4) Establish a Darebin Libraries Review Community Reference Group in view of the Council's intention to develop a new Darebin Libraries strategy plan for 2012-2018.

THE MOTION WAS PUT AND CARRIED, AND BECAME THE COUNCIL RESOLUTION:

COUNCIL RESOLUTION

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

THAT Council:

- (1) Note the Review of Darebin Library Services from an Equity and Inclusion Planning and Diversity Planning Perspective report.
- (2) Endorse the Darebin Libraries Gap Analysis and Action Plan attached as **Appendix A** to this report.
- (3) Receive a further report in four weeks on a 12 month calendar of culturally inclusive events to better engage with Darebin's diverse communities.
- (4) Establish a Darebin Libraries Review Community Reference Group in view of the Council's intention to develop a new Darebin Libraries strategy plan for 2012-2018.

CARRIED UNANIMOUSLY

REPORT

INTRODUCTION AND BACKGROUND

Darebin Libraries mission is to provide a library service to meet the diverse needs of the Darebin community. This is achieved through undertaking both the traditional library role of lending materials and supporting information services, plus providing an extensive range of services, activities and events. The library service is committed to service provision that ensures equitable access and supports residents to participate more broadly in community life.

To ensure that the library service is meeting community needs from an equity and inclusion planning and diversity viewpoint a review of the service from this perspective was requested.

ISSUES AND DISCUSSION

To conduct the review a terms of reference, steering committee structure and detailed evaluation methodology for the review were developed.

Terms of Reference

The review will evaluate Darebin Libraries services from an equity and inclusion planning perspective and recommend an action plan to address identified gaps through the following process:

1. Establish the services and resources that are currently offered by Darebin Libraries to the community both directly and indirectly through project partners.
2. Determine the target groups these services and resources are directed at against the groups identified as having characteristics upon which people can be excluded.

Note: Not all the groups will be relevant to the service/s and resources offered.

3. Identify 'gaps' in service delivery to these target groups.
4. Conduct a consultative process that reviews gaps and determine approaches that ensure services are inclusive.
5. Develop an action plan to address gaps and increase participation.

The review will be conducted by Darebin Libraries in consultation with Community Planning, Partnerships and Performance.

Evaluation Methodology

The evaluation method used to conduct the review was the application of the Equity and Inclusion Planning and Audit Tool. The methodology for the review process had two stages.

Stage 1

Equity and Inclusion Planning and Audit Tool – Service Review Workshop

In April 2012, the Manager of Libraries, Learning and Youth conducted a targeted workshop with the Library Management Team, to review and list the entirety of service provision including programs, events and outreach services. During the workshop, each group listed within the audit tool was reviewed for inclusion in this process. The result of this exercise was the inclusion of all listed target groups identified in the Equity and Inclusion Policy. To support and inform the review known information and data about the various groups such demographic data was also gathered and analysed.

From this process gaps in service and program provision relating to each of the target groups were identified.

Stage 2

Presentation of Service Review to Consultation Committee

In May 2012, the Manager Libraries, Learning and Youth presented the outcomes of the library service review workshop to representatives from a range of Council supported Advisory groups and committees - Darebin Ethnic Communities Council, Darebin Interfaith Council, Darebin Women's Advisory Committee, Same Sex Attracted and Gender Diverse Advisory Committee.

The format of the presentation included the identification of each applicable target group within the audit tool, current knowledge of the including community demographic data, acknowledgement of the issues faced by the community which may affect and limit access and usage of the library service and a list of the services and programs available and/or provided to the target groups.

In addition an explanation of the Council resolution to carry out the service review, the methodology used and a request for identification of further gaps beyond those identified by the Library Management Team was discussed.

Outcomes of Analysis/Consultation

The diversity of committee members resulted in a diverse range of responses to the presented information. A number of representatives congratulated the library service on the diversity of collections, programs and events and verbalised their surprise at the level of service provided, of which they were unaware. This in itself identified a gap in marketing and promotion of services.

A number of committee representatives raised individual issues relating to their own use and expectations of the library service at an operational level that were not necessarily within the scope of the audit tool.

Some discussion took place regarding the library as a venue for cultural celebrations to expand common links within the community. This was identified as a current gap, with a committee representative advocated that the library had a responsibility to promote community harmony via the medium of cultural events and/or celebrations.

The significant gaps and areas for improvement identified by the library service's analysis centred on a lack of ongoing engagement with the Aboriginal community and an absence of regular community consultation to maintain an awareness of trends, community expectations and community involvement in policy and service planning.

Action Plan

From both the library analysis and community consultation a number of gaps in service were identified. These were categorised into six priority areas:

- Partnerships;
- Policy, strategy and planning;
- Consultation;
- Information, collections and resources;
- Learning programs; and
- Accessibility.

These have been put into an action plan where each priority areas has an objective with actions to achieve these objectives detailed with timeframes for delivery.

Darebin Libraries Strategy

It is the intention to incorporate the delivery of the action plan within the review and development of an updated Darebin Libraries Strategy, due to commence in August 2012 for delivery in early/mid 2013. The consultation phase of the strategy will be will be guided by the Community Engagement Framework currently under development. As the key strategy for how Council can actively undertake genuine engagement with our community, the

framework will assist Darebin Libraries to ensure community consultation is carried out using best practice methods for best outcomes within our community.

POLICY IMPLICATIONS

Environmental Sustainability

The project has no environmental impact.

Social Inclusion and Diversity

The project specifically addressed social inclusion and diversity considerations in relation to the library service and directly responds to the Equity and Inclusion Policy, the human rights charter and Council's goals and commitments in relation to social inclusion and diversity.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

The Equity and Inclusion Planning and Audit Tool has assisted in identifying future service requirements and allows the ability to future plan for sufficient resources to ensure the delivery of future action plans. In addition to internal resources, external funding opportunities through partnerships and grants will be actively pursued.

CONCLUSION

The review of the library service from an equity and inclusion planning and diversity perspective has been a valuable exercise for the library service. It has enabled a critical examination from both an internal and external view.

Whilst a number of gaps in the delivery of the service have been identified through the application of the Equity and Inclusion Planning Tool to review the service it has also been clearly demonstrated that the principles of social inclusion and universal access guide Darebin Libraries service and program delivery.

A key within the action plan developed to address the gaps is to improve communication and consultation with the community. This is essential to both inform of the diversity of collections, services and programs already in place for the community but also to ensure that the collections, services and programs reflect community needs and expectations.

FUTURE ACTIONS

A review of the *'Connecting Community Darebin Libraries Strategy 2007-2012'* will begin in August 2012, with a new strategy to inform service direction and development from 2013-2018 anticipated to be finalised by early 2013. The action plan developed from the *'Review of Darebin Libraries Services from an Equity and Inclusion Planning and Diversity Perspective'* will be incorporated with and inform the review of the strategy. However, it has been identified that there are a number of actions forthcoming from the review that are not dependent on the development of the library strategy and will be addressed immediately.

A key element of the development of the revised library strategy will be community consultation and a detailed consultation plan (with reference to the Community Engagement Framework) is currently under development.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

- Darebin Libraries Social Inclusion Action Plan – attached as **Appendix A** to this report
- Resource, Program and Activities Schedule – attached as **Appendix B** to this report
- Statement on Social Inclusion and Learning Libraries Victoria Network – Adopted 12 April 2010
- Social Inclusion Principles for Australia. Australian Government
- Social Inclusion – The role played by Public Libraries in Western Australia. Submission by the Local Government Librarians' Association of Western Australia
- Beyond a Quality Service: Strengthening the Social Fabric. Standards and Guidelines for Australian Public Libraries. Australian Library and Information Association. First Edition, 2011
- Public Libraries addressing social inclusion: how we may think. Professor Ina Fourie
- The McDonald's Public Library System of 2020. Robert McEntyre

8.5 DISABLED PARKING PERMITS

MINUTE NO. 352

AUTHOR: Manager Economic Development and Civic Compliance**REVIEWED BY:** Acting Director Corporate and Business Services**SUMMARY:**

At its meeting on 7 May 2012, Council requested

“That a report be submitted on how the allocation of Disabled Parking Permits issued operates and if the government is reviewing the guidelines including deceased former holders of Disabled Parking permits.”

This report outlines the process for the administration of the Disabled Parking Scheme and the future directions of Disabled Parking permits including the impact that the Australian Disability Parking Scheme will have on the City of Darebin.

CONSULTATION:

Coordinator Compliance and Amenity

Business Support Officer Darebin Traffic Services

Assistant Team Leader Darebin Traffic Services

Team Leader Transport Engineering

Vic Roads

The Department of Families, Housing, Community Services and Indigenous Affairs

RECOMMENDATION

THAT Council notes this report.

MOTION

MOVED: Cr. G. Greco

SECONDED: Cr. T. McCarthy

THAT Council note this report and requests that further report come to Council within four weeks on a plan to make Disabled Parking Bays in Darebin comply with Australian standards.

THE MOTION WAS PUT AND CARRIED, AND BECAME THE COUNCIL RESOLUTION:

COUNCIL RESOLUTION

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

THAT Council note this report and requests that further report come to Council within four weeks on a plan to make Disabled Parking Bays in Darebin comply with Australian standards.

CARRIED UNANIMOUSLY

REPORT

INTRODUCTION AND BACKGROUND

On 26 January 1995 the General Manger, Traffic and Road Use Management Roads Corporations submitted the code for the disabled persons parking scheme published in the Victorian Government Gazette to take effect as of 1 February 1995.

The purpose of the scheme is to ensure consistent administrative practices across all Councils when issuing disabled parking permits to their residents.

Subsequently the Municipal Association of Victoria (MAV) issued guidelines to Councils which included the Disabled Permit flow chart mapping the eligibility of applicants. The Traffic Services Unit currently issues Disabled Parking Permits in accordance with these guidelines. The City of Darebin is responsible for the administration of Disabled Parking scheme for the residents of the Municipality. As at 1 July 2012, 8,431 permits are currently issued to Darebin residents.

ISSUES AND DISCUSSION

In the financial year July 2011 to June 2012 Darebin Council received an average of 250 applications for disabled parking permits a month.

Over the past 10 years as the population of the Municipality ages, the number of applications has varied but overall applications have increased by over 19.5% during this period.

| Year | Number of Permits issued |
|-----------|--------------------------|
| 2002-2003 | 2523 |
| 2003-2004 | 2119 |
| 2004-2005 | 2795 |
| 2005-2006 | 2667 |
| 2006-2007 | 2288 |
| 2007-2008 | 2503 |
| 2008-2009 | 3002 |
| 2009-2010 | 2658 |
| 2010-2011 | 3107 |
| 2011-2012 | 3014 |

Current Process

Disabled parking permits are issued to residents of the Municipality only. Applications are available from the Customer Services Centres, can be mailed on request, downloaded from the Darebin internet site and obtained from most local medical practitioners.

The applicant must complete the application form in conjunction with their medical practitioner who will outline the applicants' disabilities and physical limitations in support of the application.

On receipt of the application, the Business Support Officer from Traffic Services assesses the eligibility of the applicant based on the criteria set out in the MAV guidelines.

There are 2 categories of Disabled Parking Permit defined by VicRoads.

Category One

To be eligible for a category one permit:

- A Medical Practitioner must confirm that an individual has a significant ambulatory disability and they cannot access a vehicle in an ordinary parking bay, or they are require to use a complex walking aid* that prevents access to a vehicle in an ordinary parking bay, or
- A Medical Practitioner must confirm that an individual has either an acute or chronic illness in which minimal walking may endanger their health, or
- A Specialist Medical Practitioner or Clinical Psychologist must confirm that an individual is an extreme danger to themselves and others in a public place without assistance by a Carer.

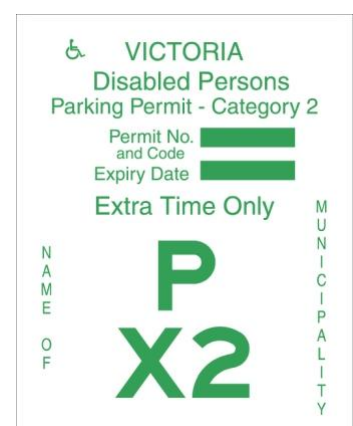


*A complex walking aid is defined as an aid which has more than one contact point with the ground

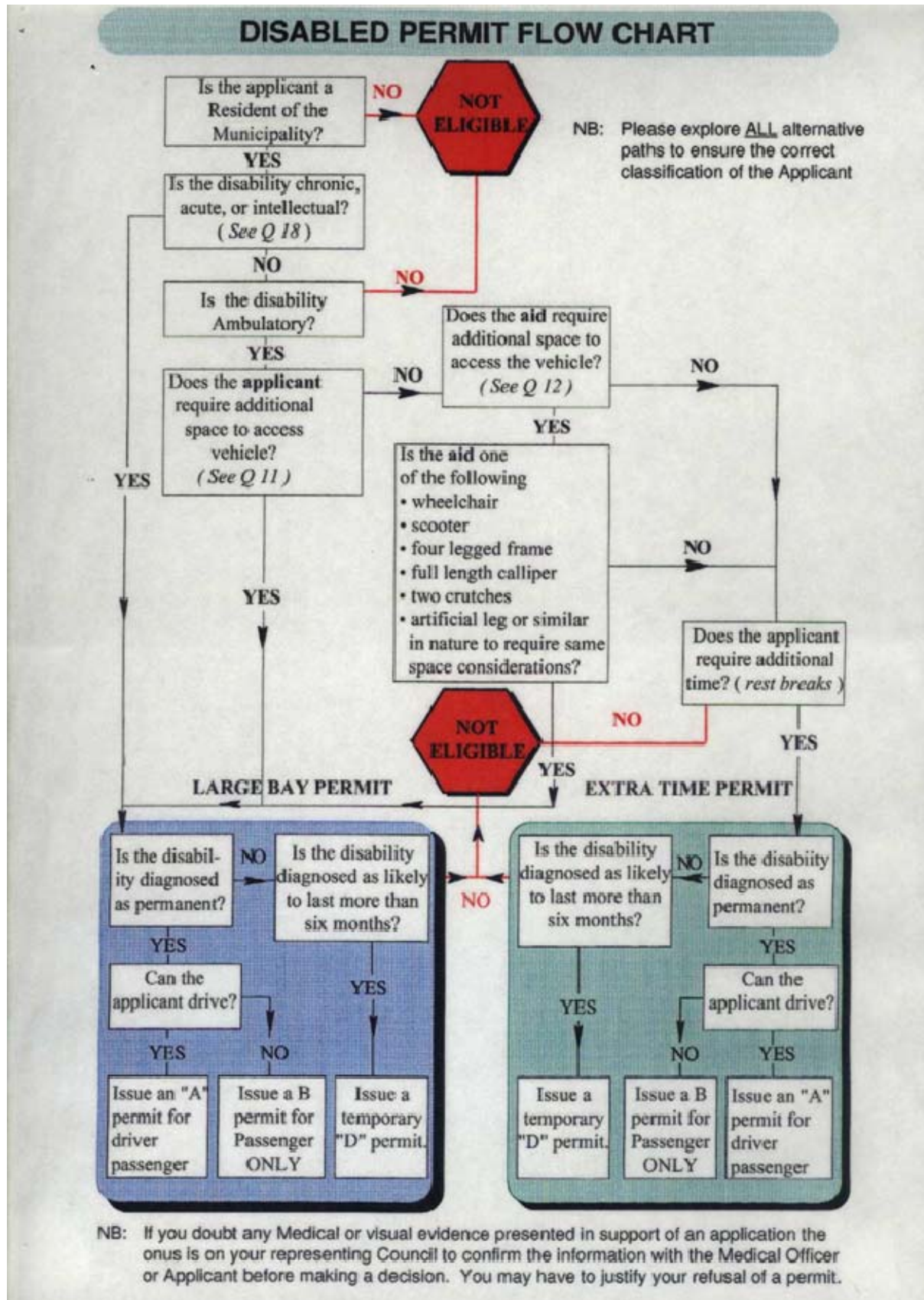
Category Two

To be eligible for a category two permit:

- A Medical Practitioner must confirm that an individual has a significant ambulatory disability or severe illness which does not affect their ability to walk, however they require rest breaks when continuous walking is undertaken



Eligibility Criteria Process



Renewal of permits

Under the conditions of issue, the maximum length of time which a Disabled Parking Permit may be issued is no greater than 3 years. Renewal notices advising current permit holders that their permit is due to expire is sent to all permit holders approximately 6 to 8 weeks prior to expiry of the permit.

Refusal of permit

Occasionally, Council may receive an application which does not fall within the criteria for the eligibility of a Disabled Parking Permit. When this occurs the applicant is notified in writing that their disability does not meet the eligibility criteria as well as outlining the grounds for refusal of their application. Where a dispute regarding eligibility occurs the applicant must visit a Council approved medical practitioner who will act as an independent arbitrator.

Deceased Permit Holders

Disabled Parking permits are cancelled and removed from the current data base on the occasion when the Traffic Services Unit has been notified that the resident is deceased or alternatively when the permit has expired.

A major flaw of the current system is that anecdotally less than 1% of permit holder families notify Council when the permit holder has passed away; this can be for varying reasons including family members not being aware of the permits existence but can also be put down to possible misuse of the permit.

There is currently no indication of how the Australian Disability Parking Scheme will deal with the situation where a permit holder has passed away.

Australian Disability Parking Scheme

The Department of Families, Housing, Community Services and Indigenous Affairs website states:

"The Australian Disability Parking Scheme is an initiative developed by the Australian Government, in conjunction with the states and territories to improve disability parking schemes across Australia.

The Australian Disability Parking Scheme was developed to make it easier to identify those people eligible for a parking permit. It includes:

- A nationally recognisable 5 year permit
- National minimum standards for parking concessions
- New national eligibility criteria.

VicRoads is working towards implementing the Australian Disability Parking Scheme in Victoria, and addressing a number of long-standing issues with the operation of the current scheme. This will provide additional benefits to legitimate permit holders and reduce the likelihood of abuse of the scheme."

VicRoads maintains to keep Council abreast of the pending changes and the timeframes for implementation of the new scheme. The Australian Disability Parking Scheme has been in development over the past two years in Victoria. The current State Government has decided to review the scheme and it is uncertain at this stage when they will adopt the scheme into legislation.

Enforcement of the Road Rules

The City of Darebin is currently responsible for the management of 165 Disabled Parking bays located throughout the Municipality with an estimated additional 200 bays located on private car parks.

It has been noted that the majority of Disabled Parking Bays in Darebin do not comply with the Australian Standards. The Transport Management and Planning Unit is working on improvements to ensure compliance on a case by case basis.

For the financial year 2011-2012, 208 Parking Infringements have been issued to vehicles not displaying a disabled parking permit in areas reserved for holders such permits. The penalty set for this offence during 2011-2012 was \$122.00.

The Road Rules – Victoria (1999) Victorian Act of Parliament states:

Road Rule 203. Stopping in a parking area for people with disabilities

- (1) *A driver must not stop in a parking area for people with disabilities unless—*
- (a) the driver's vehicle displays a current parking permit for people with disabilities; and*
 - (b) the driver complies with the conditions of use of the permit.*

The maximum penalty that can be imposed by the Court is 2 penalty units or as at 1 July 2012 \$282.00 plus costs.

From time to time residents or Parking Officers will report the fraudulent use of a Disabled Parking Permit. On these occasions, officers will investigate the permit holder and if it can be determined that the permit is being misused an officer may issue a Parking Infringement and the permit may be cancelled.

POLICY IMPLICATIONS

Environmental Sustainability

Nil.

Social Inclusion and Diversity

The scheme provides preferential parking for the most “in need” and disadvantaged members of the community while providing additional facilities to encourage our marginalised society to interact within the larger community as a whole.

Other

This sentiment is reflected in the City of Darebin Council Plan 2009-2013:

'We will continue to provide a broad range of high quality community services, including universal services and specific services targeted to those most in need.'

FINANCIAL AND RESOURCE IMPLICATIONS

In the financial year 2011 to 2012, \$14,080.00 was spent on the purchase of the permits which are issued to residents. Approximately one hour each day is spent by the Business Support Officer on administrating both new and renewal permits.

CONCLUSION

The issuing of the Disabled Parking permits process continues under the current format until the introduction of the Australian Disability Parking Scheme.

FUTURE ACTIONS

On commencement of the Australian Disability Parking Scheme in Victoria, and develop guidelines and procedures in accordance with Vic Roads criteria.

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

The Road Rules – Victoria (1999) Victorian Act of Parliament

8.6 DAREBIN YOUTH ENGAGEMENT STRATEGY 2012-2017**MINUTE NO. 353****AUTHOR: Manager Libraries Learning and Youth****REVIEWED BY: Group Manager Community Services****SUMMARY:**

The Darebin Youth Engagement Strategy 2012-2017 has been developed to support Council's commitment to young people and youth services in the municipality for the next 5 years. The strategy sets out the principles and strategic direction that will guide Darebin's engagement with the city's youth. These principles and direction are supported both by an action plan and a service delivery model to achieve the vision of:

'Young people as valued citizens who all have opportunities to develop to reach their full potential'

The five strategic actions are:

1. Darebin will deliver services that meet the diverse needs of young people, focusing on four priority areas of Health Promotion, Recreation and Arts, Education and Training and Information, Advocacy and Coordination.
2. Council will dedicate and attract resources to meet the needs of young people.
3. Council will increase our responses to young people through collaboration across Council departments and partner agencies.
4. Darebin will give young people a greater voice and advocate with strength.
5. We will lead planning for young people.

A key platform of the strategy in relation to advocacy is the establishment of a Darebin Youth Advisory Group that will provide an avenue for young people and Council to engage directly.

CONSULTATION:**Youth sector**

Key components of the review were consultations with key stakeholders including Council's youth workers, Council officers from across-Council departments, representatives from the youth sector and organisations who work with young people in the local area and region. A total of 42 workshop participants and three written submissions contributed valuable perspectives on young people and young people's issues. Written submissions were received from, School Focussed Youth Service, Darebin Women's Advisory Committee and the Darebin Preventing Violence Against Women Unit.

Young people

In addition, the 2010 Darebin Youth Summit involved 459 year 7-12 school students completing an in school, on line survey and a further 66 students participating in the Youth Summit. The survey and summit focused on issues and needs of young people in Darebin and the role of Darebin's Youth Services.

Residents

Further information was gathered from the September 2010 Darebin Household Survey which included some questions on young people in the City of Darebin. The Youth Services Review consultations and submissions, current youth sector policies and frameworks, the demography of young people in Darebin and the results of the Youth Summit and the Household Survey contributed to the development of Darebin's Youth Services Draft 10-Year strategy.

RECOMMENDATION

THAT Council:

- (1) Adopt the Darebin Youth Engagement Strategy (incorporating the Darebin Youth Engagement Strategy Action Plan) attached as **Appendix A** to this report.
- (2) Support the establishment of Youth Advisory Group to provide advice and guidance to Council on youth related issues in Darebin.

COUNCIL RESOLUTION

MOVED: Cr. T. McCarthy

SECONDED: Cr. T. Laurence

THAT Council:

- (1) Adopt the Darebin Youth Engagement Strategy (incorporating the Darebin Youth Engagement Strategy Action Plan) attached as **Appendix A** to this report.
- (2) Support the establishment of Youth Advisory Group to provide advice and guidance to Council on youth related issues in Darebin.
- (3) Confirm our commitment to expanding programs for our most disadvantaged youth and at risk youth.

CARRIED UNANIMOUSLY

REPORT

INTRODUCTION AND BACKGROUND

A new strategy to guide the delivery of services to young people in the Darebin community is long overdue as Council's previous youth policy was endorsed in 1996, although the principles that supported that policy have continued to influence the delivery of youth services in Darebin.

The Darebin Youth Engagement Strategy 2012-2017 has been developed within the context of the Council promise to our community in the Council Plan 2009-2013 highlighting a commitment to "... strive in all that we do to achieve fairness ...". The strategy provides direction in planning services that support all young people but also gives careful consideration to the challenges faced by Darebin's most disadvantaged youth. The commitment is that the social impacts of all Council decisions will be considered and the delivery of programs and services will be used to improve outcomes for all young people in our community.

The strategy provides strategic directions for Darebin City Council for the next five years. For the purpose of this strategy young people are defined as aged 12-25 and as they live within a variety of settings within families and the community the relevance and reach of this strategy is broad.

Supporting the strategy the Darebin Youth Services delivery model articulates how services will be delivered to meet the long standing commitment by Darebin City Council in supporting young people to reach their potential.

ISSUES AND DISCUSSION

Vision for young people in Darebin

The vision for young people in Darebin is:

'Young people are valued citizens who all have opportunities to develop to reach their full potential'

This vision focuses attention to young people as citizens and to encourage their participation and contribution to Darebin's community life. Young people in Darebin have diverse backgrounds, interests and needs. Council's role and responsibility is to provide opportunities to improve outcomes for all young people through a range of services and programs.

Principles

The principles that underpin the strategy are:

- The 'social determinants of health and wellbeing' inform strategies, situating young people within families and communities. The built, social, economic and natural environments affect health and wellbeing.
- Darebin's strategies reflect broader federal and state commitments.
- Young people are citizens with rights.

- Social inclusion is the right of all young people to participate in opportunities that enhance their health, learning and development by reducing barriers to participation.
- There is shared responsibility for youth services through planning, community involvement, sustainable resourcing, ongoing review and shared learning.

Strategic Direction

Five strategic actions will direct the Youth Services approach:

1. Darebin will deliver services that meet the diverse needs of young people. Services will focus on four priority areas:
 - Health Promotion
 - Recreation and Arts
 - Education and Training
 - Information, Advocacy and Coordination
2. Council will dedicate and attract resources to meet the needs of young people.
3. Council will increase our responses to young people through collaboration across Council departments and partner agencies.
4. Darebin will give young people a greater voice and advocate with strength.
5. We will lead planning for young people.

Included in the strategy is the Darebin Youth Engagement Strategy Action Plan that details how the strategic actions will be realised.

Darebin Youth Services Model

The vision and strategic direction for youth services in Darebin is supported by and reflects the youth services model that has a mission to:

'Assist local young people 12-25 years to make the transition from dependence to independence by providing a variety of opportunities for personal, social and skill development'

In supporting this mission the model details Youth Services:

- Client groups and the services and actions that will be the focus under the four priority areas of Health Promotion, Recreation and Arts, Education and Training and Information, Advocacy and Coordination;
- Key partners and agencies and the programs that will be delivered through these relationships, listed under the four priority areas;
- Operations, including the functions of the Youth Services centres at Northland and Reservoir and the Decibels Recording studio; and
- Ongoing consultative processes and influences.

Darebin Youth Advisory Group

A key recommendation of the strategy in relation to advocacy is the establishment of a Darebin Youth Advisory Group that will provide an avenue for young people and Council to engage directly on issues and policies that may either be of concern or provide opportunity. Participants would include young people representing the diversity of Darebin, a Councilor and partner agencies. The group would be supported by Council staff.

POLICY IMPLICATIONS**Environmental Sustainability**

There is scope for young people to be more involved in environmental issues; including through a number of national environmental youth ambassador programs. There is also the opportunity to include this as a topic of a future Darebin Youth Summit and or the proposed Darebin Youth Advisory Group.

Social Inclusion and Diversity

The Darebin Youth Strategy is based on the principle that, social inclusion is the right of all young people to participate in opportunities that enhance their health, learning and development by reducing barriers to participation. Throughout the plan several strategic directions involve addressing key groups of young people that face barriers including those with a disability, young women, Aboriginal and Torres Strait Islanders and culturally and linguistically diverse communities.

The Darebin Youth Engagement Strategy 2012-2017 has been reviewed against the Social Inclusion Planning and Audit Tool.

Other

The Darebin Youth Strategy is aligned to several other Council strategies with particular reference to the Health and Wellbeing Plan as it is predicated on the social determinants of health and wellbeing informing strategies, situating young people within families and communities and reflects on the importance of the built, social, economic and natural environments affect on health and wellbeing.

The Darebin Youth Strategy will also inform other Council strategies. For example, the Darebin Business and Employment Strategy presented an opportunity to advocate on issues and influences affecting youth employment.

FINANCIAL AND RESOURCE IMPLICATIONS

\$20,000 has been allocated in the 2012/2013 budget to support the initial implementation of the strategy. Beyond this the strategy has been developed within the framework of projected resource and budgetary targets. Funding for a range of specific projects resulting from the strategy will be sought from a range of external sources.

CONCLUSION

The Darebin Youth Engagement Strategy (incorporating an action plan) provides the strategic direction for the delivery of youth services by Darebin City Council for the next five years. Supporting the strategy is the Youth Services Model that articulates how services will be delivered.

The strategy builds on a long standing commitment by Darebin City Council to support young people to reach their potential.

FUTURE ACTIONS

Establishment of Darebin Youth Advisory Group.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

Darebin Youth Strategy 2012-2017 (Draft)

8.7 CYCLING STRATEGY PUBLIC CONSULTATION DOCUMENT**MINUTE NO. 354****AUTHOR: Manager Major Projects Engineering and Transport****REVIEWED BY: Director City Works and Development****SUMMARY:**

Following the completion of the majority of the action items within the 2005 Darebin Cycling Strategy, and reflecting the changes in the policy environment of the last seven years, a Draft Darebin Cycling Strategy 2013 has been developed.

A technical assessment of Darebin's cycling infrastructure, along with community consultation, review and discussion have informed the direction and content of this Strategy. The new Darebin Bicycle Advisory Committee also reviewed and provided input on the Draft Strategy.

The action plan in the draft Darebin Cycling Strategy describes action areas and not specific tasks or projects. Advocacy to other agencies on specific cycling projects, like the Darebin Creek Bridge to link to the Main Yarra Trail, form part of broader advocacy actions in the Strategy.

Following this process, the Draft Darebin Cycling Strategy is now ready to be provided for community consultation prior to going to Council for final adoption.

CONSULTATION:

Nil.

COUNCIL RESOLUTION**MOVED: Cr. T. McCarthy**
SECONDED: Cr. T. Laurence

THAT Council endorse the Draft Darebin Cycling Strategy 2013 attached as **Appendix A**, be taken to public consultation in August 2012.

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

Since its launch in 2005, significant achievements have been made in implementing the last Darebin Cycling Strategy. These changes have been supported by a strong shift in the attitude to cycling within government and the community. The resulting increase in cycling

numbers is significant, with the number of cyclists using key routes in Darebin increasing by 130% between 2006 and 2012¹.

Reviewing the Cycling Strategy has allowed Council to build on previous successes, to provide for the growing numbers of people riding bikes in Darebin, and to ensure that Council is delivering on key objectives in the Council Plan 2009-2013 and Darebin Transport Strategy 2007-2027, both adopted since the Darebin Cycling Strategy 2005 was developed.

Increasing the use of the bicycle and other sustainable modes is one of the key objectives of the Darebin Transport Strategy, and improving facilities for and encouraging bicycle use in Darebin also supports many of the Strategic Objectives of the Council Plan, including:

- We will develop and implement land use and transport policies that achieve good environmental outcomes while responding to the municipality's ongoing development.
- We will advocate for a municipality that is well served by effective transport systems that are efficient, safe, sustainable and accessible.
- We will ensure all parts of the municipality are connected to the wider Darebin community and structure our services to address issues of locational disadvantage and inequality.
- We will provide and maintain a network of spaces and places designed for both active and passive recreation opportunities.

The health benefits of cycling are well known, with positive impacts on obesity, heart disease, and mental health. Safer, more convenient cycling facilities will increase cycling in Darebin, which in turn will improve the health of Darebin residents.

ISSUES AND DISCUSSION

A new draft Darebin Cycle Strategy has been developed. The model used for the review reflects that used for the Darebin Transport Strategy, as an open and stakeholder-inclusive process.

Project Review Group and internal consultation

The Project Review Group includes:

- Director City Works and Development;
- Director City Design and Environment;
- Manager Major Projects, Engineering and Transportation;
- Manager Leisure, Public Realm and Venues;
- Coordinator Transport Management and Planning;
- Team Leader, Transport Strategy; and
- Sustainable Transport Officer.

A Council Internal Reference Group is also involved in the development of the strategy.

¹ Super Tuesday Counts, annually on the first Tuesday in March, the total for ten indicator sites over the whole of the municipality has increased from 1144 to 2,630.

Community Consultation to develop strategy

A community survey on cycling in Darebin was conducted in March 2011 collecting information on what would improve people's experience of riding in Darebin.

Community Cycle Strategy Working Group

A Community Cycle Strategy Working Group met four times to provide input to the five year works plan and strategy development.

Darebin Environmental Reference Group (DERG)

A presentation was made to DERG on the Cycling Strategy Review process. It was agreed that DERG would be formally consulted on the Draft Strategy.

Technical Report and five year Works Plan

A consultant was engaged to develop a Technical Report and prioritised costed five year works plan. This plan incorporates the results from the Community Survey, input from Darebin Bicycle User Group and Community Cycling Strategy Working Group on their priorities for infrastructure improvements, site visits and consultation with Council.

Existing cycle routes, potential Key Cycle Corridors and Local Cycling Routes have been mapped to provide a network baseline for the Technical Report. These Key and Local Cycling Routes have then been assessed against weighted criteria to determine which should be prioritised for works in the next five years.

Cycling Strategy

A new Cycling Strategy has been developed. The vision for the strategy is to make cycling in Darebin enjoyable, relaxing and safe, so that cycling is the default option for short and medium trips for the Darebin community.

The strategic direction outlined in this document includes broad actions and timelines for delivery of behaviour change programs, advocacy and infrastructure projects.

The objectives of the strategy are:

1. Foster a culture of cycling where the bicycle is the first choice for short and medium trips.
2. Create a cohesive high quality network of cycle friendly routes accessing popular destinations both within Darebin and the larger Metropolitan network that are suitable for use by those of all abilities, ages and backgrounds.
3. Express a long-term commitment to building a culture of cycling and engage key partners and stakeholders in prioritising investment in cycling.
4. Continue to improve the safety of cycling.

The strategic objectives of this strategy are addressed in actions categorised through the four core areas of leadership, partnership, infrastructure, and education and marketing.

The Draft Darebin Cycling Strategy 2013 is included for review as **Appendix A**.

Darebin Bicycle Advisory Committee

The new Darebin Bicycle Advisory Committee (DBAC) met on the 20 June 2012. This Committee includes Councillors, Council staff and ten community members. The first meeting was devoted to discussing the draft Cycling Strategy. The committee was supportive of the document being taken to community consultation in its current form. Input from the committee has been incorporated into the draft Strategy.

Community Consultation on Draft Darebin Cycling Strategy

The Draft Darebin Cycling Strategy is now ready to be taken to final public consultation. The objective of the consultation will be to understand any important gaps, ensure there is community buy in to the strategy and raise awareness of Council's considerable investment and commitment to improving cycling conditions in Darebin.

A consultation plan has been developed; the following audiences will be invited to provide comment on the Draft Strategy:

- Residents and businesses, through the Darebin web site, advertising in local papers, Darebin publications and providing hard copies at customer service centres and libraries
- Relevant community groups such as Darebin Bicycle User Group, Bicycle Network Victoria, Cycling Clubs, parks groups and environmental groups
- Council Advisory Committees, groups and networks
- Darebin Council officers, with meetings with relevant staff for detailed input
- Stakeholders including DOT, VicRoads, VicTrack, adjoining municipalities, Melbourne Water and other service providers
- Bike shops and other relevant businesses, for their feedback and to reach their customers
- Educational institutions
- Other relevant communities identified through the Equity and Inclusion Planning and Audit Tool – due to the timing of the development of this strategy concurrent with the development of this tool, it has been agreed with the Community Planning, Partnership and Performance Department that it is most appropriate for this tool to be used as a lens through which the Strategy will be reviewed, and which can guide the consultation process.

Public consultation is planned for one month from the middle of August to the middle of September 2012.

The DBAC have been invited to review the feedback from the community consultation and discuss how this can best be understood and incorporated into the strategy. A record of how the community's feedback has been used will be provided on the Darebin Website.

It is planned that the final Darebin Cycle Strategy will be presented to Council for adoption in late 2012.

POLICY IMPLICATIONS

Environmental Sustainability

By supporting and encouraging bicycle use, Council is enabling both residents and those that travel through the City of Darebin to reduce their use of private motor vehicles, and public transport.

Those that swap from public transport to bicycle, reduce the pressure on this already over-stretched system, and increase the number of spaces for new patrons.

Reduction in private motor vehicle use decreases energy use and greenhouse emissions, and is a positive step in adaption to climate change and for peak oil. Fewer cars on the road also equates to improved air quality in the City of Darebin.

Social Inclusion and Diversity

The implementation of the Cycling Strategy will assist in delivery of many of the Strategies of the Community Health and Wellbeing Plan, including:

- Encourage and support healthy and sustainable travel choices through high quality infrastructure and awareness of local living and local options.
- Work with stakeholders to achieve a more effective and holistic transport system in Darebin.
- Reduce the impact of climate change and peak oil, particularly on vulnerable groups in the Darebin community.
- Continue to demonstrate leadership on climate change action by reducing greenhouse gas emissions from Council operations and by supporting the Darebin community to reduce emissions.

High numbers of people walking and cycling will reduce the number of vehicle based trips and therefore improve road safety in Darebin. Having more people walking and cycling around the streets also increases community safety.

Due to the timing of the development of this strategy concurrent with the development of the Equity and Inclusion Planning and Audit Tool, it has been agreed with the Community Planning, Partnership and Performance Department that it is most appropriate for this tool to be used as a lens through which the Strategy will be reviewed. The Equity and Inclusion Planning and Audit Tool has been used to develop the consultation plan and will guide the consultation process.

Other

The review of the Darebin Cycling Strategy includes reference to the importance of cycling as a leisure activity in Darebin. A number of key cycling projects and programs will be included in the Cycling Strategy that support leisure cycling. This links to the following Directions within the Darebin Leisure Strategy 2010-2020:

- Support social sport programs and increase casual sport opportunities to enhance health, wellbeing and social inclusion.
- Recognise high levels of community participation in non-structured recreation by working with other Council departments to continue the enhancement of the walking and cycling environment.

- Identify opportunities to support the casual use of recreational reserves through the provision of infrastructure and amenity.
- Focus on maximising the use of our existing assets and enhancing casual recreation opportunities.

FINANCIAL AND RESOURCE IMPLICATIONS

The Darebin Cycling Strategy Review has been budgeted for through 2011/2012 and 2012/2013 budgets.

The five year works plan will guide the capital expenditure on cycling infrastructure in Darebin, and will be referred to the capital budget process in Transport Management and Planning, Public Realm and Leisure. The Strategy will guide behaviour change programs around cycling, which will be referred to future Transport Management and Planning budgets.

Initial calculations, based on works identified and costed within the Technical Report, are that over \$3M would be needed to complete all works on key cycle corridors, local routes and creek corridors.

There are approximately \$2.3M works for delivery by Transport Management and Planning. The level of investment by Council will govern the time required to complete these works. At current spending levels of \$338,000 per annum, this would be seven years work. To complete these works in the five year strategy period over \$460,000 per annum would be required.

The works identified in the creek corridors, which are largely managed through Public Realm, add \$736,000 to the Action Plan for this strategy. There are a number of actions which fall under the responsibility of other authorities, including VicRoads and LaTrobe University.

While Council funding is required for many of these works, opportunities may arise where external funding can be sought. The works identified in the Technical Report Action Plan may also be delivered as part of other planned works, such as Preston Connect, the regular re-sheeting program and other scheduled maintenance.

CONCLUSION

The Draft Cycling Strategy provides a strong base for promotion and delivery of cycling infrastructure over the next five years.

The consultation to date, and planned for the coming months will give the Strategy a strong foundation, and will provide credibility for future delivery with residents and stakeholders.

FUTURE ACTIONS

- Public consultation on the Draft Darebin Cycling Strategy and associated documentation to occur in August/September 2012
- The Strategy to be considered by Council for adoption late in the 2012.

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 Cycling Strategy 2005
- Darebin Transport Strategy 2007-2027
- Safe Travel Strategy 2010-2015
- Council Plan 2009-2013
- Community Health and Wellbeing Plan 2009-2013
- Darebin Leisure Strategy 2010-2020
- National Cycling Strategy 2011-2016

8.8 PEDESTRIAN SAFETY – RESERVOIR STATION AREA**MINUTE NO. 355****AUTHOR: Manager Major Projects, Engineering and Transport****REVIEWED BY: Director City Works and Development****SUMMARY:**

On the 21 May, 2012, Council resolved:

That Council receive a report on the feasibility of introducing yellow pedestrian lines around the Reservoir Station.

This report considers the request for yellow crosswalks on the signalised intersections of Spring Street and Edwardes Street, and Broadway and High Street, Reservoir.

After submitting the request to VicRoads, Council officers were advised that VicRoads will not approve the installation of yellow crosswalks on the streets surrounding Reservoir Station because current VicRoads policy does not allow these road treatments on signalised intersection.

CONSULTATION:

- Transport Planner
- Team Leader Transport Strategy
- Coordinator Transport Management
- VicRoads

RECOMMENDATION

THAT Council writes to the Minister for Roads to advocate to amend the policy regarding yellow painted crosswalks.

MOTION

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

THAT Council:

- (1) Notes evidence from the Monash University Accident Research Centre (MUARC) which shows the road safety benefits of coloured crosswalks where there is a high amount of pedestrian activity.
- (2) Write to MUARC seeking their expert advice on the appropriateness to install yellow-painted crosswalks in the Reservoir Station area given the 67% increase during a normal weekday in stations entries over recent years.

- (3) Write to Vic Roads expressing Darebin Council's disappointment with their decision not to install yellow-painted crosswalks in the Reservoir Station area due to their current policy that discourages these pedestrian safety treatments.
- (4) Writes to the Minister for Roads to advocate to amend the policy regarding yellow painted crosswalks.

Cr. McCarthy proposed to the mover, Cr. Greco and the seconder, Cr. Laurence of the Motion that the following be added to the Motion. This was accepted.

- (4) Writes to the Minister for Roads inviting him to visit the site to advocate to amend the policy regarding yellow painted crosswalks.

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

COUNCIL RESOLUTION

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

THAT Council:

- (1) Notes evidence from the Monash University Accident Research Centre (MUARC) which shows the road safety benefits of coloured crosswalks where there is a high amount of pedestrian activity.
- (2) Write to MUARC seeking their expert advice on the appropriateness to install yellow-painted crosswalks in the Reservoir Station area given the 67% increase during a normal weekday in stations entries over recent years.
- (3) Write to Vic Roads expressing Darebin Council's disappointment with their decision not to install yellow-painted crosswalks in the Reservoir Station area due to their current policy that discourages these pedestrian safety treatments.
- (4) Writes to the Minister for Roads inviting him to visit the site to advocate to amend the policy regarding yellow painted crosswalks.

CARRIED UNANIMOUSLY

REPORT

INTRODUCTION AND BACKGROUND

On 5 September 2011, Council resolved:

Council formally request VicRoads to install yellow crosswalks on the signalised intersections of Spring Street and Edwardes Street, and Broadway and High Street, Reservoir.

On the 21 May, 2102, Council resolved:

THAT Council receive a report on the feasibility of introducing Yellow pedestrian lines around the Reservoir Station.

ISSUES AND DISCUSSION

The objective of yellow crosswalks is to improve walking and safety conditions around the Reservoir Railway Station. The proposal consists on installing yellow crosswalks at the signalised intersections of Spring Street and Edwardes Street, and Broadway and High Street, Reservoir as illustrated on Figure 1.

Figure 1 Intersection High-Spring Streets and Edwards-Broadway Streets, Reservoir



VicRoads is the responsible authority for the installation of yellow crosswalks at the signalised intersections near the Reservoir Train Station for two reasons:

- Signalised intersections are “Major Traffic Control Items,” and VicRoads must approve all changes to Major Traffic Control Items under the Victorian Road Management Act 2004 (VIC).
- Both Spring Street and Broadway are Declared Arterial roads, so any changes to these roads must be approved by VicRoads under the Victorian Road Management Act 2004 (VIC).

VicRoads current policy strongly discourages installing yellow-painted crosswalks at signalised intersections, and outlines stringent criteria for consideration of yellow crosswalks. This policy position is based on the ‘inconclusive evidence’ of the effectiveness of this treatment to improve road safety, especially for pedestrians, as well as the maintenance requirements. The policy is based on limited evidence. Other evidence from the Monash University Accident Research Centre (MUARC) shows road safety benefits of coloured crosswalks in some contexts – for example, where there is a high amount of pedestrian activity.

In 2009, Council officers requested for the crosswalks at the signalised intersection of Spring Street and Edwardes Street, Reservoir, to be painted yellow, to improve safety. This request was part of a partnership project with VicRoads, funded through the Department of Transport's Local Area Access Program grant scheme (no longer running), and the project

was to fully pay for the installation of this treatment. VicRoads rejected this application based on their policy position.

In June 2012, Council officers again requested in writing for VicRoads to install yellow-painted crosswalks on the signalised intersections in Reservoir. VicRoads again replied that VicRoads has a policy of not installing yellow-painted crosswalks at signalised intersections.

Public Transport Victoria's Fact Sheet for the period 2004-2005 to 2010-2011 for Reservoir Station shows that the estimated station entries during a normal weekday in 2010-2011 was nearly 5,000 up 66.8% from 2004-2005. Data also shows that 60% of the people arrive the station walking.

POLICY IMPLICATIONS

Environmental Sustainability

Improving road safety will promote sustainable transport use, reducing the impacts of car travel.

Social Inclusion and Diversity

Walking and public transport are more affordable modes of travel and are popular with socially disadvantaged and culturally diverse communities. Improving safety for pedestrians has wide ranging social benefits.

Other

Improving road safety has health and safety benefits outlined in our Community Health and Wellbeing Plan.

FINANCIAL AND RESOURCE IMPLICATIONS

Should VicRoads agree to the installation of yellow crosswalks on the intersections of Spring Street and Edwardes Street, and Broadway and High Street, Reservoir, it is unlikely that they would have approved funding for this.

As such, Council may need to consider funding the installation of the treatment at a cost of approximately \$60,000. The cost to undertake the works includes traffic management while undertaking the works and also for a 12 hour period to allow the paint to dry. This amount is not able to be funded in 2012/2013 and would need to be referred to the future Capital Program.

CONCLUSION

Council officers consider that yellow painted crosswalks deliver road safety benefits to pedestrians, and that they would improve pedestrian safety around Reservoir Station. The authority for the implementation of the yellow painted crosswalks rests with VicRoads.

VicRoads officers have made it clear that they will not install yellow crosswalks contrary to their current policy. Darebin could advocate to the Minister for Roads to amend the policy to take into account all available evidence about the installation of yellow crosswalks for road safety purposes.

FUTURE ACTIONS

Write to the Minister for Roads to advocate to amend the policy regarding yellow painted crosswalks.

Continue advocating for both short term and long term infrastructure solutions that improve road safety in the area that has a major activity centre, a premium transit hub and a strategic corridor.

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

Public Transport Victoria, Fact Sheet Metropolitan Trains – Estimated Entries and Origin-Destination Data by Station – Reservoir

**8.9 EARLY REPAYMENT OF 2007 LOAN – RESERVOIR
LEISURE CENTRE****MINUTE NO. 356****AUTHOR: Acting Chief Financial Officer****REVIEWED BY: Acting Director Corporate and Business Services****SUMMARY:**

This report is in response to a General Business item raised at the Council meeting of 16 July 2012:

That Council officers investigate options to minimise the penalties for early repayment of the 2007 loan used to fund the refurbishment of Reservoir Leisure Centre by retaining a small amount of debt on the loan. It is likely that there will still be penalties as, unlike our home loans, the loan is a fixed term loan.

With certain loans there exists the potential to prepay a large portion of the principal upfront whilst leaving a small balance outstanding for the full term of the loan. This can provide significant interest savings without penalties being incurred.

Correspondence with Council's banking relationship manager indicated that a "partial repayment would also trigger a partial penalty dependent on the size of the repayment". Accordingly, there is no financial benefit to Council in not repaying the full balance of the loan.

CONSULTATION:

Financial Accountant

National Australia Bank

RECOMMENDATION**THAT** Council note this report.**MOTION****MOVED: Cr. T. Laurence****SECONDED: Cr. G. Greco****THAT** Council note this report and determine payment of the loan in June 2003.

THE MOTION WAS PUT AND THE VOTE WAS TIED

THE MAYOR, CR. TSITAS EXERCISED HIS CASTING VOTE AGAINST THE MOTION

THE MOTION WAS THEREFORE LOST

A Division was called:

| <u>For</u> | <u>Against</u> |
|-----------------|--------------------------|
| Cr. T. McCarthy | The Mayor, Cr. S. Tsitas |
| Cr. T. Laurence | Cr. N. Katsis |
| Cr. G. Greco | Cr. B. Morgan |
| Cr. V. Fontana | Cr. S. Chiang |

The Mayor, Cr. Tsitas, declared the Motion to be lost.

COUNCIL RESOLUTION

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

THAT Council note this report.

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

In 2007 Council borrowed \$1.45 million from the National Australia Bank to be repaid over 10 years at a fixed interest rate of 7.09% pa. These funds were used to partly fund the redevelopment of the Reservoir Leisure Centre, based on a Business Case indicating the loan repayments would be funded through operational savings at the Reservoir Leisure Centre.

Council has in the past considered borrowings with reference to criteria including funding of projects which are:

- Iconic in nature;
- Of a size that could not otherwise be funded through the annual capital works program;
- Based on a sound business case including consideration of the following factors:
 - The purposes for which the borrowings are being sought including the level of demonstrated community need for the project and expected life of the infrastructure;
 - Reasons why the project cannot be funded through normal operational income;
 - A clear statement of how the repayments will be funded and the impact on funding otherwise available for recurrent services or capital works; and
 - Any financial return to Council which can be used to meet the loan repayments;
- Based on a sound business case that considers a cost/benefit analysis and demonstrates a clear benefit to Council.

The borrowings for the Reservoir Leisure Centre met these criteria.

As at the 30 June 2012, principal outstanding on this loan was \$921,473.06.

The 2012/2013 adopted Budget approved the early repayment of the loan. Council would like to understand if this can be done in a manner which minimises financial penalties.

ISSUES AND DISCUSSION

Council can repay the loan earlier than originally agreed per the loan agreement but financial penalties will apply.

Financial penalties that will apply

Per sections 8.1 and 8.2 of the loan agreement with the National Australia Bank, “economic costs” are payable whenever an economic event occurs in relation to a facility. Economic events are taken to have occurred if “all or part of that facility, bill facility component, loan account or drawing is repaid early (even if NAB agrees to the early repayment being made)”.

Per section 8.3, the NAB determines economic costs by calculating a reasonable estimate of the costs and losses incurred by NAB (including loss of profits, fees, charges and premiums) in connection with the economic event.

Early repayment of the loan triggers an economic event and economic costs will be payable.

The NAB has provided estimates on what it would cost Council to repay the loan early (using several dates). These estimates are as follows:

| Repayment Date | Principal Payable on payout date \$'000s | Principal Paid (Oct 12 - June 13) \$'000s | Interest Payable on payout date \$'000s | Interest Paid (Oct 12 - June 13) \$'000s | Penalty \$'000s | Interest Income Forgone (Oct 12 - June 13) \$'000s | Total Cost to Council \$'000s |
|-----------------------------------------|---------------------------------------------|----------------------------------------------|--------------------------------------------|---------------------------------------------|--------------------|-------------------------------------------------------|----------------------------------|
| 12 Oct 12 (ie. next loan instalment) | 887 | 0 | 16 | 0 | 54 | 37 | 994 |
| 30 June 13 | 779 | 108 | 12 | 45 | 50 | 0 | 994 |

It can be seen from the above table that there is no financial advantage in repaying the loan in October 2012 or at the end of the 2013 financial year.

Minimising financial penalties – partial repayment

With certain loans there exists the potential to prepay a large portion of the principal upfront whilst leaving a small balance outstanding for the full term of the loan. This can provide significant interest savings without penalties being incurred.

Correspondence with Council's banking relationship manager indicated that a "partial repayment would also trigger a partial penalty dependent on the size of the repayment". Accordingly, there is no financial benefit to Council in not repaying the full balance of the loan.

POLICY IMPLICATIONS

Environmental Sustainability

Nil.

Social Inclusion and Diversity

Nil.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

The financial costs associated with the early repayment of the loan are detailed in the Issues and Discussion section of this report.

It should be noted that an additional \$776,589 has been allowed in the 2012/2013 budget to allow for the early repayment of the loan.

CONCLUSION

Council should fully repay the Reservoir Leisure Centre loan now as there is no financial advantage in partially repaying the loan or delaying this repayment to June 2013.

FUTURE ACTIONS

Repay the loan fully by 12 October 2012.

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 Minutes - 2 July 2012

Council Minutes – 16 July 2012

Loan Agreement – NAB Business Options Instalment Loan

The Mayor, Cr. Tsitas, temporarily left the meeting at the conclusion of the above item – 8.36pm

ELECTION OF TEMPORARY CHAIRPERSON

The Chief Executive, Rasiah Dev, called for nominations for the position of Temporary Chairperson.

Cr. Katsis was nominated by Cr. McCarthy, seconded by Cr. Chiang, and there being no further nominations, was declared Temporary Chairperson of the meeting.

Cr. Katsis assumed the Chair.

**8.10 STATUS OF RIGHT-OF-WAY LOCATED REAR 27-55
NORTHERNHAY STREET AND 28-54 SOUTHERNHAY STREET,
RESERVOIR**

MINUTE NO. 357

AUTHOR: Manager Assets and Properties

DIRECTOR: Director Corporate and Business Services

SUMMARY:

At its ordinary meeting on 6 February 2012, a general business item was raised requesting that:

“Council officers report back to Council on the status of the right-of-way (ROW) located between Northernhay Street and Southernhay Street, Reservoir and the options available to residents abutting the right-of-way to the rear of 27-55 Northernhay Street and 28-54 Southernhay Street, Reservoir.”

The purpose of this report is to provide Council with the history and background of investigations undertaken into the potential discontinuance and sale of the right-of-way located at the rear 27-55 Northernhay Street and 28-54 Southernhay Street, Reservoir.

The report recommends that Council commence the statutory procedures to discontinue the road status of the right-of-way at the rear of 38-54 Southernhay Street and rear 37-55 Northernhay Street, Reservoir.

CONSULTATION:

Property Officer

Property Manager

Owners of adjoining properties

COUNCIL RESOLUTION

MOVED: Cr. V. Fontana

SECONDED: Cr. B. Morgan

THAT Council:

- (1) Commence the statutory procedures under section 206 and clause 3 of Schedule 10 to the Local Government Act 1989 to discontinue the section of road at the ROW located between 37-55 Northernhay Street and 38-54 Southernhay Street, Reservoir.
- (2) Give public notice under Sections 207A and 82A and 223 of the Local Government Act 1989, of the proposed discontinuance in the appropriate newspapers and on Council's website and such notice state that if discontinued, Council proposes to sell the land from the road to the owners of the adjoining properties.

- (3) Request a further report detailing the outcome of the statutory process for the proposed discontinuance of the road at the right-of-way rear 38-54 Southernhay Street and rear 37-55 Northernhay Street, Reservoir.

CARRIED UNANIMOUSLY

REPORT

INTRODUCTION AND BACKGROUND

In August 2006, Council received a request from an owner in Northernhay Street regarding the possible purchase of land at the rear of the property which currently forms part of the right-of-way located between Northernhay Street and Southernhay Street, Reservoir.

Investigations were commenced and Macquarie Lawyers were commissioned to undertake the statutory procedures to facilitate the possible discontinuance and sale of the whole of the right-of-way. The right-of-way, which is not listed in Council's Road Register, is unconstructed, not used for road purposes and is fenced and occupied by the adjoining owners (**Appendix A – Locality Map**).

On 27 July 2007, Macquarie Lawyers provided a consultation report advising of the outcome of their investigations. The report recommended Council pursue the proposal to discontinue the section of right-of-way located at the rear of 28-36 Southernhay Street and rear 27-37 Northernhay Street and not pursue the proposal to discontinue that section of right-of-way located at the rear 38-54 Southernhay Street and 37-55 Northernhay Street, Reservoir.

At its meeting 21 July 2008, Council resolved to discontinue and sell the right-of-way located at the rear of 28-36 Southernhay Street and 27-37 Northernhay Street, Reservoir based on the occupation status of the right-of-way. This right-of-way has been formally discontinued and sold (**Appendix B – ROW Status Map**).

Officers concurred with Macquarie Lawyers' recommendation given several objections had been received against the proposal and many owners had expressed interest in it remaining a road to provide access to their properties. The owners of 38-54 Southernhay Street and 37-55 Northernhay Street, Reservoir were advised that the right-of-way at the rear of their properties would not be discontinued. No further action was taken by Council regarding this section of right-of-way.

In September 2007, a property in Northernhay Street engaged legal representation to open the right-of-way to gain access to the rear of their property. At that time Council responded advising no action would be taken to open the right-of-way and that it was a private matter. The attempt to re-open the right-of-way was unsuccessful.

On 3 February 2010, Council received a further request from Northernhay Street property owner and commenced investigations once more. Macquarie Lawyers were again commissioned to undertake investigations into the possible discontinuance of the remaining portion of the right-of-way.

In July 2010, Macquarie Lawyers provided a report on the consultation process. The results were similar to the 2006 proposal: submissions received were a combination of objections requesting the right-of-way be re-opened and those supporting the discontinuance and expressing interest in purchasing the land.

On 16 September 2010, Council officers advised Macquarie Lawyers that given there had been no consensus of opinion from the adjoining owners in regard to discontinuing the right-of-way or wanting it to be opened for access, the proposal be put on hold. All of the abutting owners were advised in writing.

ISSUES AND DISCUSSION

Since 2006, Council has been receiving requests from adjoining property owners regarding their interest in purchasing the land from the right-of-way located between Northernhay Street and Southernhay Street Reservoir. Despite numerous attempts to proceed to the next stage of the process, Council has been met with an impasse, with some property owners wanting to the right-of-way reopened and the others supporting the discontinuance and expressing interest in purchasing.

During the last investigation, over 85% of adjoining property owners supported the potential discontinuance and sale, with only a few wanting to see it reopened. All properties that abut the right-of-way have access and egress from the front of their properties.

In 2008, Council successfully discontinued a section of the right-of-way located at the rear of 27-37 Northernhay Street and 28-36 Southernhay Street, Reservoir as it received the support of the adjoining property owners, was fully enclosed by fencing and had not been used for road access purposes for over 20 years.

The remainder of the right-of-way is similar to the sold section, as it has been fully enclosed by fencing and has not been used for road access purposes for a significant period of time.

There are two options available to Council are:

1. *Commence the statutory process for the proposed discontinuance and sale of the ROW.*

This option would provide members of the community with an opportunity to make submissions to Council regarding the matter and, if requested, to be heard in support of that submission. Any submissions received would be considered in accordance with Section 223 of the Local Government Act 1989.

2. *Remove the obstructions and open the ROW for road access purposes.*

This option would see the ROW cleared and fences reinstated on their respective property boundaries. Should the road be required for vehicle access, application could then be made to have the ROW of constructed via a special charge scheme.

POLICY IMPLICATIONS

Environmental Sustainability

There are no factors associated with this proposal which would impact upon environmental sustainability.

Social Inclusion and Diversity

Consultation was undertaken with the community including all adjoining property owners at each investigation.

Other

This report has been prepared having regard to Council's *Right of Way and Road Closure Policy*.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

CONCLUSION

Since 2006, Council has received a number of requests from various property owners adjoining the right-of-way located rear 38-54 Southernhay Street and rear 37-55 Northernhay Street, Reservoir expressing interest in purchasing the land from the right-of-way. The right-of-way is fully enclosed by fencing and has not been used for road access purposes for over 20 years.

Despite receiving objections during the last investigation process, the survey indicated that over 85% of the adjoining property owners are supportive of the proposed discontinuance of the right-of-way. This support would warrant proceeding to the next stage and commencing the statutory process so to provide the members of the community with the opportunity to make submissions regarding the proposed discontinuance and sale of the right-of-way.

FUTURE ACTIONS

Arrange for the statutory procedures under Section 206 and Clause 3 of Schedule 10 and 223 of the Act to be undertaken for the proposed discontinuance and sale of the right-of-way located between Northernhay Street and Southernhay Street Reservoir

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 disc losable interests have been raised in relation to this report.

RELATED DOCUMENTS

- **Appendix A** – Locality Map
- **Appendix B** – ROW Status Map
- Council's Right of Way and Road Closure Policy
- Council Meeting – 6 February 2012
- Council Meeting - 21 July 2008

**8.11 FOURTH QUARTER REPORT ON DAREBIN
INTERCULTURAL CENTRE****MINUTE NO. 358****AUTHOR: Manager Community Planning Partnerships and
Performance****REVIEWED BY: Group Manager People and Performance****SUMMARY:**

The Darebin Intercultural Centre is one of the Councillors' initiatives identified at the Councillor's Workshop in February 2011. Councillors have requested quarterly reports regarding the progress on how the Centre meets the following objectives:

- Developing and organising programs targeting groups in the community at risk of becoming problem gamblers.
- Provision for intercultural and intergenerational spaces and arts displays

Three reports have been submitted to Council regarding the first, second and third quarters (July-September 2011, October- December 2011 and January-March 2012). This Report is about the fourth quarter. The attached appendices provide a list of groups that attend and activities organised in the fourth quarter, all of which demonstrate that the above listed objectives are being met and progressed.

CONSULTATION:

Darebin Intercultural Centre Coordinator

COUNCIL RESOLUTION

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

THAT Council notes the progress and activities of the Darebin Intercultural Centre for 2011-2012 fourth quarter.

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

In July 2011, Council appointed a full time Centre Coordinator to dedicate time and efforts to develop programs and activities that fulfil the objectives of the Centre. Since the establishment of the centre, the Coordinator has been working on the completion of the

infrastructure of the Centre, building relationships with stakeholders and engaging the Darebin community as well as developing events and activities to fulfil the Centre's objectives.

To date, the responses and participation from the community have been encouraging, the feed back continues to be positive proving that the Centre's concept has been embraced by Darebin community.

ISSUES AND DISCUSSION

Since the third quarter report was submitted, further improvements and developments have been completed at the Intercultural Centre such as, the additional procurement of appliances for the Centre, fridge and freezer, TV screen displaying events, meeting etc. Furthermore, there is a plan to modify the Centre's front door to improve accessibility for people with disability, work is expected to be completed by the end of July 2012.

During this quarter the demand on the Centre's facilities continued to increase, groups using the Centre come from many multicultural backgrounds; currently at least forty nationalities are represented. It is expected that new groups from other backgrounds will be commencing shortly at the Centre.

The booking policy guidelines have been revised and improved; cost of hiring the facility has increased slightly as of 3 July 2012.

Groups are working with Centre Coordinator to organise various intercultural activities relating to their backgrounds and are expected to exchange various aspect of their cultures with other Darebin community members. Examples of some activities, include cooking events, film nights etc. Those types of activities go beyond tasting the food or watching movies. The events include discussion on various aspects of the culture, tasting the food and learning to cook. Presentations about the culture and display of various cultural items take place. Also groups play music and sometimes teach traditional dance. Participants leave the event feeling inducted into the essence of the culture. The interaction and engagement between the participants are rewarding and go a long way in achieving the Centre's objectives.

A range of activities and events have been organised and conducted at the Centre, during this quarter, the centre is operating seven days per week between 9.00 AM to 11.00 PM. The activities and events are planned and selected to meet the interest and needs of the Darebin community. As well as, the activities and events acknowledge and celebrate important cultural occasions. Furthermore, forums and seminars discuss various important national, international and local topics.

The examples below highlight some events that have been conducted at the Centre during the fourth quarter:

1. Darebin Intercultural Centre held an Industry Seminar in May, it was attended by 49 skilled migrants mainly from the Darebin area. The seminar targeted skilled migrants in Darebin. Presentations were delivered by experts from various industries, including Darebin Chief Executive Mr Rasiah Dev, Cr Gaetano Greco, Darebin Council Human Resources representative, a career counsellor, an education provider and successful skilled migrants. The seminar covered topics such as an overview of the labour market in Victoria, how to prepare for work in Australia, how to write a resume for an Australian employer and allowed great opportunity for networking. The feed back was positive; participants requested more seminars and support.
2. Darebin Intercultural Centre encourages and supports Darebin artists and encourages

culturally diverse art works, the Centre held an Art Exhibition for Artist Journalist Australian Iraqi Artist Amer Rashad. At one time a journalist and cartoonist for a major Iraqi newspaper, the artist fled his country to preserve his artistic freedom and is now enjoying his renewed love of art in Darebin. The launch was well attended and left a positive impact with participants who included many artists.

3. The Mayor of Darebin, Cr Steven Tsitas was the guest speaker at the Polykala's Public Speaking course graduation ceremony and presented the graduation certificates to the participants. This course has been an exciting program, it was funded by Darebin Council and supported by the Centre, where students have developed confidence, awareness and techniques surrounding the art of speech making. The Graduation Ceremony was held in May. Thirteen students mainly from refugee background, between the age of 13 to 24 graduated.
4. Following the success of the inaugural Village Games Night, monthly sessions have been booked on the last Monday of each month. The Games will be broadly publicised and promoted and are specifically designed to offer alternative to gambling.

Since 1 July 2011, the Centre has been visited by a total of **20,234** people.

The Centre activities, events and engagements of the community continue to attract interest and participation. The people's excitement and satisfaction are encouraging to continue building on the success that has been achieved to date.

The resourcing of the Centre has been incorporated into the 2012/2013 budget.

POLICY IMPLICATIONS

Environmental Sustainability

The Darebin Council Environmental Department is involved in the Centre and monitors energy use. A number of considerations have been incorporated into the Centre to minimise the impact on the environment. These include energy efficient light fittings and recycling bins.

Social Inclusion and Diversity

The Centre's policy seeks and encourages social inclusion by ensuring all groups and activities are inclusive of broad section of the community. Negotiations have been held with groups attending the Centre to consider introducing intercultural aspects into their activities; hence, most of the groups have been involved in socially inclusive activities and will continue.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

The Centre's operations are fully funded by Council with nominal income received from tenancy fees paid by Spectrum Immigration Services, and some of the groups that have the financial capacity to meet room hire fees. Some activities such as cooking are generating some income to cover the cost.

CONCLUSION

The Darebin Intercultural Centre continues to grow and evolve and increased activities are taking place. The Centre is a unique space where the activities happening share a common goal; to create and generate better linkages, connectedness, understanding and interaction between diverse groups. The Centre recorded an increased number of visitors from **2,826** in the first quarter to **7,876** in the fourth quarter, a total of **20,139** for the full year. Further more the booking of centre facilities have increased from **669** hours in the first quarter to **1,950** in the fourth quarter, a total of **5,203** hours in the last 12 months.

FUTURE ACTIONS

Second year first Quarter Briefing in October 2012

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 disc losable interests have been raised in relation to this report.

RELATED DOCUMENTS

Darebin Intercultural Centre Booking Guidelines

ATTACHMENTS

List of External Group Bookings for the Fourth Quarter April-June 2012 – attached as **Appendix A**

Activities and Events for the Fourth Quarter April-June 2012 – attached as **Appendix B**

Internal Staff Bookings – attached as **Appendix C**

Tables and Graphs – attached as **Appendix D**

8.12 DAREBIN PLANNING SCHEME REVIEW PROJECT**MINUTE NO. 359****AUTHOR: Principal Strategic Planner****REVIEWED BY: Director City Works and Development****SUMMARY:**

Darebin Planning Scheme Review Report 2011 recommended a number of improvements and amendments to the planning scheme. Recommendations provided for Land Subject to Inundation Overlay (LSIO) and Special Building Overlay (SBO) required the introduction of new schedules to exempt minor applications needing planning permit, and to streamline the referral requirements under section 55 of the *Planning and Environment Act 1987 (Act)*.

Accordingly new draft schedules were prepared to introduce into the Darebin Planning Scheme.

The purpose of this report is to:

- Submit to Council the new draft schedules to Land Subject to Inundation Overlay (LSIO) and Special Building Overlay (SBO);
- Request the Council to endorse the draft schedules to LSIO and SBO to allow the commencement of the planning scheme amendment process; and
- Seek Council's approval to forward the planning scheme amendment documents to the Minister for Planning for authorisation.

CONSULTATION:

The amendment is undertaken as per the recommendations of the Darebin Planning Scheme Review 2011. By introducing the new schedules Darebin residents and mums and dads applicants will benefit hugely.

The exemptions set for minor applications and streamlined referral process introduced were prepared in consultation with Melbourne Water Authority who is the nominated Floodplain Management Authority under section 55 of the *Act*. The draft schedules were also consulted with Department of Planning and Community Development (DPCD).

Considering the benefits of the amendment to Darebin residents, and the amendment has no detrimental impacts; Council could request the Minister for Planning to authorise the amendment to be undertaken as per the requirements of Section 20 (2) of the *Act*. If the request is not supported by the Minister the standard amendment process will be undertaken. However given the amendment reduces the burden on landowners DPCD has indicated its support for section 20 (2) approach. This means the amendment will be notified only to the prescribed Ministers and to Melbourne Water Authority.

On approval the amendment will be notified in the local newspapers.

COUNCIL RESOLUTION

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

THAT Council:

- Endorse the new draft schedules to Land Subject to Inundation Overlay and Special Building Overlay to proceed the amendment process.
- Forward the planning scheme amendment documentations to the Minister for Planning seeking authorisation to undertake the amendment under the requirements of Section 20 (2) of the *Planning and Environment Act 1987* to introduce new schedules to Land Subject to Inundation Overlay and Special Building Overlay of Darebin Planning Scheme.

CARRIED UNANIMOUSLY

REPORT**INTRODUCTION AND BACKGROUND**

At its meeting on 21 February 2011, Council adopted the Darebin Planning Scheme Review Report 2011. The report documented improvements and amendments required to the MSS and other provisions of the planning scheme.

The review identifies that while the number of permit applications generated by LSIO is relatively low, appropriate permit exemptions could be given for minor buildings and works under LSIO. Similarly the generic schedule to SBO does not have any local content and that SBO generates a significant number of permit applications in circumstances where there is no 'value adding' in the process. The following specific recommendations were made by the review for both overlays:

Recommendation for LSIO:

- That the schedule be reviewed to provide exemptions where appropriate for minor buildings and works.

Recommendations for SBO:

- That discussion between Council and Melbourne Water are facilitated to determine minor buildings and works that could be exempt from a permit requirement and included in a schedule to the overlay.
- That Council request Melbourne Water to initiate a Planning Scheme Amendment to ensure land subject to overland flows based on the most up to date data and is covered by SBO.
- That discussions between Council and Melbourne Water are facilitated to seek written agreement on standard permit conditions that might be applied to certain classes of development applications without the need for referral of those permit applications to the Corporation.

With the guidance of the review new schedules have been developed for LSIO and SBO. The draft schedules were consulted with Melbourne Water and the authority's comments have been incorporated in the final schedules.

ISSUES AND DISCUSSION

Currently minor developments under LSIO and SBO require planning permit

The current schedules to LSIO and SBO are the default schedules and have no local content. Thus these trigger planning permit requirements for even minor applications that do not add any value through the permit process.

While the number of permit applications generated by LSIO is relatively low; the new schedule will provide appropriate permit exemptions for minor buildings and works.

In the case of SBO, internal consultation with Council staff reveals that the SBO generates a significant number of planning permit applications per annum (approximately 84) in circumstances where there is no 'value adding' in the process.

| Major planning applications under SBO lodged in fiscal year 2011/12 | |
|----------------------------------------------------------------------------|------------------|
| Type Description | 2011-2012 |
| Advertising Signs | 1 |
| Change of Use | 11 |
| Medium Density Housing | 23 |
| Mixed Use Development | 3 |
| Non Residential Development | 17 |
| Single Dwelling Development | 29 |
| Total new planning applications with SBO | 84 |

Exempting minor applications that do not add any value through the planning process could free up planning resources to focus on more important planning issues.

Melbourne Water Authority's consent

Melbourne Water Authority is the nominated flood plain manager under Section 55 of the *Act*. Accordingly Melbourne Water is the 'Referral Authority' for applications under LSIO and SBO.

The authority is supportive of giving exemptions for minor applications under both overlays and streamlining the referral process. In addition, the amendment will mean that applications under the LSIO and SBO that include the authority's written consent do not have to be referred to the authority again.

Benefits of the amendment

The amendment:

- Will introduce new schedules to the Land Subject to Inundation Overlay (Clause 44.04) and to the Special Building Overlay (Clause 44.05).
- Will provide exemptions for minor applications under LSIO and SBO.
- Will streamline the mandatory referral process for developments under LSIO and SBO provided applications accompanied with a written consent from the water authority.

- Will free up planning resources at the City Development Department which will allow officers to focus on more important planning issues.

Request for section 20(2) Planning Scheme amendment process

Considering the above benefits of this amendment (with no detrimental impacts) and Melbourne Water's consent to the proposed schedules, Council may request the Minister for Planning to undertake the amendment as per the requirements of section 20(2) of the Act. This means the amendment will be notified to the prescribed Ministers and to Melbourne Water Authority. If the request is not supported by the Minister the standard amendment process will be undertaken.

On approval, the amendment will be notified in the local newspapers.

POLICY IMPLICATIONS**Environmental Sustainability**

It is considered that the amendment will not have detrimental impacts on environmental sustainability as the extent of the existing overlays will remain unchanged.

Social Inclusion and Diversity

It is considered that the amendment will have indirect positive social effects on 'mums and dads applicants' by freeing up unnecessary planning application requirements and delays in minor developments during planning process.

Other

It is considered that the amendment will have indirect positive economic impacts on applicants by freeing up unnecessary planning application requirements and eliminate permit processing time.

FINANCIAL AND RESOURCE IMPLICATIONS

Within budget.

CONCLUSION

As per the recommendations of the Darebin Planning Scheme Review Report, new schedules to LSIO and SBO have been prepared to provide exemptions for minor development applications under the overlays and to streamline the Section 55 referral process.

The outcome of this amendment will reduce the number of minor planning permit applications which do not add any value through the process; will save considerable officer time and resources that officers could focus on major planning issues; assist applicants by freeing up unnecessary planning application requirements; and for applications that are still required to obtain a planning permit it will streamline the referral process which could reduce the permit process timing and demand on officer's time.

Considering the benefits of the amendment and it has no detrimental impacts it could be undertaken under the requirements of Section 20(2) of the Act. This means the amendment will only be notified to Prescribed Ministers and Melbourne Water Authority. However on approval of the amendment the approval will be notified in local news papers circulated in Darebin.

FUTURE ACTIONS

Upon Council's approval the planning scheme amendment documentations will be forwarded to the Minister for Planning seeking authorisation to undertake the amendment under the requirements of section 20 (2) of the Act.

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 disc losable interests have been raised in relation to this report.

RELATED DOCUMENTS

Darebin Planning Scheme Review Report 2011

Attachment:

New Schedule for LSIO – attached as **Appendix A**

New Schedule for SBO – attached as **Appendix B**

**8.13 PROPOSED TELECOMMUNICATION INFRASTRUCTURE
ON D.R. ATKINSON RESERVE IN RESERVOIR****MINUTE NO. 360****AUTHOR: Manager Assets and Properties****DIRECTOR: Director Corporate and Business Services****SUMMARY:**

The purpose of this report is to provide Council with the history and background regarding a request received from Daly International, acting on behalf of Optus Mobile, seeking permission to apply for a planning permit for the proposed installation of a telecommunications facility at D.R. Atkinson Reserve, Reservoir.

Council's planning scheme requires the written consent of the public land manager (Council) for any development application for telecommunications facilities on public land.

The Optus Mobile proposal would involve the replacement of an existing 20 metre high sportsfield light tower with a 20 metre high monopole with a circular headframe.

The report recommends that Council, in its capacity as public land manager, provide written consent to Daly International to lodge a planning permit application for the proposed installation of telecommunications facilities at D.R. Atkinson Reserve.

CONSULTATION:

City Works and Development

Sports and Leisure

Property Management

Daly International

Optus Mobile

Maddocks Lawyers

RECOMMENDATION**THAT Council:**

- (1) Authorise the Manager, Assets and Properties to provide a letter on behalf of Council, in its capacity as public land manager, consenting to Daly International acting on behalf of Optus Mobile to submit a planning permit application for the proposed installation of a telecommunications facility at D.R. Atkinson Reserve, Reservoir.

MOTION

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

THAT Council:

- (1) Authorise the Manager, Assets and Properties to provide a letter on behalf of Council, in its capacity as public land manager, to not provide general or conditional consent at this time to Daly International acting on behalf of Optus Mobile to submit a planning permit application for the proposed installation of a telecommunications facility at D.R. Atkinson Reserve, Reservoir on the following basis:
 - (a) Council concerns with effect of electromagnetic radiation on neighbouring residences
 - (b) Research suggests that current EMR standards do not take into account the long term impacts on the radiation on people, particular on people's psychological welfare.
 - (c) That Council's Telecommunication Facilities Policy encourages the sharing of infrastructure.
- (2) In accordance with Council's Telecommunication facilities Policy that promotes the sharing of infrastructure, Council request that Optus Mobile provide a report on telecommunication sharing options it has considered for the installation of the proposed telecommunication facility together with other alternatives it has considered for this site.
- (3) Notify nearby residents (200 meters) of Council's decision not provide consent to Daly International acting on behalf of Optus Mobile to submit a planning application.

THE MOTION WAS PUT AND CARRIED, AND BECAME THE COUNCIL RESOLUTION:

COUNCIL RESOLUTION

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

THAT Council:

- (1) Authorise the Manager, Assets and Properties to provide a letter on behalf of Council, in its capacity as public land manager, to not provide general or conditional consent at this time to Daly International acting on behalf of Optus Mobile to submit a planning permit application for the proposed installation of a telecommunications facility at D.R. Atkinson Reserve, Reservoir on the following basis:
 - (a) Council concerns with effect of electromagnetic radiation on neighbouring residences

- (b) Research suggests that current EMR standards do not take into account the long term impacts on the radiation on people, particular on people's psychological welfare.
 - (c) That Council's Telecommunication Facilities Policy encourages the sharing of infrastructure.
- (2) In accordance with Council's Telecommunication facilities Policy that promotes the sharing of infrastructure, Council request that Optus Mobile provide a report on telecommunication sharing options it has considered for the installation of the proposed telecommunication facility together with other alternatives it has considered for this site.
- (3) Notify nearby residents (200 meters) of Council's decision not provide consent to Daly International acting on behalf of Optus Mobile to submit a planning application

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

In 2011, Council was contacted by Daly International, a network management firm engaged by Optus Mobile, to advise Council that Optus Mobile was looking to increase its coverage footprint throughout metropolitan Victoria and in particular the Reservoir area.

During scoping of the area Optus Mobile identified D.R. Atkinson Reserve, Reservoir as a potential location for installation of its telecommunications infrastructure. The proposal includes the replacement of an existing 20 metre high sports field light tower with a 20 metre high monopole with a circular headframe. The proposed infrastructure would continue to provide sports oval lighting but with the addition of telecommunication antenna.

Given that the proposed installation at D.R. Atkinson Reserve can not be co-located on existing infrastructure and must replace the existing pole, it is not considered to be a 'low-impact installation' under the *Telecommunications Act 1997 (Cth) (Act)*.

For that reason, and given the proposed site is located on Council land which is zoned for "public park and recreation", Daly International require approval from Council, in its capacity as public land manager, to provide written consent for them to make an application for a planning permit. This consent, should it be provided, would be for lodgement of a planning permit application only and should not be construed as the granting of a planning permit or approval to lease or use the land.

ISSUES AND DISCUSSION

1. Telecommunications Facilities

The Victorian State Government defines a telecommunications facility as any part of the infrastructure of a telecommunications network; or any line, equipment, apparatus, tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure or thing used, or for use, in or in connection with a telecommunications network.

The Commonwealth Government's *Telecommunications Act 1997* establishes a regime for telecommunications providers' rights and responsibilities when inspecting, maintaining and installing telecommunications facilities.

Schedule 3 of the Act provides authority for telecommunications providers to inspect land, maintain facilities or install 'low impact facilities'. In these cases the providers have immunity from State laws, though there is a Telecommunications Code of Practice and other industry codes developed by the Australian Communications Industry Forum (ACIF Code) which bind providers in the way they apply a 'precautionary approach' to installing telecommunications infrastructure.

2. Darebin Planning Scheme

Optus Mobile's proposed telecommunications facility at D.R. Atkinson Reserve is unable to be co-located on existing infrastructure within the reserve. Their proposal is to replace an existing sportsfield light pole with a new dual purpose pole – this would not be considered to be a 'low-impact installation' under the *Telecommunications Act 1997 (Cth)* (Act) and so would trigger provisions within the planning scheme that would require a planning permit for its installation.

Section 52.19-3 of the Darebin Planning Scheme deals with installations of telecommunications infrastructure on public land, this section requires that:

An application for a permit on land in a public land zone by a person other than the relevant public land manager, must be accompanied by the written consent of the public land manager indicating that the public land manager consents generally or conditionally either:

- *To the application for permit being made.*
- *To the application for permit being made and to the proposed use or development.*

For this reason Optus requires written approval from Council to in order to make application for a planning permit.

It would be considered unreasonable for Council to withhold consent for Optus to make a development application for telecommunications infrastructure on Council land.

Granting consent to Optus to apply for the proposed facility should not be considered as Council giving consent to the installation of the facility itself. Allowing Optus to make a development application would enable affected residents to make submissions/objections to the proposal which would be then considered by Council through the formal planning process.

Should such consent to apply be withheld it is unknown what course of action Optus would take, however available options could include:

- Seeking an alternate location in the immediate area on private land
- Amendment to the proposal to fit within the definition of a 'low impact facility' thus not requiring a planning permit
- Raising the matter with the State Minister for Planning
- Raising the matter with the Federal Minister for Communications.

3. Council's Telecommunications Facilities Policy

In 1999, Council adopted a Telecommunications Facilities Policy which provides guidelines for the siting and design of telecommunications facilities in the City of Darebin. The policy is aimed at providing guidance to telecommunications providers and the community regarding the criteria against which Council will consider proposals for locating telecommunications facilities.

In regard to community consultation, the policy notes that Council will inform the community of any proposed telecommunications facility and that Council is committed to having due regard for the community response, particularly if the proposal is on Council owned land.

It is worth noting that Council's Telecommunications Facilities Policy promotes the sharing of infrastructure.

POLICY IMPLICATIONS

Environmental Sustainability

Nil.

Social Inclusion and Diversity

Nil.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

Nil.

CONCLUSION

Telecommunications providers have wide ranging powers under the Commonwealth Government's *Telecommunications Act 1997* to inspect, maintain and install telecommunications facilities. The proposed installation at D.R. Atkinson Reserve is unable to be co-located on existing infrastructure, so can not be considered to be a 'low-impact installation'. In accordance with the ACIF Code and the Darebin Planning Scheme, Optus must make a development application through the Council planning permit process if it wishes to proceed with the proposal.

Council's planning scheme requires that any development application on public land be accompanied by written consent from the Public Land Manager. For this reason Daly International, on behalf of Optus, has sought consent from Council, in its capacity as public land manager, to make an application for a planning permit.

This consent, should it be forthcoming, would be for the consent to lodge a planning permit application only and should not be construed as binding Council to make a favourable decision in relation to the granting of a planning permit or for approval to lease the land.

FUTURE ACTIONS

- Manager, Assets and Properties provide a letter on behalf of Council, in its capacity as public land manager, consenting to Daly International acting on behalf of Optus Mobile to submit a planning permit application for the proposed installation of a telecommunications facility at D.R. Atkinson Reserve, Reservoir.
- Receipt of a development application from Daly International on behalf of Optus Mobile for the installation of telecommunications facilities in D.R. Atkinson Reserve, Reservoir.

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 disc losable interests have been raised in relation to this report.

RELATED DOCUMENTS

- Optus Mobile Coverage Map around D.R Atkinson Reserve, Reservoir – attached as **Appendix A**
- Aerial Map of D.R Atkinson Reserve, Reservoir – attached as **Appendix B**
- Letter from Daly International requesting Council proceed with proposal – attached as **Appendix C**
- Council Report 19 December 2011 – Telecommunication Facilities on Council Land
- Council Report 16 April 2012 – Proposed Lease for Telecommunications Facilities at 49 Hughes Parade, Reservoir
- Letter – Daly International – Optus Proposal to establish a Telecommunications Facility at 49 Hughes Parade, Reservoir (Greg Aitken, Daly International, 22 November 2011)
- Telecommunications Facilities Policy (Darebin City Council, 1999)
- Telecommunications Act 1997 (Australian Government, 1997)
- Telecommunications (Low-impact Facilities) Determination 1997, as amended (Australian Government, 1999)
- Telecommunications Facilities – A Code of Practice for Telecommunications Facilities in Victoria (Victorian Government, 2004)
- Guidelines for Local Government ACIF Code – Deployment of Mobile Phone Network Infrastructure (ACIF, 2006)

The Mayor, Cr. Tsitas, returned to the meeting during discussion of this item and resumed and Chair – 8.47pm

**8.14 PROPOSED TELECOMMUNICATION INFRASTRUCTURE
ON A SPI TOWER ON 49 HUGHES PARADE IN RESERVOIR****MINUTE NO. 361****AUTHOR: Manager Assets and Properties****DIRECTOR: Director Corporate and Business Services****SUMMARY:**

The purpose of this report is to provide Council with the history and background regarding a request received from Daly International, acting on behalf of Optus Mobile, for the installation and maintenance of telecommunication infrastructure on Council land.

The proposed installation includes the fitting of a telecommunication antenna to an SPI electrical tower with an associated shelter located directly below at 49 Hughes Parade, Reservoir. In accordance with the *Telecommunications (Low Impact Facilities) Determination 1997*, the proposed installation is considered to be 'low impact'.

The report recommends Council commence the statutory process to give effect of its intention to enter into a lease for the installation of telecommunications infrastructure (shelter) on part of its property at 49 Hughes Parade, Reservoir.

CONSULTATION:

City Works and Development

Property Management

Daly International

Optus Mobile

Maddocks Lawyers

RECOMMENDATION**THAT** Council:

- (1) Commence the statutory process, in accordance with Section 190 and Section 192 of the Local Government Act 1989, to give effect of its intention to enter into a lease with Optus Mobile for part of its property located at 49 Hughes Parade, Reservoir for a period of 20 years;
- (2) Authorise the Manager, Assets and Properties to undertake negotiations regarding the terms and conditions of the proposed lease with Optus Mobile for part of its land located at 49 Hughes Parade, Reservoir; and
- (3) Request a further report detailing the outcome of the statutory process and the negotiations of the terms and conditions with Optus Mobile for the proposed lease of part of its land located at 49 Hughes Parade, Reservoir.

MOTION

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

THAT Council:

- (1) Refuse to enter into a lease with Daly International for proposed telecommunications facilities at 49 Hughes Parade in Reservoir.
- (2) Consistent with Council's Telecommunications Facilities Policy that promotes the sharing of infrastructure request Optus Mobile to seek out sharing options for the installation of telecommunications facilities at sites where these facilities already exist and do not cause any potential public safety hazards.
- (3) Notify nearby residents (200 meters) of Council's decision to refuse to enter into a lease with Daly International for proposed telecommunications facilities at 49 Hughes Parade in Reservoir at this time on the following basis:
 - (a) Concerns with effect of electromagnetic radiation on neighbouring residences
 - (b) Unsure of the cumulative impact of EMR in conjunction with the SPI tower on the same site
 - (c) Research suggests that current EMR standards do not take into account the long term impacts on the radiation on people, in particular on people's psychological welfare.
 - (d) That council's Telecommunication Facilities Policy encourages the sharing of infrastructure

THE MOTION WAS PUT AND CARRIED, AND BECAME THE COUNCIL RESOLUTION:

COUNCIL RESOLUTION

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

THAT Council:

- (1) Refuse to enter into a lease with Daly International for proposed telecommunications facilities at 49 Hughes Parade in Reservoir.
- (2) Consistent with Council's Telecommunications Facilities Policy that promotes the sharing of infrastructure request Optus Mobile to seek out sharing options for the installation of telecommunications facilities at sites where these facilities already exist and do not cause any potential public safety hazards.
- (3) Notify nearby residents (200 meters) of Council's decision to refuse to enter into a lease with Daly International for proposed telecommunications facilities at 49 Hughes Parade in Reservoir at this time on the following basis:

- (a) Concerns with effect of electromagnetic radiation on neighbouring residences
- (b) Unsure of the cumulative impact of EMR in conjunction with the SPI tower on the same site
- (c) Research suggests that current EMR standards do not take into account the long term impacts on the radiation on people, in particular on people's psychological welfare.
- (d) That council's Telecommunication Facilities Policy encourages the sharing of infrastructure

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

In 2011, Council was contacted by Daly International, a network management firm engaged by Optus Mobile, who advised that Optus was looking to increase its coverage footprint throughout metropolitan Victoria and in particular the Reservoir area. During scoping of the area Optus identified the SPI electrical tower at 49 Hughes Parade in Reservoir for installation of its telecommunications infrastructure.

At its ordinary meeting of 19 December 2011, Council considered a report on telecommunication facilities and resolved the following in relation to the proposed telecommunication infrastructure at 49 Hughes Parade, Reservoir:

- 1) *Council note the correspondence received from Daly International on behalf of Optus providing information on the selection of sites for the installation of mobile telecommunication infrastructure at 49 Hughes Parade, Reservoir.*
- 2) *Council note that it is bound by the Australian Communications Industry Forum Code when considering proposals from telecommunications providers for the installation of low impact telecommunications infrastructure.*

The proposed installation includes the fitting of a telecommunication antenna to an SPI electrical tower with an associated shelter located directly below it at 49 Hughes Parade, Reservoir. It is deemed to be a "low-impact installation" under the *Telecommunications Act 1997 (Cth)* (Act) and does not require planning approval from Council.

Optus have completed the statutory requirements of the Act in relation to this proposed facility and are now empowered to proceed with the installation. Optus would like to enter into a lease agreement with Council to formalise their used of Council land. Not entering into an agreement with Optus would not prevent them from using this land for the installation of the facility and may result in Council not being compensated in the form of annual rental.

ISSUES AND DISCUSSION

1. Telecommunications Facilities

The Victorian State Government defines a telecommunications facility as any part of the infrastructure of a telecommunications network; or any line, equipment, apparatus, tower, mast, antenna, tunnel, duct, hole, pit, pole or other structure or thing used, or for use, in or in connection with a telecommunications network.

The Commonwealth Government's *Telecommunications Act 1997* establishes a regime for telecommunications providers' rights and responsibilities when inspecting, maintaining and installing telecommunications facilities.

Schedule 3 of the *Act* provides authority for telecommunications providers to inspect land, maintain facilities or install 'low impact facilities'. In these cases the providers have immunity from State laws, though there is a Telecommunications Code of Practice and other industry codes developed by the Australian Communications Industry Forum which bind providers in the way they apply a 'precautionary approach' to installing telecommunications infrastructure.

2. Low Impact Facilities

Low impact facilities are immune to the application of all State and local laws. The *Telecommunications (Low Impact Facilities) Determination 1997* (Determination) as amended provides the definition of what is a low impact facility for the purposes of the Act.

Telecommunications facilities which do not meet the requirements of the Determination are deemed to be not low impact facilities and a planning permit is required for their installation.

Under the ACIF Code, telecommunications providers are only required to have regard to a council's response regarding the proposed consultation process. The providers are not required to amend their consultation strategy according to the council's response, though they do have to justify that they have had regard to the issues and objectives and have met the objectives set out in the ACIF Code.

3. Leasing

Where a telecommunications provider proposes to use Council land for a telecommunications facility (whether low impact or not) Council's practice has been to enter into an agreement to formalise utilisation of the land and management of risks. Accordingly, terms and conditions including rental arrangements and ensuring the amenity of the area is maintained are negotiated with the providers.

The *Act* does not require the telecommunications providers to enter into leases with land owners nor does it require them to compensate land owners for use of their land. Council is placed in an adverse position when negotiating lease arrangements in that it has no leverage over the provider to deny them access to the land. However, it is current practice by the providers to enter into leases with councils for use of their land.

Section 190 of the *Local Government Act 1989* (LGA) provides restrictions on a council's power to lease land. In general, council leases are restricted to a maximum term of 50 years. Though for any lease longer than a year where the current market rent is in excess of \$50,000 per annum or where the term (including any renewal options) is greater than 10 years or for a building or improving lease a council must publish a public notice four weeks prior to making the lease. In these instances, a person also has the right to make a submission under Section 223 of the LGA, which includes the right to be heard by the Council. Moreover, this section also applies when council land is to be used for another purpose.

4. Council's Telecommunications Facilities Policy

In 1999, Council adopted a Telecommunications Facilities Policy which provides guidelines for the siting and design of telecommunications facilities in the City of Darebin. The policy is aimed at providing guidance to telecommunications providers and the community regarding the criteria against which Council will consider proposals for locating telecommunications facilities.

In regard to community consultation, the policy notes that Council will inform the community of any proposed telecommunications facility and that Council is committed to having due regard for the community response, particularly if the proposal is on Council owned land. It is worth noting that the policy promotes the sharing of infrastructure.

POLICY IMPLICATIONS

Environmental Sustainability

In Australia the electro-magnetic energy (EME) safety standard is set by the Australian Radiation Protection and Nuclear Safety Agency (ARPANSA) and regulated to by the Australian Communications and Media Authority (ACMA). These regulations cover all common radio services including AM and FM radio, police, fire and ambulance services, mobile phones and mobile phone base stations. These regulations are based on analysis of all related national and international scientific literature.

The Australian standard is consistent with about 25 countries around the world including the UK, European Union, Japan, Singapore and Hong Kong. Levels of radio frequency (RF) EME from mobile phone base stations are well below the limits specified by the AMCA. A nationwide study published in 2000 by ARPANSA found the typical exposure level from mobile phone base stations is hundreds and sometimes thousands of times below the regulated limit.

To put this in perspective, it should be noted that the standard itself has a fifty-fold safety margin. The ARPANSA survey also measured the levels of EME from other radio facilities and found that in comparison, the levels of EME from mobile phone base stations were extremely low. Based on this information, ARPANSA and ACMA have stated that:

“Evidence gathered by ARPANSA suggests that exposure levels in public areas are so far below the exposure limit set by the ACMA that EME emissions from mobile phone base stations have no implications for health.”

Social Inclusion and Diversity

Telecommunication providers are required to consult with the community in regard to the installation of infrastructure in accord with section of the Australian Communication Industry Forum (ACIF).

Daly International, acting on behalf of Optus Mobile, undertook consultation with the community in regard to the installation of telecommunication infrastructure on a SPI tower at 49 Hughes Parade Reservoir and reported the outcome to Council on 16 December 2011.

In summary, there were three submissions received by Daly International from the community identifying two key issues. These issues were;

- 1) Electro-magnetic Energy (EME)
- 2) Community Consultation

Correspondence was sent from Daly International to the authors of the submissions explaining the potential EME from the site which, as addressed in Environmental

Sustainability section of this report which Daly have advised, will be significantly below the industry standard.

Daly International further outlined their approach to consulting with the community in regard to the proposed telecommunication infrastructure in accord with section 5.4 and 5.5 of the ACIF which included a mail-drop to residents in the surrounding area, notice in the local newspaper and posting a sign at the site.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

Leasing of land for the purpose of housing telecommunications facilities provides income to Council on an annual basis.

The *Telecommunications Act 1997 (Cth)* provides telecommunications providers the power to use land for the installation of telecommunications facilities. Though it is not legislated that the providers must enter into leases with Council for locating these facilities on Council land, it is anticipated that current practices of seeking leases will continue.

Proposed lease terms for the installation of telecommunication infrastructure (shelter) under the SPI tower at 49 Hughes Parade Reservoir have been negotiated on the understanding that any agreement would be 'in-principle' and subject to a Council resolution. The proposed lease terms with Optus Mobile are:

- Rental: \$8,000 per annum plus GST
- Lease Term: 20 years with lease break provisions at 5 year intervals
- Rental Increase 3.5% pa. compounded annually
- Legal Costs: Optus Mobile to cover Council's legal costs capped at \$3,000

On 1 February 2011, Council's City Valuer valued the current market rent for the installation of telecommunication infrastructure (shelter) under the SPI tower at 49 Hughes Parade Reservoir at \$8,000 per annum plus GST.

CONCLUSION

Telecommunications providers have wide ranging powers under the Commonwealth Government's *Telecommunications Act 1997* to inspect, maintain and install telecommunications facilities.

Comments made by the community to Daly International as part of their consultation process were addressed in accordance with section 5.4 and 5.5 of the Australian Communication Industry Forum.

Officers have negotiated lease terms for the proposed installation under the SPI tower located at 49 Hughes Parade, Reservoir with Optus Mobile 'in principle' and subject to undertaking the statutory process and a resolution by Council. The proposed lease terms are in accordance with other telecommunications facilities within the municipality.

FUTURE ACTIONS

- A Public Notice advertising Council's intention to enter into a 20 year lease agreement for part of its property located at 49 Hughes Parade, Reservoir with Optus Mobile in accordance with *section 190 of the Local Government Act 1989*
- Manager, Assets and Properties undertake negotiations regarding the terms and conditions of the proposed lease at 49 Hughes Parade, Reservoir with Optus Mobile.
- A further report be presented to Council following the outcome of the statutory process for the proposed lease of part of its property located at 49 Hughes Parade, Reservoir and the negotiations of the terms and conditions of the proposed lease with Optus Mobile.

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 disc losable interests have been raised in relation to this report.

RELATED DOCUMENTS

- Aerial Map of 49 Hughes Parade, Reservoir – attached as **Appendix A**
- Optus Mobile Coverage Map around 49 Hughes Parade, Reservoir – attached as **Appendix B**
- Side View Scaled Drawing of proposed installation on a SPI Tower at 49 Hughes Parade, Reservoir attached as **Appendix C**
- Top View Scaled Drawing of proposed installation on a SPI Tower at 49 Hughes Parade, Reservoir – attached as **Appendix D**
- Council Report 19 December 2011 – Telecommunication Facilities on Council Land
- Council Report 16 April 2012 – Proposed Lease for Telecommunications Facilities at 49 Hughes Parade, Reservoir
- Letter – Daly International – Optus Proposal to establish a Telecommunications Facility at 49 Hughes Parade, Reservoir (Greg Aitken, Daly International, 22 November 2011)
- Telecommunications Facilities Policy (Darebin City Council, 1999)
- Telecommunications Act 1997 (Australian Government, 1997)
- Telecommunications (Low-impact Facilities) Determination 1997, as amended (Australian Government, 1999)
- Telecommunications Facilities – A Code of Practice for Telecommunications Facilities in Victoria (Victorian Government, 2004)
- Guidelines for Local Government ACIF Code – Deployment of Mobile Phone Network Infrastructure (ACIF, 2006)

8.15 CARETAKER POLICY 2012**MINUTE NO. 362****AUTHOR: Acting Manager Corporate Governance****REVIEWED BY: Acting Director Corporate and Business Services****SUMMARY:**

On 21 May 2012 Council resolved to adopt the Caretaker Policy.

The policy is in accordance with Section 55D of the *Local Government Act 1989* ("the Act") and imposes restrictions on councils in relation to the publication of electoral matter during the election period.

An amendment to clause 7(3), Council Publications, is required to allow Council to publish an edition of the Darebin Community News, with restrictions, during the election period.

CONSULTATION:

- Manager Communications and Advocacy.

COUNCIL RESOLUTION

MOVED: Cr. T. McCarthy
SECONDED: Cr. T. Laurence

THAT Council approve an amendment to clause 7(3) of the Caretaker Policy, **Appendix A**, allowing for Council to publish the Darebin Community News, with restrictions, throughout the 2012 caretaker period.

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

In accordance with section 55 of the *Local Government Act 1989*, Councils are subject to authorisation requirements for Council publications.

During the caretaker period (from 25 September until the Election Day) Council publications must be certified by the Chief Executive and must not include electoral matter.

The Department of Planning and Community Development, Circular No. 27/2012, confirms the certification requirements of Council publications during the caretaker period.

ISSUES AND DISCUSSION

Clause 7(3) of the caretaker policy adopted by Council on 21 May 2012 states:

During the pre-election period, Council will publish a single municipal-wide edition of Darebin Community News or similar publication, provided that it contains photographs of councillors only with contact details (no columns), no Councillor photographs on the cover and a single Mayoral message which does not contain electoral matter.

It is proposed to amend the above clause to read as follows:

During the pre-election period (31 August until 25 September 2012), Council may publish a single municipal-wide edition of Darebin Community News or similar publication that does not contain photographs of councillors, contact details, councillor columns, Councillor photographs on the cover, election matter and Mayoral message. During the election period, Council may publish the Darebin Community News, with the same restrictions as the pre-election period and following Chief Executive certification.

POLICY IMPLICATIONS

Environmental Sustainability

Not applicable.

Social Inclusion and Diversity

Not applicable.

Other

The proposed policy reflects a key commitment to democratic and accountable local government incorporated in the Council Plan 2009-2013:

“The Darebin community values democracy very highly, and Council is committed to a governance process that is fair, open and transparent. For residents to be proud of their democracy, then Council must be doing a good job of focussing on transparency, inclusiveness and leadership”.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial implications.

In terms the impact on staff, the draft policy is intended to give clear guidance to staff in terms of their responsibilities during the election period.

CONCLUSION

The amended Caretaker Policy, attached as **Appendix A**, allowing for Council to publish the Darebin Community News, with restrictions, throughout the 2012 caretaker period be approved by Council.

FUTURE ACTIONS

- Amended caretaker policy will be communicated to all Council officers.

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 Minutes - 21 May 2012
- Caretaker Policy 2012
- Department of Planning and Community Development, Circular No. 27/2012

8.16 STATUS REPORT ON REPORTS AND 'GENERAL BUSINESS' ITEMS OUTSTANDING**MINUTE NO. 363****AUTHOR: Acting Council Business Coordinator****REVIEWED BY: Acting Director Corporate and Business Services****SUMMARY:**

This report provides a summary of the status of reports and 'General Business' items outstanding as at July 2012.

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

THAT the status report on Reports and 'General Business' items outstanding as at July 2012, 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 July 2012 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 July 2012 be received and noted.

FUTURE ACTIONS

The next status report will be submitted to Council at its meeting on 3 September 2012.

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.

**8.17 PROPOSED INCREASE IN GATE FEES FOR THE DAREBIN
RESOURCE RECOVERY CENTRE FOR 2012-13****MINUTE NO. 364****AUTHOR: Manager City Works****REVIEWED BY: Director City Works and Development****SUMMARY:**

Outlook Environmental, operators of the Darebin Resource Recovery Centre, were advised by their landfill services contractor in late June 2012 of their new tipping rates for 2012-2013. This increase landfill tipping and other operating costs are substantial and cannot be absorbed in the gate charges for the Darebin Resource Recovery Centre as advertised in the budget. An increase in gate fees is therefore required to cover the additional operating costs to Outlook Environmental. These changes will also bring the fees at the Centre in balance with nearby facilities in the region.

CONSULTATION:

Outlook Environmental

Director City Works and Development

Chief Financial Officer

Coordinator Operation Projects and Fleet

RECOMMENDATION**THAT** Council:

- (1) Adopt the increased gate fees for the Darebin Resource Recovery Centre as detailed in **Appendix B** of this report.
- (2) Advise the community of the change in gate fees in locally circulating newspapers and on the Council website.

COUNCIL RESOLUTION**MOVED: Cr. V. Fontana****SECONDED: Cr. G. Greco****THAT** Council defer this item to next Council meeting.**CARRIED**

REPORT

INTRODUCTION AND BACKGROUND

The Darebin Resource Recovery Centre (DRRC) has its gate fees set as part of the adoption of Council's budget each year. Outlook Environmental (Outlook) develop the gate fees in consultation with council staff for inclusion in the budget, taking into account all increases in operating costs of the facility, costs for transportation and disposal of waste including government levies and taxes. For the 2012-2013 budget the fees were first set in February 2012 as part of the budget preparation. However, it has been difficult to estimate the level the gate fees should be set at with recent tax and levy changes and increases in operating costs.

In this respect the ACCC have advised that, businesses that are not subject to price regulation may raise and lower prices for the goods and services they provide as they see fit. What a business cannot do is mislead that a price hike is due to the carbon price scheme. For this reason the increase in the DRRC gate fees reflects increases in operating costs as well as taxes and levies. It is important to recognise that the gate fees reflect not only the tipping costs but also include the costs of transport from the DRRC to landfill.

Outlook has an ongoing contract with a landfill services provider. This provider advised of their increase in disposal of waste at their facility on 28 June 2012. This increase includes both tipping fees and transport costs.

ISSUES AND DISCUSSION

Impact of Current Gate Fees at DRRC

In developing the gate fees for 2012-2013, Outlook and the council officer supervising the contract for the management of DRRC (CT0545), followed the process detailed under the contract as shown in **Appendix A**. At the time of inclusion of the gates fees in the 2012-2013 Council Budget, advice from Outlook's landfill services provider had not been received for their increases for 2012-2013 so estimates were made for likely increases.

Upon receiving advice on the cost of landfill services from their provider, Outlook advised council staff of the increases in their waste disposal on the 28 June 2012. The increase is \$29/tonne (37%) above the transport and tipping rate charged in 2011-2012 which is substantial and could not be absorbed in the gate fees for DRRC as advertised in the budget. As a result, the current approved gate fees are much lower than other waste transfer stations in the northern region and will translate into an operation loss for Outlook.

Under the provisions of the contract, Outlook are entitled to request a variation for the losses incurred and have requested an increase in the gate fees at DRRC as shown in **Appendix B**. Outlook has also advised that that they are incurring operating losses of approximately \$720.00 per day as a result of lower gate fees. Any approved variation claim made by Outlook cannot be accommodated in the City Works current budget allocation for DRRC and increasing the gate fees as soon as possible will limit the size of any claim.

The proposed increases in the DRRC gate fees from 2011-2012 detailed in **Appendix B** range from 6% to 30%. These increases are less than the increase in costs that Outlook are incurring and will bring the DRRC in line with charges with similar facilities in the nearby municipalities of Hume, Banyule and Boroondara.

Provisions to Increase Fees and Charges

As part of the process to adopt the DRRC gate fees, Council exercises its powers under Section 162 of the *Local Government Act 1989* (the Act) to raise service charges for the collection and disposal of refuse. Section 168 enables the declaration of service charges. This section states that a Council must at least once, in respect of each financial year, declare by 31 August for that year, the amount which the Council intends to raise by service charges. This provision enables the revised charges for the DRRC gate fees to be declared for the rest of the 2012-2013 financial years.

POLICY IMPLICATIONS

Environmental Sustainability

DRRC is a facility that provides the community with a place to drop-off goods and materials for reuse or recycling for free and waste for disposal at a charge. This facility assists the community to dispose of their waste whilst minimising waste that goes to landfill that emits greenhouse gases through a number of recycling and reuse initiatives at the site.

Social Inclusion and Diversity

DRRC is available for use by all residents of Darebin and in the neighbouring municipalities.

Other

DRRC is an integral part of the delivery of the Darebin Waste Strategy and an effective facility will assist the Darebin community to minimise its waste going to landfill.

FINANCIAL AND RESOURCE IMPLICATIONS

Outlook has also advised that that they are incurring operating losses of approximately \$720.00 per day as a result of lower gate fees adopted. Program 2335 has an allocation of \$7,000 to pay Outlook for variations to the contract. This allocation is for the management of the Byteback computer recycling service at DRRC. No other allocations are set aside for the DRRC contract. Adoption of the increased gate fees detailed in **Appendix B** will minimise any potential claim by Outlook for loss under contract CT0545. Budget to fund this claim will need to be referred to the mid year budget review process.

CONCLUSION

The introduction of recent tax and levy changes and increases in operating costs, has had a large impact on the costs to run DRRC. An increase in gate fees as detailed in **Appendix B** will ensure that the facility operator, Outlook, will be able to adequately recover these costs and bring the fees at the Centre in balance with nearby facilities in the region.

FUTURE ACTIONS

- Immediately increase the gate fees at the DRRC.
- Advertise the increase of gate fees in the locally circulating newspapers and on the Council website.

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

2012-2013 Budget

8.18 COUNCIL SUBMISSION TO THE VICTORIAN COMMISSION FOR GAMBLING AND LIQUOR REGULATION REGARDING EDEN HOTEL GROUP PTY LTD APPLICATION FOR APPROVAL OF PREMISES FOR GAMING WITH 50 ELECTRONIC GAMING MACHINES AT 429 HEIDELBERG ROAD

MINUTE NO. 365

AUTHOR: Social Policy Officer

REVIEWED BY: Group Manager People and Performance

SUMMARY:

In accordance with Section 3.3.6 of the *Gambling Regulation Act 2003* Darebin City Council has prepared a Social Impact Assessment in response to an application by Eden Hotel Group Pty Ltd for 50 electronic gaming machines at the Grandview Hotel, 429 Heidelberg Road, Fairfield (refer to Attachment 1).

The submission seeks to assess the net social and economic impact of the application on the wellbeing of the community, as per Section 3.3.7 of the *Gambling Regulation Act 2003*. Matters considered include:

- The economic and social impact of the proposal on the wellbeing of the municipal district where the subject site is located
- Whether or not the net economic and social impact of approval will be detrimental to the well-being of the community of the municipal district where the subject site is located
- The impact of the proposal on surrounding municipal districts including the Cities of Yarra, Banyule and Boroondara.

Council's submission regarding the Grandview Hotel application is due to the Victorian Commission for Gambling and Liquor Regulation by 17 August 2012. A hearing of the submission is also scheduled to take place at the Commission on 3 September 2010.

The following report comprises a summary of key findings of Council's Social and Economic Impact Assessment including an analysis of the subject site and sensitive land uses, demographic data relevant to determinants of problem gambling and an overview of social and economic impacts, and context in relation to Council's position on electronic gaming machines.

CONSULTATION:

Darebin City Council's Social Impact Assessment of the Grandview Hotel gaming application predominantly draws on quantitative data, however, the following internal Council departments and external agencies were consulted in the development of the submission:

- Manager Community Planning Partnerships and Performance
- Darebin Equity and Diversity Team
- Darebin City Council Statutory Planning Department
- Gambler's Help Northern

- North East Primary Care Partnership
- City of Yarra
- City of Banyule
- City of Boroondara
- Symplan Urban and Social Planners (consultant).

RECOMMENDATION

THAT Council:

- (1) Endorse the Social and Economic Impact Assessment for submission to the Victorian Commission for Gaming and Liquor Regulation in response to the Grandview Hotel application for approval of premises for gaming with 50 electronic gaming machines.
- (2) Make a resolution regarding whether Council will attend and give evidence with support of legal representation at the hearing of its submission at the Victorian Commission for Gambling and Liquor Regulation.

MOTION

MOVED: Cr. T. McCarthy

SECONDED: Cr. G. Greco

THAT Council:

- (1) Endorse the Social and Economic Impact Assessment for submission to the Victorian Commission for Gaming and Liquor Regulation in response to the Grandview Hotel application for approval of premises for gaming with 50 electronic gaming machines.
- (2) Note that Council will attend and give evidence with the support of legal representation at the hearing of its submission at the Victorian Commission for Gambling and Liquor, if required.
- (3) That any planning application be heard at full council.

THE MOTION WAS PUT AND CARRIED, AND BECAME THE COUNCIL RESOLUTION:

COUNCIL RESOLUTION

MOVED: Cr. T. McCarthy

SECONDED: Cr. G. Greco

THAT Council:

- (1) Endorse the Social and Economic Impact Assessment for submission to the Victorian Commission for Gaming and Liquor Regulation in response to

the Grandview Hotel application for approval of premises for gaming with 50 electronic gaming machines.

- (2) Note that Council will attend and give evidence with the support of legal representation at the hearing of its submission at the Victorian Commission for Gambling and Liquor, if required.
- (3) That any planning application be heard at full council.

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

On 7 June 2012 Council received planning permit application D/404/2012 by Urbis on behalf of Eden Hotel Group Pty Ltd for the installation and use of 50 electronic gaming machines in addition to building works. Initial assessment was undertaken by Statutory Planning Officers in accordance with the *Planning and Environment Act 1987*. A report assessing the Grandview Hotel proposal on its planning merits will be scheduled for discussion at a Council Planning Committee meeting in due course.

Council was also notified by the Victorian Commission for Gambling and Liquor Regulation of an application by Bazzani Scully Brand Lawyers on behalf of the Eden Hotel Group Pty Ltd for a gaming license to operate 50 electronic gaming machines on the premises. Notification included a request that Council advise the Commission if it intended to submit a Social and Economic Impact Assessment of the application in accordance with Section 3.3.6 of the *Gambling Regulation Act 2003*.

At a Council meeting on 2 July 2012 Council made a request that Council officers investigate the Grandview Hotel application. A Social and Economic Impact Assessment of the application was subsequently prepared and presented to a Council Briefing meeting on 23 July 2012.

Council notified the Commission by 25 July 2012 of its intention to prepare a Social and Economic Impact submission in response to the Grandview Hotel application. This assessment is due on 17 August 2012.

ISSUES AND DISCUSSION

1. The subject site and accessibility

The subject site located at 429 Heidelberg Road Fairfield in the City of Darebin, is a visually prominent building located at the intersection of Station Street and the major arterial Heidelberg Road. The Grandview Hotel maintains distinctive heritage features as well as a zero setback and three separate entrances including one that faces directly onto the Station Street/Heidelberg Road intersection. The building height is three storeys within a mostly low density residential neighbourhood, with the exception of several double storey residences located at the south of Station Street. The Grandview Hotel's significant view-lines make it a prominent landmark in Darebin's south, and one that presently contributes significant heritage value to the local neighbourhood character.



North facing viewline of subject site



West facing viewline of subject site

The subject site is well serviced by public transport linkages including train lines, feeder bus services, bicycle paths and taxis. The Grandview Hotel is also located in close proximity to Clifton Hill Station interchange which is a major public transport node linking the Hurstbridge and Epping Railway lines, and the Chandler Highway gateway to the Eastern Freeway. Access to the Eastern freeway connects the subject site with suburbs in Melbourne's east as well as Melbourne's Central Business District.

2. Analysis of sensitive land uses

The Grandview Hotel building is listed on the City of Darebin's *Crisis and Long-term Housing Guide* and currently houses a number of vulnerable residents in the upper storeys of the premises on a long-term basis and at a low rate. In this context the proposal to install pokie machines at a venue that currently houses a significant number of vulnerable people in crisis accommodation would seem inappropriate.

Furthermore, as Figures 2 and 3 below illustrate that the subject site is *located within 500m* of a number of sensitive uses including:

- Marjorie Oak Rooming House for women which is located across the road from the Grandview Hotel and houses vulnerable women, some of which may have gambling issues. The rooming house is owned by the Office of Housing and managed by Yarra Community Housing
- Residential properties
- Fairfield Station
- The Fairfield and Alphington RSL with 30 EGMs
- St Anthony's School

- Malakite Catholic Church and youth centre
- Two chiropractic clinics
- Five mental health services.

The site is also *located within close proximity* to sensitive uses, including:

- Significant open spaces, including Yarra Bend park, Bill Lawry Oval, Fairfield park
- Fairfield Shopping Strip
- Social infrastructure located in the Fairfield shopping strip including a kindergarten, library, Community Centre and Maternal and Child Health Centre, medical centres
- Primary school
- Isolated elderly – Residents who shop in Station Street and who live in Holmes Street Older Person Units Edwards Street Older Persons Unit, Agg Street Older Persons Unit – comprising over 200 high density units housing economically disadvantaged/vulnerable/elderly people at risk of homelessness, drug/alcohol/gambling addiction and health related issues and who are supported through Merri Outreach Support Service
- Thomas Embling Forensic Mental Health Hospital
- Austin Health Royal Talbot Rehabilitation Centre
- Two community health centres
- Eight additional mental health services
- Aged care services.

Key findings:

The locational features of the site, i.e. proximity to public transport and community infrastructure and its location along a major arterial will increase the extent to which the venue is accessible to the local and broader community. These locational features indicate that the venue will take the form of convenience rather than destination gambling. Accessibility enhances availability which has been demonstrated to be a major determinant of problem gambling.

The subject site is also highly accessible to a concentration of social and economic disadvantage which is a key determinant of problem gambling. This includes proximity to mental health services, and pockets of significant disadvantage to the west and north and in the neighbouring municipality of Banyule with regard to the West Heidelberg Neighbourhood Renewal area.

3. Socio-economic profile and determinants of problem gambling

Social and economic determinants of problem gambling include high proportions of males; people aged 18-24; people with low educational attainment (i.e. year 10 or lower), people employed as community and personal services workers, sales workers, machinery operators and drivers, labourers; people with low incomes; people living in group households; and Aboriginal and Torres Strait Islanders (State Government of Victoria, 2009).

It is acknowledged that the community profile in the main trade area is comprised of relatively low proportions of the above risk categories. However, Northcote has more than double the proportion of group households (8.8%) relative to Victoria (4.2%). In addition, Kew and Alphington have higher proportions of group households (6.6% and 6.9% respectively)

relative to Victoria (4.2%) and Australia (4.1%) (Australian Bureau of Statistics Census of Population and Housing, 2011).

Furthermore, Alphington has a higher proportion of households with mortgage repayments greater than 30% of household income (10.5%) relative to Victoria (10.1%) and Australia (9.9%) (Australian Bureau of Statistics Census of Population and Housing, 2011).

The applicant has stated that the venue is well patronised by young people, therefore exposing a group acknowledged to be at risk to greater opportunities to participate in EGM gambling.

The socio-economic profile of the primary trade area within which the subject site is located comprises groups within the community that are acknowledged to be at risk of problem gambling.

Key findings:

The socio-economic profile of the primary trade area within which the subject site is located comprises groups within the community that are acknowledged to be at risk of problem gambling.

4. Net social and economic impact

The application indicates that the social benefits associated with the proposal will be the restoration of the existing premises and delivery of additional services and facilities. The primary motivation for the inclusion of the 50 Electronic Gaming Machines is that the restoration would not be financially viable without the revenue derived from the expenditure on the EGMs.

Key findings:

The revenue to be used to renovate the venue will be derived predominantly from losses incurred by problem gamblers. It is therefore considered that a business model that is dependent on the revenue derived from an activity that is directly associated with social and economic detriment is not justifiable.

The proposal will also involve the creation of a charitable donation structure which will contribute \$100,000 annually (indexed to CPI) for a period of 10 years (i.e. the life of the entitlements) to local charities and groups.

The economic benefits of these contributions are challenged on the following grounds:

- 1. 41% i.e. \$1.6 million of the expenditure (\$3,902,439) at the venue will be derived from problem gamblers.**
- 2. The contributions amount to 2.5% of the total expenditure on the EGMs and therefore represent a miniscule proportion of the revenue derived from the EGMs.**
- 3. Of the \$1,6million to be lost by problem gamblers, only \$100,000 will be redirected by the venue back into the community. It is unlikely that these community contributions will be allocated to addressing problem gambling.**

5. Impacts of the proposal on Darebin's neighbouring municipalities

The Grandview Hotel proposal is expected to have significant negative impacts on Darebin's neighbouring municipalities of Yarra, Boroondara and Banyule. Darebin Council has been notified that the City of Boroondara intends to submit a statement to the Commission explaining its position and concerns about the Grandview Hotel proposal; the City of Yarra may make a formal submission to the Commission, and to date there has been no confirmation that the City of Banyule intends to contact the Commission in relation to the Grandview Hotel application.

POLICY IMPLICATIONS

Environmental Sustainability

Nil.

Social Inclusion and Diversity

Council recognises the diversity of groups by problem gambling and the increased risk amongst CALD, newly arrived/refugee communities, international students, youth, women, Aboriginal, elderly and isolated residents. Any increase of electronic gaming machines in venues increases harms associated with problem gambling for such groups.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

There may be financial implications for Council if the matter goes to VCAT subject to outcomes and potential appeal in relation to Council planning decision.

CONCLUSION

The key findings of Council's Social and Economic Impact Assessment of the Grandview Hotel application demonstrate that the net social and economic impact of the proposal will be detrimental to public health and wellbeing. In particular, the assessment underscores the following points:

1. Any economic benefits associated with an increase in employment will be offset by:
 - o Increased losses experienced by problem gamblers; and
 - o Reduced viability of the local business sector.
2. The social and economic benefits associated with the community contributions are minimal, and will most likely be offset by the social and economic impacts of problem gambling on individuals, their families and the broader community.
3. The proposal does not diversify opportunities to engage in social and leisure activities in the local community.

4. The existing range of social, leisure and entertainment activities that contribute to health and wellbeing is not reliant on revenue derived from expenditure on EGM gambling.

The introduction of EGMs which are necessary to fund the refurbishment of the hotel will contribute to problem gambling and therefore will be detrimental to the health and wellbeing of the community.

FUTURE ACTIONS

- Lodgment of Submission to Victorian Commission for Gambling and Liquor Regulation by 17 August 2012.
- Planning Permit application assessment to proceed in accordance with requirements of the Planning and Environment Act 1987 including discussions by Council's Planning Committee.
- The matter is schedule for a hearing at the Victorian Commission for Gambling and Liquor Regulation on 3 September 2012.

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

- City of Darebin *Social and Economic Impact Assessment Grandview Hotel, Submission the Victorian Commission for Gambling and Liquor Regulation*
- City of Darebin, 2010. *Darebin Electronic Gaming Machine Policy and Strategic Action Plan 2010-2014*

REFERENCES

- Australian Bureau of Statistics Census of Population and Housing 2011.
- State Government of Victoria (2009) *A Study of Gambling in Victoria: Problem Gambling from a Public Health Perspective*. Profile of Problem Gambling Risk Segments: Department of Justice.

PROCEDURAL MOTION

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

THAT Council hear General Business items prior to Item 8.19 (Community Grants Scheme 2012/2012 – Three Year Cash Grants) and Item 8.20 (Annual and No Cap Cash)

CARRIED

8.19 COMMUNITY GRANTS SCHEME 2012/2013 – THREE YEAR CASH GRANTS**MINUTE NO. 366****AUTHOR: Manager Community Planning, Partnerships and Performance****DIRECTOR: Group Manager People and Performance****SUMMARY:**

At its meeting on 16 July 2012, Council passed the following resolution:

That Council defer consideration of the Three-year Grants until the next Council meeting on 6 August 2012 and the matter be further discussed beforehand at the Council Briefing Session on 23 July 2012.

This report provides information on the Three Year Cash Grants capped to \$8,000.

CONSULTATION:

Community Grants Officer

Leisure Services

Arts and Culture

Environmental Strategy

Civic Services

Aged and Disability Services

Family and Children's Services

Community Planning Partnerships and Performance

COUNCIL RESOLUTION**MOVED: Cr. T. Laurence****SECONDED: Cr. G. Greco**

THAT Council defer its decision on the 2012/2013 Three Year Cash Grants pending officers' review of the acquittal results.

CARRIED

| |
|---------------|
| REPORT |
|---------------|

INTRODUCTION AND BACKGROUND

The Community Grants Program is a key community development program undertaken by Council each year. The program encourages and supports the development of community based programs which enable the active participation of Darebin residents. The program is available to 'not-for-profit', locally based community groups and organisations or those meeting a demonstrated need or interest of Darebin residents.

ISSUES AND DISCUSSION

Following an evaluation of the 2011/2012 funding round the following changes were recommended and implemented for the 2012/2013 grants funding:-

1. Introduction of one application per organisation per funding round.
2. New grant categories' range as follows:
 - Small up to \$1,000, available for three years
 - Medium up to \$3,000, available for one year only
 - Large up to \$6,000, available for one year only.
3. Maximum amount which can be sought from Council is \$6,000.
4. 'No-Cap' Category, introduced last year is available for one year only. Special eligibility and selection criteria apply to this category.

The following summarises the Three Year Cash Grant applications received for the 2012/2013 funding round.

Table 1: Overview of the 2012/2013 Funding Round for Three Year Grants

| Branch | Received | Amount Requested |
|--------------------------------|-----------|------------------|
| Arts & Culture | 4 | \$18,968 |
| Sport and Recreation | 5 | \$15,000 |
| Community Support | 15 | \$54,273 |
| Environment | 1 | \$5,607 |
| Total Three Year Grants | 25 | \$93, 848 |

For the 2012/2013 funding round a total of 25 applications were received for Three Year grants, requesting a total of \$93, 848.

The following lists the Three Year Grant applications received for the 2012/2013 funding round indicating applicants in their second or third year of funding.

Table 2: List of 2012/2013 Three Year Cash Grants into funding year.

| Applications to be considered for second year funding | | |
|--------------------------------------------------------------|------------------------------------------------------------------------|------------------|
| Organisation | Project | Requested |
| Darebin African Resource Centre Inc | Social Inclusion Soccer and Community Gala | \$5,500.00 |
| Darebin Community Health Planned Activity Group (PAG) | Bus support program for PAG holiday | \$2,000.00 |
| East Reservoir Community Garden Group | East Reservoir Community Garden Group | \$5,607.00 |
| Keon Park Greek Senior Citizens Club | Outdoor Activities and Exercise | \$2,000.00 |
| LINC Northern Region | LINC Northern Region | \$8,000.00 |
| Florinian Elderly Citizens Club Inc. | Club Activities Project | \$1,800.00 |
| The Alawi Islamic Social Centre | Arabic Speaking Women's Information sessions and Cultural Annual Event | \$2,000.00 |
| The Inner Northern Local Learning & Employment Network Inc. | Inner Northern Young Women's Leadership Program. | \$4,000.00 |
| Thornbury Greek Senior Citizens Club | Support for hire of our venue | \$500.00 |
| Victorian Maronite Community | Healthy Living | \$1,000.00 |
| The Lebanese Al-Kataeb Association Inc | Festival Celebration & Informative Days | \$8,000.00 |
| World Lebanese Cultural Union of Vic (WLCU) Inc | Honours & Supports the VCE Students Independence Day of Lebanon | \$7,090.00 |
| SUB TOTAL 2nd Year | 12 applications | \$47,497 |

| Applications to be considered for third year funding | | |
|------------------------------------------------------------------|------------------------------------------------------------------------|------------------|
| Organisation | Project | Requested |
| Breakaway Camps Inc | Linking Positives II | \$7,000.00 |
| Camp Getaway | Camp Getaway | \$4,000.00 |
| Centre of Greek Ex-Servicemen's Elderly Citizens Club of Darebin | Ex-Servicemen's group activity sessions | \$500.00 |
| Darebin U3A Inc | Darebin U3A Lifelong Learning Programs: we currently run 34 classes | \$1,983.00 |
| Greek Women's Club of Northern Suburbs "Anemones" | "Anemones" Dances and Exercise for Health | \$1,500.00 |
| Hellenic Writers Association of Australia Inc | "O LOGOS" Publication of Literary Journal | \$800.00 |
| Rascals Kids Club | Continue running and growth of the group | \$400.00 |
| Sierra Leone Australia Community of Victoria | Sierra Leone Youth Swim for Life. | \$2,000.00 |
| Songlines Aboriginal Music Corporation | Songlines Music & Dance Youth Program | \$4,900.00 |
| Span Community House | Fresh Tastes | \$2,000.00 |
| The Alawi Islamic Social Centre | Language Arabic classes for children 5 years over (primary school age) | \$8,000.00 |
| United Australian Lebanese Movement of Victoria | Lebanese Cultural Festival & Lebanese National Day of Celebration | \$6,940.00 |
| United Australian Lebanese Movement of Victoria Inc | Lebanese Film Festival | \$6,328.00 |
| Hakour Community Welfare Association of Australia | Computer Classes (program abandoned) | \$0 |
| SUB TOTAL 3rd Year | 13 applications (excluding Hakour) | \$46,351 |
| Grand Total | 25 applications | \$93, 848 |

POLICY IMPLICATIONS**Environmental Sustainability**

A recommended community grants priority is environmental sustainability. Therefore the community grants program will encourage community organisation initiatives related to the care and protection of our environment.

Social Inclusion and Diversity

The community grants program is a major platform for Council to further its social inclusion agenda. A large majority of the grants relate to linking people together to improve community connectedness either through projects funded through the cash grants program or through subsidised use of Council facilities.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

The total available budget for community grants for 2012/2013 is \$621,000. The total amount requested for the three year cash grants is \$93,848. Final recommendations by officers will be submitted to a future Council meeting following the completion of the acquittal process.

FUTURE ACTIONS

Applications will be notified regarding the outcome of their application following a future Council meeting.

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

Community Grants Standing Committee Charter

Council Meeting – 7 March – Community Grants Program 2012-2013

Cr. Chiang disclosed a conflict of interest in the following matter classifying the type of interest as an indirect interest because of conflicting duty and describing the nature of the interest as that he is the Honorary President of the North Eastern Melbourne Chinese Association Inc (NEMCA), one of the applicant organisations for an Annual Grant. He left the meeting prior to consideration of the matter – 9.54pm.

Cr. Laurence disclosed a conflict of interest in the following matter classifying the type of interest as an indirect interest because of conflicting duty and describing the nature of the interest as that he is a Director of a Company that has taken an advertisement sponsorship with Singh Sabha Sports Club, one of the applicant organisations for an Annual Grant, for their annual calendar that is in production. He left the meeting prior to consideration of the matter – 9.54pm.

Dalal Smiley, Manager Community Planning, Partnerships and Performance entered the meeting – 9.54pm

8.20 COMMUNITY GRANTS SCHEME 2012/2013 – ANNUAL AND NO CAP CASH GRANTS

MINUTE NO. 367

AUTHOR: Manager Community Planning Partnerships and Performance

DIRECTOR: Group Manager People and Performance

SUMMARY:

At its meeting on 16 July 2012, Council passed the following resolution:

That Council:

- (1) Defer consideration of Annual Grants and No Cap Grants until the next Council meeting on 6 August 2012 and the matter be further discussed beforehand at the Council Briefing Session on 23 July 2012.*
- (2) Approve the Venue Hire Subsidy Applications for 2012/2013 as recommended in **Appendix B** attached to this report.*

Point 2 of the resolution has already been addressed and this report responds to point 1 by providing an overview of the Annual and No Cap Cash Grant applications received for the 2012/2013 funding round with assessment officers' comments to be reviewed by Council.

CONSULTATION:

Community Grants Officer

Leisure Services

Arts and Culture

Environmental Strategy

Civic Services

Aged and Disability Services

Family and Children's Services

Community Planning Partnerships and Performance

RECOMMENDATION

THAT Council consider the allocation of the 2012/2013 Annual Cash Grants as detailed in **Appendix A** and the 2012/2013 No Cap Cash Grants as detailed in **Appendix B**.

SUSPENSION OF STANDING ORDERS

MOVED: Cr. N. Katsis

SECONDED: Cr. S. Tsitas

THAT Council discussions of this item be In Camera – 9.56pm

CARRIED

Council discussed the above item In Camera.

RESUMPTION OF STANDING ORDERS

MOVED: Cr. N. Katsis

SECONDED: Cr. S. Tsitas

THAT Standing Orders be resumed – 10.22 pm

CARRIED

COUNCIL RESOLUTION

MOVED: Cr. T. McCarthy

SECONDED: Cr. G. Greco

THAT Council:

- (1) Approve the allocation of the 2012/2013 Annual Cash Grants as detailed in **Appendix A** and the 2012/2013 No Cap Cash Grants as detailed in **Appendix B**.
- (2) Officers bring back a report to the next Council meeting analysing how deserving community projects:
 - Northcote Rifle Club (AL-A-2012/12 -0005)

- Merri Stationeers (AL-E-2012/13-0003)
- Darebin Progress Association (AL-C-2012/13-0005)

Could be better supported by Council with or outside Community Grants.

CARRIED

A Division was called:

For

Against

The Mayor, Cr. S. Tsitas
Cr. N. Katsis
Cr. G. Greco
Cr. T. McCarthy

Cr. B. Morgan

The Mayor, Cr. Tsitas, declared the Motion to be carried.

REPORT

INTRODUCTION AND BACKGROUND

The Community Grants Program is a key community development program undertaken by Council each year. The program encourages and supports the development of community based programs which enable the active participation of Darebin residents. The program is available to 'not-for-profit', locally based community groups and organisations or those meeting a demonstrated need or interest of Darebin residents.

ISSUES AND DISCUSSION

Following an evaluation of the 2011/2012 funding round the following changes were recommended and implemented for the 2012/2013 grants funding:-

1. Introduction of one application per organisation per funding round.
2. New grant categories' range as follows:
 - Small up to \$1,000, available for three years
 - Medium up to \$3,000, available for one year only
 - Large up to \$6,000, available for one year only
3. Maximum amount which can be sought from Council is \$6,000.
4. 'No-Cap' Category, introduced last year is available for one year only. Special eligibility and selection criteria apply to this category.

The following summarises the Annual and No Cap Cash Grant applications received for the 2012/2013 funding round.

Table 2: Overview of the 2012/2013 Funding Round for Annual and No Cap Cash Grants

| Branch | Received | Recommended | Amount Requested | Amount Recommended |
|-----------------------------|------------|-------------|-------------------|--------------------|
| Arts & Culture | | | | |
| Annual | 22 | 15 | \$47,978 | \$22,584 |
| No Cap | 4 | 4 | \$66,959 | \$27,450 |
| Sport and Recreation | | | | |
| Annual | 18 | 17 | \$38,975 | \$20,935 |
| Community Support | | | | |
| Annual | 50 | 42 | \$144,411 | \$64,197 |
| No Cap | 11 | 11 | \$451,174 | \$392,498 |
| Environment | | | | |
| Annual | 4 | 3 | \$19,496 | \$6,000 |
| Total | 109 | 92 | \$768, 993 | \$533,664 |

- For the 2012/2013 funding round a total of 94 Annual and 15 No Cap applications were received requesting a total of \$768,993.
- Four applications were made under the “three year small cash grants category”, have been recommended for one year only and therefore included in the annual cash grants list.
- Of the 109 applications, 92 were recommended by officers for a total of \$ 533,664. This is 69.4% of the requested amount.
- The recommended amount of \$533,664 by officers for Annual and No Cap Cash Grants applications for 2012/2013, represents 85.9 % of the total funding pool for cash grants.

POLICY IMPLICATIONS

Environmental Sustainability

A recommended community grants priority is environmental sustainability. Therefore the community grants program will encourage community organisation initiatives related to the care and protection of our environment.

Social Inclusion and Diversity

The community grants program is a major platform for Council to further its social inclusion agenda. A large majority of the grants relate to linking people together to improve community connectedness either through projects funded through the cash grants program or through subsidised use of Council facilities.

Other

Nil.

FINANCIAL AND RESOURCE IMPLICATIONS

The total available budget for community grants for 2012/2013 is \$621,000. The recommended amount by officers for Annual and No Cap Cash Grants applications for 2012/2013 is \$535,664. This represents 85.9 % of the total funding pool for cash grants.

FUTURE ACTIONS

Applications will be notified regarding the outcome of their application from the 7 August 2012. All successful cash-grant applicants will be sent a Cheque with their letter of notification.

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

Community Grants Standing Committee Charter

Council Report – Community Grants Program 2012 – 2013, 7 March 2011

List of 2012/2013 Applications for Annual Cash Grants with Assessment Officers' comments – attached as **Appendix A**

– List of 2012/2013 Applications for No Cap Cash Grant with Assessment Officers' comments – attached as **Appendix B**

Cr. Chiang and Cr. Laurence returned to the meeting at the conclusion of the above item – 10.24pm

9. URGENT BUSINESS

Nil.

10. GENERAL BUSINESS**10.1 BRUNSWICK TERMINAL UPDATE****MINUTE NO. 368****COUNCIL RESOLUTION****MOVED: Cr. T. McCarthy****SECONDED: Cr. T. Laurence****THAT** Council:

- (1) Write to The Hon. Martin Ferguson, Member for Batman and Federal Minister for Energy and Resources, urging him to intervene on behalf of residents in Northcote, Preston, Reservoir and Keon Park in relation to the decision by The Hon. Matthew Guy, Victorian Planning Minister to expand the Brunswick Terminal Station, rezone the land, remove residential appeal rights and quadruple the electricity supply running through powerlines located above and close to homes and community facilities.
- (2) Write to the Secretary of the Victorian Department of Health, as well as the heads of medical and health research centres at Victorian universities, seeking interest in a study of the long term health impacts of high-voltage powerlines that are located above and close to homes and community facilities in the City of Darebin.
- (3) Write to the Premier Ted Baillieu, requesting that he commission an Independent Review Panel into the Brunswick Terminal Station upgrade, including the potential long term health impacts and the legality of the recent decision to rezone the land for heavy industrial use.

CARRIED

10.2 SIGNIFICANT TREE REGISTER

MINUTE NO. 369

COUNCIL RESOLUTION

MOVED: Cr. T. McCarthy
SECONDED: Cr. T. Laurence

THAT Council receive a report at its meeting on 3 September outlining the process undertaken recently by City of Yarra and City of Melbourne to introduce Significant Tree Registers, including the cost associated and the progress to date.

CARRIED

10.3 LATEST CENSUS DATA ON LANGUAGES OTHER THAN ENGLISH

MINUTE NO. 370

COUNCIL RESOLUTION

MOVED: Cr. T. Laurence
SECONDED: Cr. T. McCarthy

THAT Council officers report back to the next Council meeting a report on the latest census data on languages other than English in the city and a plan outlining how the languages of Punjabi and Hindi that are seventh and eighth most spoken non-English languages in the city which can be included in our translation arrangements in all council communications.

CARRIED

10.4

TRAFFIC ISSUES – MAIN DRIVE MACLEOD

MINUTE NO. 371

COUNCIL RESOLUTION

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

THAT Council:

- (1) Formally note the 543 plus petition presented by resident's concerning traffic issues in Main Drive Macleod.
- (2) Officer's consider the concerns and recommendation contained in the petition as part of the report that is to come to Council.
- (3) Thank resident's of Macleod for putting forward their views and practical suggestions to alleviate traffic issues around Main Drive.

CARRIED

10.5

RESERVOIR OUTDOOR VELODROME

MINUTE NO. 372

COUNCIL RESOLUTION

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

THAT Council receive a report in four weeks on the condition of the Reservoir Outdoor Velodrome addressing:

- a) Condition of the velodrome.
- b) Part and present usage rates.
- c) Any future budget considerations associated with the maintenance and/or improvement of the facility.

CARRIED

**10.6 IMPLEMENTATION OF URBAN DESIGN FRAMEWORK –
REGENT VILLAGE PRESTON**

MINUTE NO. 373

COUNCIL RESOLUTION

MOVED: Cr. V. Fontana
SECONDED: Cr. B. Morgan

THAT Council officers prepare a report on the time frame and costs of preparing and implementing an urban design framework for Regent Village in Preston.

CARRIED

**10.7 TRAFFIC CONCERNS – WILCOX STREET AND CENTRAL
AVENUE PRESTON**

MINUTE NO. 374

COUNCIL RESOLUTION

MOVED: Cr. V. Fontana
SECONDED: Cr. B. Morgan

THAT Council officers investigate traffic concerns located at the intersection of Wilcox Street and Central Avenue Preston in order to improve safety and consider the introduction of possible traffic calming measures.

11. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

CLOSE OF MEETING

MOVED: Cr. V. Fontana

SECONDED: Cr. N. Katsis

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

12.1 Extension of Provision of Open Space Related Services Agreement (CT0961)

12.2 Extension of Provision of Open Space Tree Maintenance Agreement (CT0960)

CARRIED

The meeting was closed to members of the public at 10.26pm.

The Council considered and resolved on Report Item 12.1 (Extension of Provision of Open Space Related Services Agreement (CT0961)) and Item 12.2 (Extension of Provision of Open Space Tree Maintenance Agreement (CT0960)) which had been circulated to Councillors on Thursday 2 August 2012 with the Council Agenda Paper.

RE-OPENING OF MEETING

MOVED: Cr. N. Katsis

SECONDED: Cr. S. Chiang

THAT the meeting be re-opened to the members of the public. – 10.31pm

CONFIDENTIAL**11.1 EXTENSION OF PROVISION OF OPEN SPACE TREE
MAINTENANCE AGREEMENT (CT0960)****MINUTE NO. 368****AUTHOR: Manager Parks and Vegetation****REVIEWED BY: Director City Design and Environment****SUMMARY:**

On 19 October 2009, Council resolved to enter into an agreement with a panel of suppliers for the provision of Open Space Related Services (Minute No. 326) for a period of three (3) years from 23 October 2009 to 22 October 2012 with two (2) one (1) year optional extensions.

The agreement for the supply of goods and services involves small to medium projects in parks maintenance that include but is not limited to irrigation works, fencing works, mulching works, weed control, specialist creek management works, turf works, grass slashing, supply of fertiliser and chemicals and minor landscaping works.

The agreement extends to a panel of fifteen (15) suppliers:

Merri Creek Management Committee, BLM Contractors, Re Veg Works Pty Ltd, GMHS Pty Ltd, Otter Fencing Pty Ltd, Environmental Weed Management Australia Pty Ltd, Oasis Turf Pty Ltd, Globe Australia Pty Ltd, Yallambie Sprinkler Systems, Hume Turf & Machinery, Sevron Environmental Contractors, R & N Gray Contracting, We Blow Pty Ltd, Mickleham Soil Pty Ltd and Hume Turf & Machinery.

CONSULTATION:

Director City Design and Environment
Manager Darebin Parks and Vegetation
Coordinator Urban Tree Management
Coordinator Parks Maintenance
Coordinator Turf Maintenance
Coordinator Bushland Management
Coordinator Procurement and Contracting

RECOMMENDATION

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

COUNCIL RESOLUTION

MOVED: Cr. V. Fontana
SECONDED: Cr. T. Laurence

THAT the following Council Resolution:

That Council:

- (1) *Approves the first optional extension period of CT0961 from 23 October 2012 to 22 October 2013 to the value of \$2,100,000 (incl. GST).*
- (2) *Authorises the Director, City Design and Environment to execute the contract variation on behalf of Council.*

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

CARRIED

CONFIDENTIAL**11.2 EXTENSION OF PROVISION OF OPEN SPACE RELATED SERVICES AGREEMENT (CT0961)****MINUTE NO. 369****AUTHOR: Manager Darebin Parks****REVIEWED BY: Director City Design and Environment****SUMMARY:**

On 19 October 2009, Council resolved to enter into an agreement with a panel of suppliers for the Provision of Open Space Tree Maintenance (Minute No.384) for a period of three (3) years between 23 October 2009 and 22 October 2012 with two (2) one (1) year optional extensions.

The agreement for the supply of goods and services involves tree pruning and removal tasks that include but is not limited to tree pruning, tree removing, stump grinding, arboriculture consultancy and tree root control.

The agreement extends to a panel of seven (7) suppliers:

Active Tree Services Pty Ltd, CityWide Services Pty Ltd, Star Tree Services Pty Ltd, The Tree Company Pty Ltd, Arbor Co. Holdings Pty Ltd, Just Roots Pty Ltd and Root Controllers Australia.

Additional specialist works are sometimes required in tree maintenance and for these specialist works a contractor is usually engaged. These works include legislative compliance regarding electrical line clearance as required by the Office of the Chief Electrical Inspector.

CONSULTATION:

Director City Design and Environment
Manager Darebin Parks and Vegetation
Coordinator Urban Tree Management
A/Coordinator Procurement & Contracting

RECOMMENDATION

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

COUNCIL RESOLUTION

MOVED: Cr. T. McCarthy
SECONDED: Cr. V. Fontana

THAT the following Council Resolution:

That Council:

- (1) *Approves the first optional extension period of CT0960 from 23 October 2012 to 22 October 2013 to the value of \$1,000,000 (incl. GST).*
- (2) *Authorises the Director, City Design and Environment to execute the contract variation on behalf of Council.*

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

CARRIED

12. CLOSE OF MEETING

The meeting closed at 10.32pm.