

Moreland City Council

COUNCIL AGENDA

WEDNESDAY 13 MAY 2009

COMMENCING 7PM

COUNCIL CHAMBER, MORELAND CIVIC CENTRE
90 BELL STREET, COBURG

Language Link

This is the Agenda for the Council meeting.
For assistance with any of the agenda items,
please telephone 9240 1111.

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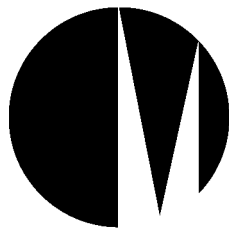
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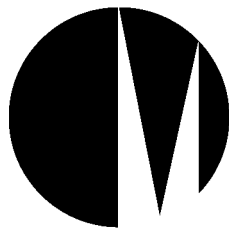
यह कौंसिल की बैठक का कार्यक्रम है। कार्यक्रम के किसी भी विषय के बारे में सहायता के लिए कृपया 9280 1918 पर फोन कीजिए।



INFORMATION ABOUT COUNCIL MEETINGS

Moreland City Council encourages its citizens to participate in the local government of Moreland. Accordingly, these notes have been developed to help citizens better understand Council meetings. All meetings are conducted in accordance with Council's local legislation on Governance.

1. **WELCOME** The Mayor, who chairs the meeting, formally opens the meeting, delivers an acknowledgement of country and welcomes all present.
2. **APOLOGIES** Where a Councillor is not present, his/her absence is noted in the Minutes of the meeting.
3. **CONFIRMATION OF MINUTES** The minutes of the previous meeting are placed before Council to confirm the accuracy and completeness of the record.
4. **DECLARATION OF INTERESTS AND/OR CONFLICT OF INTERESTS** Under the *Local Government Act 1989*, a Councillor has a duty to disclose any direct or indirect pecuniary (financial) interest, s/he may have in any matter to be considered by Council that evening.
5. **PETITIONS** Council receives petitions from citizens on various issues. Any petitions received since the previous Council meeting are tabled at the meeting and the matter referred to the appropriate Council Director for consideration.
6. **MAYOR & COUNCILLORS CORRESPONDENCE** A list of correspondence received since the last meeting is considered by Councillors.
7. **REPORTS FROM COMMITTEE TO COUNCIL** Council considers reports from Committees that Councillors represent Council on.
8. **QUESTION TIME** This is an opportunity (30 minutes), for citizens of Moreland to raise questions with Councillors.
9. **"ON NOTICE" ITEMS FROM PREVIOUS COUNCIL MEETING** Items raised during Question Time at the previous Council meeting that were not able to be answered are responded to.
10. **COUNCILLORS ITEMS** Councillors may raise issues or matters of interest that are not listed on the meeting Agenda.
11. **COUNCIL REPORTS** Detailed reports prepared by Council's Administration are considered by Councillors and a Council position is adopted on the matters considered. The Mayor can invite firstly Councillors, secondly Officers, and then citizens in attendance to identify Council reports which should be given priority by the meeting and considered in the early part of the meeting.
12. **LATE REPORTS** Reports have not been submitted by such time that the Council Agenda is photocopied. These reports are identified in the Table of Contents and have been distributed separately. Copies of Late Reports are available at the Council Meeting.
13. **URGENT BUSINESS** The Chief Executive Officer or Councillors, with the approval of the meeting, may submit items of Urgent Business (being a matter not listed on the agenda) but requiring a prompt decision by Council.
14. **CONFIDENTIAL BUSINESS** Whilst all Council and Committee meetings of Council are open to its citizens, Council has the power under the *Local Government Act* to close its meeting to the general public in certain circumstances which are noted where appropriate on the Council Agenda. Where this occurs, members of the public leave the Council Chamber or Meeting room while the matter is being discussed.
15. **CLOSE OF MEETING** The Mayor will formally close the meeting and thank all present.
16. **NEXT MEETING DATE** The next Council meeting will be held on Wednesday 10 June commencing at 7 pm, at the Glenroy Senior Citizens Centre, 11 Cromwell Street, Glenroy.



1. WELCOME

2. APOLOGIES

3. CONFIRMATION OF MINUTES

The minutes of the Council meeting held on 8 April 2009 be confirmed.

4. DECLARATION OF INTERESTS AND/OR CONFLICT OF INTERESTS

5. PETITIONS

(D09/55744) 12 BELLEVUE TERRACE PASCOE VALE

A petition has been received containing 7 signatures. The petitioners object to the proposed development at 12 Bellevue Terrace Pascoe Vale.

Recommendation:

1. The petition be received and noted.
2. The petition be referred to the Director City Development for consideration.
3. The first named signatory to the petition be advised of this action.
4. The Ward Councillors (Cr Enver Erdogan, Cr John Kavanagh, Cr Kathleen Matthews-Ward and Cr Oscar Yildiz), be advised of any consultative meeting arranged to discuss the planning permit application and will be advised of the outcome in this matter.

(D09/62843) RESIDENTS CONCERNED WITH PEDESTRIAN LIGHTS ON GAFFNEY STREET

A petition has been received containing 11 signatures. The petitioners request Council to remove the existing pedestrian lights on Gaffney Street and to install a new set of traffic lights at the entrance to the Lincoln Mills Homemaker Centre.

Recommendation:

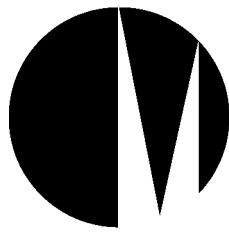
1. The petition be received and noted.
2. The petition be referred to the Director City Infrastructure for consideration.
3. Any proposed action is emailed to all Ward Councillors, relevant Portfolio Councillors and Councillors Responsible For, allowing seven clear days for Councillor feedback.
4. The first named signatory to the petition be advised of this action.

(D09/70747) 26 JUSTINE AVENUE, GLENROY

A petition has been received containing 10 signatures. The petitioners object to the proposed development at 26 Justin Avenue, Glenroy.

Recommendation:

1. The petition be received and noted.



2. The petition be referred to the Director City Development for consideration.
3. The first named signatory to the petition be advised of this action.
4. The Ward Councillors (Cr Enver Erdogan, Cr John Kavanagh, Cr Kathleen Matthews-Ward and Cr Oscar Yildiz), be advised of any consultative meeting arranged to discuss the planning permit application and will be advised of the outcome in this matter.

6. MAYOR AND COUNCILLORS' CORRESPONDENCE

7. REPORTS FROM COMMITTEE TO COUNCIL

Nil.

8. QUESTION TIME

9. "ON NOTICE" ITEMS FROM PREVIOUS COUNCIL MEETING

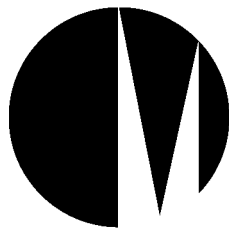
Nil.

10. COUNCILLORS' ITEMS

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CHIEF EXECUTIVE OFFICER

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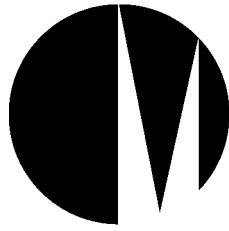
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Pursuant to section 89(2) of the Local Government Act 1989 this confidential report will not be publicly disclosed because it relates to contractual matters.

CEO11 2009-2013 PROPOSED COUNCIL PLAN (D09/35091)

Chief Executive Officer

Corporate Performance & Improvement

Executive Summary

The 2009-2013 proposed Council Plan (Under Separate Cover Attachment 1) sets the strategic direction for how Council will progress its vision for addressing the desired direction and challenges faced by the City of Moreland over the next four years. The key strategic objectives are grouped into four strategic focus areas. Council must excel in each of these focus areas in order to achieve its purpose and vision and deliver value to its community.

These focus areas are:

- A sustainable and just city
- A proud city
- A healthy and educated community
- A responsive organisation

The Council Plan meets the requirements of the amended *Local Government Act 1989* and following the formal public submission period, Council will have the opportunity to make any final amendments prior to adoption and submission to the Minister.

Recommendation

Council resolve:

1. To endorse the 2009-2013 proposed Council Plan, for public comment.
2. To consider any submissions received under section 223 of the *Local Government Act 1989* at a Special Council meeting to be held on 22 June 2009.

1. Policy Context

Council Plan key strategic objectives and initiatives have been derived from the December 2008 Mayor's Speech, outcomes of the Council Planning Workshop and various other forums.

2. Background

The *Local Government Act 1989* requires that "Council prepare and approve a Council Plan within 6 months after each general election or by the next 30 June, whichever is later". The Act also requires Council to review its Plan at least once every financial year to determine if adjustments in respect of the remaining period of the Council Plan are required.

The Council Plan must include the strategic objectives of Council, strategies for achieving those objectives for at least the next four years and strategic indicators for monitoring the achievements of the objectives. The Plan must also contain a Strategic Resource Plan outlining the resources required to achieve the strategic objectives.

3. Issues

The 2009-2013 proposed Council Plan (**Under Separate Cover Attachment 1**) contains Council's key strategic objectives for the Moreland community. It also includes objectives, measures, targets and initiatives by which Council's vision will be delivered and results reported back to the community. Development of the Plan is the result of an extensive planning process involving Councillors, community and staff.

A four-year Strategic Resource Plan outlining the financial resources and describing the required non-financial resources, including human resources, necessary to achieve Council's strategic objectives has been prepared and is included in the Council Plan.

4. Consultation

Councillors have been involved through the Council Planning Workshop held in February 2009. A draft of the 2009-2013 proposed Council Plan was presented to an Issues and Discussion Workshop on 20 April 2009.

This Plan will be advertised in the newspapers and the community will be invited to make a written submission to Council prior to 5pm Friday 12 June 2009.

Copies of the 2009-2013 proposed Council Plan will be available for inspection at the five Council Libraries and the three Citizens Service Centres during that time.

It is proposed that Council will hear any submissions from the community and following consideration of those submissions, will adopt the Council Plan at the Special Council meeting on 22 June 2009.

5. Financial and Resources Implications

The Council Plan is resourced by the adoption of the annual budget. During the budget development process the priority of the delivery of the Council Plan initiatives are reviewed to ensure the desired outcomes of the plan and the Council's ability to pay are balanced.

CEO12 2008-2009 ANNUAL PERFORMANCE & IMPROVEMENT PLAN 3RD QUARTER PERFORMANCE REPORT (D09/49403)

Chief Executive Officer

Corporate Performance & Improvement

Executive Summary

The Annual Performance & Improvement Plan Quarterly Performance Report, January to March 2009 provides a snapshot of Council' progress towards meeting agreed target measures. There is an on-going review and development of the reporting process in order to provide a sound quantitative performance report to Council.

Recommendation

Council resolve to receive the 2008-2009 Annual Performance & Improvement Plan Performance Report for the period July 2008 to March 2009.

REPORT

1. Policy Context

The report supports Council's continuing commitment to open and accountable management of the resources of Moreland on behalf of its ratepayers.

2. Background

The Annual Performance & Improvement Plan Performance Report July 2008 to March 2009 (Under Separate Cover **Attachment 1**) provides performance results on Council's achievements in relation to the Council Plan 2007-2011 Key Strategic Activities and the 2008 Mayor's Speech Priorities. Commentary has been provided and has been incorporated within the attachment.

3. Issues

Each branch has had its strategic activities and priorities separated to allow a greater understanding of the position of each branch.

4. Consultation

Corporate Performance & Improvement have prepared this report based on information provided by Managers and reviewed by Directors.

5. Financial and Resources Implications

The Annual Performance & Improvement Plan Performance Report for the third quarter, July 2008 to March 2009 does not indicate any financial resource issues.

CEO13 AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY 2009 - PROPOSED MOTIONS (D09/60924)

Chief Executive Officer

Governance

Executive Summary

The Australian Local Government Association National General Assembly is an annual opportunity for Councillors to inform themselves on current major policy issues and to contribute to national policy debate. This year the Assembly is being held in Canberra from 21 – 24 June 2009. The Assembly provides Councils across Australia with the opportunity to submit motions regarding issues of both local and national importance for consideration and possible adoption and assists as a means of local government advocating to State and Federal governments on issues of importance.

In past years, Moreland City Council has been represented by staff and Councillors and has submitted motions for consideration. In 2009 motions based on the theme “Rising to the Challenge - Infrastructure, Financing, Climate Change” have been submitted. Motions were due by 24 April 2009.

Recommendation

Council resolves that the motions as per Attachment 1 be noted as submitted to the 2009 Australian Local Government Association National General Assembly for consideration between 21 – 24 June 2009.

1. Policy Context

Participating in the Australian Local Government Association National General Assembly is an annual opportunity for Councillors to inform themselves on current major policy issues and to contribute to national policy debate.

2. Background

The Australian Local Government Association National General Assembly is an annual event attended by Councillors and staff. Each year the conference addresses key issues in Local Government and debates motions submitted by Councils at its General Assembly. At the Council meeting on 8 April 2009 (CEO8) it was resolved that the Mayor, Cr Tapinos, Cr Kariofyllidis, and Cr Helou will attend the Assembly.

3. Issues

This year it is proposed that Council submit eight motions to the Assembly. These motions address the issues of sporting infrastructure, community infrastructure, climate change, public transport, the Building Code (specifically relating to safe, equitable and dignified access to buildings), aged services (specifically relating to Home and Community Care) and the funding of childcare and family day care.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

Officers from across Council assisted in the preparation of the attached motions.

5. Financial and Resources Implications

Three Councillors are attending this conference. Approval for this interstate trip was granted in line with Council's Interstate and Overseas Travel by Councillors Policy (CSD31), on 8 April 2009 (CEO8). This resolution has no further financial impact.

CEO14 APPOINTMENT OF MEMBERS TO COMMUNITY COMMITTEES (D09/60550)

Chief Executive Officer

Governance

Executive Summary

To engage effectively in broad community discussions and facilitate the management of a number of issues, Council operates and participates on a range of community committees. Council's approval of the appointments of members to the various committees as outlined in Attachment 1 will enable good governance and decision-making.

Following on from the appointment of Councillors to various committees at the Ceremonial Meeting on 15 December 2008, and subsequent Council meeting on 11 February 2009, an Expression of Interest process took place, seeking interest from members of the public to nominate to be elected onto various community committees. Nominations have been received and assessed and are provided to Council for adoption.

Recommendation

Council resolve that community members be appointed to the various community committees as outlined in Attachment 1.

1. Policy Context

The appointment of members to community committees is required to support Council's current operational structure on designated committees.

This is consistent with Council's approach to decision-making, policy development and community development.

2. Background

Following on from the appointment of Councillors to various committees at the Ceremonial Meeting on 15 December 2008, and subsequent Council meeting on 11 February 2009, an Expressions of Interest process took place, seeking interest from members of the public to nominate to be elected onto various community committees. Nominations have been received and assessed and are provided to Council for adoption.

3. Issues

An advertisement appeared in the *Moreland Leader* newspaper on 2 and 9 March 2009 calling for Expressions of Interest for the following Community Committees:-

- | | |
|--|---------------------|
| • Family & Children Services Advisory Committee | 3 vacancies |
| • Friends of Aileu Community Committee | no capped vacancies |
| • Moreland Arts Board | 9 vacancies |
| • Moreland Disability Advisory Committee | no capped vacancies |
| • Moreland Libraries Advisory Committee (MorLAC) | 9 vacancies |
| • Moreland Municipal Emergency Management Planning Committee | 3 vacancies |
| • Moreland Transport Advisory Committee | 12 vacancies |
| • Norm Anderson Young People's Trust | 2 vacancies |

Expressions of Interest closed at 5.00pm on Friday 20 March 2009. A number of applications from members of the public were received and assessed by the relevant Council officer responsible for the respective community committee.

No Expressions of Interest were received for the Family & Children Services Advisory Committee. The existing members are, however, keen to be active on this committee for the next two years.

The Moreland Arts Board and the Norm Anderson Young People's Trust are still in the process of reviewing Expressions of Interest. Any such recommendations will be the subject of a report to Council once the process is complete.

The proposed list of appointments to the community committees is presented to Council for adoption. This list is outlined in **Attachment 1**.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

Appointment of particular members on these community committees has been determined in accordance with each committee's Terms of Reference.

5. Financial and Resources Implications

Resourcing and the operation of these committees are supported from a number of budgets across Council.

CEO15 FRIENDSHIP CITY AGREEMENTS (D09/67784)

Chief Executive Officer

Governance

Executive Summary

Moreland City Council has been approached by both the Federazione Lucana which is the Basilicata region of Italy and the Pallaconian Brotherhood of Melbourne and Victoria which covers Sparta in Greece regarding the possibility of establishing friendship city agreements with them.

The Moreland Friendship Relationship Committee met in March 2009 to discuss the possibility of entering into friendship agreements with these cities and also recommended that Council explore the possibility of entering into agreements with Zahle` and Shweir, Lebanon and Tunceli and Çorum, Turkey.

Recommendation

Council resolve:

1. To write to the Mayor of Commune di Viggiano, Italy, the Mayor of Zahle` and Shweir, Lebanon, and the Mayor of Tunceli and Çorum, Turkey inviting them to explore the establishment of a friendship city agreement with Moreland City Council.
2. To write to the Mayor of the municipality of Sparti, Greece inviting them to explore the renewal of a friendship city agreement with Moreland City Council as per their agreement with the former Brunswick City Council.
3. To establish and sign a friendship city agreement memorandum of understanding with each of the proposed municipalities should those municipalities wish to enter into an agreement.

1. Policy Context

Friendship city relationships strengthen ties between communities for the benefit of cultural exchange and economic development. The City of Moreland is committed to supporting friendship relationships to the extent that they promote relevant cultural and historic ties and foster economic links, provided there is evidence the local community is prepared to actively support and participate in the relationship.

2. Background

Moreland City Council has been approached by both the Federazione Lucana which is the Basilicata region of Italy and the Pallaconian Brotherhood of Melbourne and Victoria which covers Sparta in Greece regarding the possibility of establishing friendship city agreements with them.

The Moreland Friendship Relationship Committee met in March 2009 to discuss the possibility of entering into friendship agreements with these cities and also recommended that Council explore the possibility of entering into agreements with Zahle` and Shweir, Lebanon, and Tunceli and Çorum Turkey.

It is considered that entering into friendship relationships with cities from countries where Moreland has experienced large amounts of migration will assist with celebrating Moreland's cultural diversity where there are existing community groups to facilitate projects.

The objective of friendship city agreements is to develop a wider community understanding of other nations, their traditions, customs and cultures and foster international peace and goodwill amongst communities. They also promote Moreland and, where appropriate, assist in fostering economic development, tourism and trade relations.

3. Issues

Special relationships with other local governments both within Australia and overseas form an important part of Council's strategic efforts. Moreland is a city that welcomes people from across the globe and in doing that celebrates its social, cultural and ethnic heritage.

Council encourages robust, transparent and responsible community representation and democratic practices. This extends to active participation by Council on a range of peak bodies and assisting other councils.

Council supports efforts aimed at sustaining social, economic, educational and cultural links with other councils.

Viggiano, Italy

Viggiano is a town and in the province of Potenza, in the Southern Italian region of Basilicata. The municipality of Viggiano has a population of 3,208 inhabitants (National census 2001). The territory of the municipality lies between 580 and 1,724 metres above sea level. The current Mayor is Giuseppe Alberti.

Council received a request from the Federazione Lucana, a large community group located in Moreland, to establish a friendship city relationship as a result of the cultural events that occurred in December 2008. In December 2008, the city of Viggiano and the City of Grumento Nova donated a statue to Moreland to honour of Italian migration from Basilicata region to Moreland.

Sparta, Greece

Sparta is a municipality in the Laconia region, Greece. It lies at the site of ancient Sparta. The population in 2001 was 18,184, of which 14,817 lived in the town itself. Sparta is the center of an agricultural plain whose focus is the Eurotas valley. It is the local center for the processing of goods such as citrus and olives.

Many Moreland residents are from the Laconia Region. In November 1987, the then Brunswick City Council signed a sister city relationship with Sparta. The Mayor at the time, Cr Colin Hall went to Sparta to formalise the relationship, this was followed by a delegation from Sparta visiting Brunswick in July 1988. For whatever reason, the relationship became dormant and the Palloconian Brotherhood of Melbourne and Victoria have approached Council to renew the relationship with Sparta.

Zahle` and Shweir, Lebanon

Zahlé is the capital of Beqaa Governorate, Lebanon. With around 130,000 inhabitants, which makes it the 3rd largest city in Lebanon, Zahle is called the bride of the Bekaa Valley. It is famous for its clean air, its resorts and its food. The city is situated 55 km to the East of the Lebanese capital Beirut. Famous for its old churches, outdoor restaurants, unique food and a water powered ice factory in Wadi El Arayesh, Zahle is on average 900 meters above sea level. It is a place that is famous for its festivals.

Shweir is the name of a small town in the Matn region of Mt Sannine, Lebanon. It is located in the shadow of the mountain overlooking Beirut and the Mediterranean Sea. People from this town have spread around the world through emigration but are still closely tied together through family contacts, periodic visits to Shweir, and their websites. The town is well known as a "resort town" where people live during the summer months. Many residents have migrated from Zahle` and Shweir to Moreland.

Tunceli and Çorum, Turkey

Tunceli (also known as Dersim) is the provincial capital of Tunceli Province in Turkey. Tunceli has a population of 25,041 (2000 census). The province covers an area of 7,774 km² and has a population of 76,401. Tunceli is located in the middle of the eastern part of Turkey. Tunceli is covered with huge mountains. The current Mayor is Edibe Şahin. Although the population of Tunceli gradually decreased, the city is very important for the people that still live in Tunceli and many others who have migrated to different cities and countries. Many residents have migrated from Tunceli to Moreland.

Çorum is a landlocked northern Anatolian city that is the capital of the Çorum Province of Turkey. Çorum is located inland in the central Black Sea Region of Turkey, and is approximately 244 km (152 mi) from Ankara and 608 km (378 mi) from Istanbul. The city has an elevation of 801 m (2,628 ft) above sea level, a surface area of 12,820 km² (4950 mi²), and as of the 2004 census, a population of 178,500. There is a very large diaspora from Corum in Moreland today, and many of the first migrants to Moreland from Turkey were from Corum.

Activities

Should friendship city agreements be put in place with these cities, there is a very wide range of potential options for relationship building activities. These include:

- Celebrating diversity and migration to Moreland;
- Cultural exchange including visual, literary and performing arts;
- Education development programs at school and post-secondary levels;
- Trade and investment programs, including trade missions; and
- Economic, tourism and sport development opportunities.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

The Moreland Friendship Relationship Committee made up of Cr Tapinos, Cr Helou, Cr Kariofyllidis and Cr Erdogan met in March 2009 to discuss the possibility of entering into friendship agreements with these cities and also recommended that Council explore the possibility of entering into agreements with Zahle` and Shweir, Lebanon and Tunceli and Çorum, Turkey.

5. Financial and Resources Implications

The investigation into the possible signing of friendship city agreements has no financial impact. Should activities result from these agreements there is a budget allocation in the Mayor and Councillors budget.

CEO16 BRUNSWICK PARK TOILET - CONTINUOUS IMPROVEMENT STRATEGY (D09/64931)

Chief Executive Officer

Governance/Civic Facilities Team

Executive Summary

Over recent years the Brunswick Park public toilet facility, located in Victoria Street, Brunswick has been the target of undesirable activity, which has negatively impacted on the satisfaction and safety of local residents and sporting clubs wishing to use this amenity.

This report provides a summary of actions and outcomes that have been delivered in response to targeting this undesirable activity as raised at the Council meeting on 11 June 2008 (CRMH21).

Recommendation

Council resolve to note the summary of actions and outcomes that have been delivered in response to the issues at the Brunswick Park public toilet facility.

1. Policy Context

Council is committed to just and equitable outcomes that are in the public interest.

2. Background

The public toilet facility located at Victoria Street, Brunswick provides amenity for surrounding users of the Brunswick Park, Brunswick Tennis Club and passing traffic. A bus stop is located directly opposite the public toilet facility.

The public toilet facility is comprised of a male, female and disabled toilet. There have been reports and complaints of undesirable activities taking place within the male toilets at this facility for some time. These activities pose risk to public safety and often result in the facility being left in very poor condition. This facility is also the target of constant vandalism including graffiti.

3. Issues

Council at its meeting on 11 June 2008 (CRMH21) resolved to investigate measures to decrease unsavory activities at this site and requested that a report be presented back to Council regarding the results of these measures.

Commencing June 2008 a review was undertaken aimed at eliminating the ongoing problems at the Brunswick Park public toilet facility. Various stakeholders were identified and strategies were developed including financial costs associated with those strategies. Actions included:

- A review of operating hours was undertaken aimed at better reflecting the needs of local sporting clubs and park users. A reduction in operating hours between summer months November to February 8am to 8pm were trialed. Operating hours for the winter months were also reviewed and refined for hours between 8am-6pm.
- Random security patrols (4 per day) were undertaken between the hours of 10am-8pm aimed at providing a presence and physical deterrent to undesirables.
- Local police were briefed on the security patrols and also made several visits to the public toilet facility in an effort to provide deterrence.
- Signage warning of security patrols, operating hours and contact telephone numbers to report suspicious activities or undesirable behavior was placed at entrance points to the public toilet facility.
- Perimeter lighting to the public toilet facility was upgraded.
- The Open Space Branch was informed of activities.

A five-month performance review of strategic initiatives was undertaken in December 2008, which included the Team Leader Civic Facilities, Manager Building Maintenance, Manager Property Services and the security provider.

The review highlighted that there was a widespread problem with the high frequency of undesirable activities taking place at the facility. It was also noted that over the five month period that a significant reduction in undesirable activities had occurred due to the strategies implemented. Although there had been considerable improvement it was considered that the goals of the project had not been yet achieved.

Ongoing patrol services remained in-place over the summer period with weekly updates on the number of undesirable people being moved away from the public toilet facility.

A further review and site inspection was undertaken in March 2009, which included the Unit Manager Building Maintenance, Manager Governance, Team Leader Civic Facilities and Council's security provider. It was decided to further increase deterrence by installing one Closed Circuit Television Unit (CCTV) and public warning signage adjacent the public toilet facility. Patrol services have remained in place. Recent security advice indicates that there has been a total reduction in undesirable activity and that patrol services can be terminated.

Over the past 4 months there have been no incidents of facility damage or graffiti. It should also be noted that there has been no complaints from residents regarding the reduced operating hours of the facility and that on several occasions' members of the public have praised the efforts of Council with eliminating public safety issues.

It is proposed to retain the CCTV unit at Brunswick Park and monitor activities over the next 3 months.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

The following people were consulted prior to or during the project - Manager Open Space, Recreation Branch, Victoria Police, INGE Security, Manager Property Service, Manager Governance, Director City Infrastructure, Unit Manager Building Maintenance Unit, Wiseclean Services and local sporting groups.

5. Financial and Resources Implications

Costs for patrol services were \$1240 per month, which included a minimum of 4 visits at approximately 15- 20 minutes per visit subject to activities taking place at arrival. Costs for the project were met between the Building Maintenance Unit and Civic Facilities operating budgets.

\$375 for the supply and installation of one CCTV Unit to the lighting pole.

\$950 for the installation of external sensor lights.

Several planning meetings and site inspections have taken place with selected stakeholders over the duration of this project.

CEO17 OUTSTANDING COUNCIL RESOLUTIONS AND REPORTS REGISTER FOR THE PERIOD UP TO 30 APRIL 2009 (D09/60992)

Chief Executive Officer

Governance

Executive Summary

At each Council and Urban Planning Committee meeting, Councillors formally adopted reports, enabling Council officers to act upon the resolutions of Council. In addition, Councillors raise items at each Council meeting, some of which are Council resolutions adopted for action by Council officers.

The Governance Unit prepares an Outstanding Council Resolution and Reports Register. The purpose of this register is to monitor the status of resolutions emanating from each Council and Urban Planning Committee meeting.

It is proposed that the Outstanding Council Resolution and Reports Register be reported to each Council meeting to provide Councillors with a regular update of the status of all adopted Council resolutions.

Recommendation

Council resolve to note the Outstanding Council Resolutions Register for the period up to 30 April 2009 as at Attachment 1.

1. Policy Context

Moreland is strongly committed to fostering open, responsive and consultative governance. A strong sense of democracy in Moreland also demands that Council acts on its responsibility to represent the needs and aspirations of its citizens to other decision makers and levels of government, as outlined in the 2007 – 2011 Council Plan.

2. Background

At each Council and Urban Planning Committee meeting, Councillors formally adopt reports, enabling Council officers to act upon the resolutions of Council. In addition, Councillors raise items at each Council meeting, some of which are Council resolutions for action by Council officers.

At the conclusion of each meeting, the Governance Unit extracts all resolutions adopted into the Outstanding Council Resolution and Reports Register. The purpose of this register is to monitor the status of resolutions emanating from each Council and Urban Planning Committee meeting.

3. Issues

The Outstanding Council Resolution and Reports Register is submitted to the Moreland Executive Group (MEG) on a monthly basis to ensure that there is a co-ordinated approach to responsibility and accountability for following up on Council resolutions via each Director.

The Executive Assistant (EA) of each department is responsible for ensuring that the information contained in the Outstanding Council Resolution and Reports Register is maintained by entering the name of the officer responsible to action the item and any appropriate comments. Where a follow up report has been requested by Council, the date this report was presented to Council is inserted. Only when an item has been actioned in its entirety, will the EA change its status to “Yes” in the “Completed” column and insert the date finalised.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

The Governance Unit has prepared this Outstanding Council Resolution and Reports Register based on resolutions adopted by Council and review by each departmental Director.

5. Financial and Resources Implications

There are no financial and resource implications for Council.

DCS9 FINANCIAL MANAGEMENT REPORT - PERIOD ENDED 31 MARCH 2009 (D09/65192)

Acting Director Corporate Services

Finance

Executive Summary

Director Corporate Services presenting the Financial Management Report for the financial year-to-date (YTD) period ending 31 March 2009.

The operating performance for the nine months ended 31 March 2009 shows that Council has an operating result before capital revenue and other items of \$2.071M, which is favourable by \$4.691M. Revenue is above budget by \$5.303M and expenditure above budget by \$0.611M.

The main items contributing to the revenue variance are subdivider contributions, early receipt of state grants, unbudgeted capital grants and improved investment returns. The main items contributing to the expense variance are employee costs although most of these are offset within the consultants and professionals line, earlier than budgeted payment of the Melbourne Fire Brigade Levy and Election expenses still to be paid.

After Capital Contributions and other items the operating result is (\$0.879M), which is favourable by \$3.030M. The forecasted position for the year-end budget result will be a surplus of \$1.380M in contrast to the budgeted break-even result. This surplus primarily relates to additional subdivider contributions, these funds are allocated to the 2009/10 Capital Works Program.

Permanent savings and shortfalls are being identified across the organisation, further details are disclosed in Attachment 1.

Attachment 1 outlines high level favourable and unfavourable category results and comments on the closing cash position and capital performance. A brief snapshot of each Department is also provided in (Attachment 1 Section 4).

Recommendation

Council resolves to receive the Financial Management Report for year to date 31 March 2009.

REPORT

1. Policy Context

This report supports Council's continuing commitment to open and accountable management of the financial resources of Moreland on behalf of its ratepayers.

2. Background

The Financial Management Report ([Attachment 1](#)) provides Council's financial results for the year-to-date (YTD) period, ending 31 March 2009. The actual results are compared to the Budget. Commentary has been provided in [Attachment 1](#).

3. Issues

3.1 Operating Budget

The operating result shown in the attached Financial Management Report is favourable to budget by \$3.030M.

Revenue is \$3.641M favourable, due primarily to favourable positions in user fees, grant funding sources and other revenue income. This is offset by an unfavourable position in transfers to reserves \ asset sales.

Further commentary has been provided in [Attachment 1 Section 1](#).

Expenditure is \$0.611M unfavourable, due to enduring overspends arising from the engagement of contractors to fill vacant positions. This is offset by savings identified within the Employee Benefits and Other Materials & Services categories.

Further commentary has been provided in [Attachment 1 Section 1](#).

3.2 Capital Works Budget

Overall capital program spending was \$3.763M behind budget year to date. Summary information has been provided in [Attachment 1 Section 2](#).

3.3 Cash and Assets

The cash balance has decreased by \$2.911M from the prior month. Summary information has been provided in [Attachment 1 Section 3](#).

4. Consultation

The Finance & Business Systems Branch has prepared this report based on information provided by Managers and reviewed by Directors.

5. Financial and Resources Implications

The overall corporate objective is to deliver the 2008-2009 budget outcomes as closely as possible in line with the adopted budget targets.

DCS10 CONSIDERATION OF TENDERS FOR CATEGORIES OF SPEND IN EXCESS OF \$150,000 (D09/57695)

Acting Director Corporate Services

Finance and Business Systems

In accordance with Section 89(2) of the Local Government Act, it is proposed that the confidential attachments to the report should not be publicly disclosed because it is a contractual matter.

Executive Summary

In accordance with Section 186(1) of the *Local Government Act 1989*, Council tendered a number of categories whereby the spend for goods and services exceeded \$150,000. Public Tenders for the Provision of Goods and Services in a number of categories were advertised in *The Age* newspaper between January to February 2009. The tenders were designed to engage a panel of contractors with a schedule of rates for each of the categories and contracts will be for a period of three years with a further two one-year options.

Recommendation

Council resolve:

1. To accept the tenders for the identified areas of spend as per the spreadsheet shown in Confidential Attachment 1.
2. That the responsible Directors be authorised to enter into a three-year (+ 2 one-year options for extension) contract and to sign the necessary contract documentation.
3. To inform the tenderers of the outcome.

REPORT

1. Policy Context

The development of the tenders was exercised in accordance with Council's purchasing policy and commitment to an open competitive process.

2. Background

In late 2008, Corporate Performance and Improvement conducted a review of suppliers by category, paid in excess of \$150,000 without being subject to tender. The results indicated that there was twelve categories of spend that required tendering as a priority. These included:

1. Food Services
2. Automotive Spare Parts
3. Tyres and Batteries
4. Provision of Landscape Services and Supplies
5. Provision of Turf Services and Supplies
6. Provision of Arboricultural Services and Supplies
7. Provision of Playground services and Supplies
8. Corporate Uniforms and Personal Protective Equipment
9. Corporate Catering
10. Provision of Hardware Supplies
11. Provision of Audio Visual Supplies
12. Corporate Event Logistical Services and Supplies

To date all categories have gone to public tender and been fully evaluated with seven of the categories having been adopted by Council at its meeting of 8 April 2008 (CEO5). The results of the remaining five categories (see **Confidential Attachment 1**) are to be considered in this report.

3. Issues

In assessing the tenders, consideration was given to:

- Capability offered by the tenderers (this includes level of service offered, operating methodology, ability to deliver the service, experience, reliability, customer service)
- Price
- Technical capability of the tenderers (this includes insurance, warranty and OH&S systems)
- Extent to which the tenderer works towards corporate governance, social and sustainability goals in the product and in their business.

Submissions failed to be considered because of the following factors:

- Failure to complete a number of sections of the tender documents.
- Inability to provide evidence of Insurances, (some having little or no coverage), OH&S Policies and Risk Management Strategies.
- A much higher schedule of rates than competing applicants with no indication of value for money
- Not competitive in areas of pricing, sustainability and quality

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

Public advertisements were placed in *The Age* newspaper inviting tenders for the provision of goods and services in each of the categories, a schedule of dates has been provided in **Confidential Attachment 1.**

A broad range of Council officers were consulted in the development of the specifications and in the evaluation process as panel members. This included Fleet Management, Occupational Health and Safety representatives, Waste Services, Street Cleansing, Building Maintenance, Open Space, Human Resources, Aged and Disability Services, Communications and Research, Food Services, Citizens Services, Civic Facilities, Youth Services, Aged Services, Libraries, Arts and Culture, Environmental Health, Civic Safety and Amenity, Leisure Services, Sustainable Development, Road Maintenance, Finance, The Coburg Initiative, Governance and Social Policy. The assessment panels ranged in size from three to fifteen representatives and comprised of a combination of staff from across Council.

5. Financial and Resources Implications

The budgets for each of the categories will be the responsibility of the individual units across Council.

DCS11 CONSIDERATION OF EXPRESSION OF INTEREST FOR LEGAL SERVICES PANEL (D09/62804)

Acting Director Corporate Services

Finance and Business Systems

In accordance with Section 89(2) of the Local Government Act, it is proposed that the confidential attachments to the report should not be publicly disclosed because it is a contractual matter.

Executive Summary

Council has invited legal services providers to respond to an Expression of Interest to appoint a panel of quality suppliers to provide legal services and advice for the next 12 months with an option of extending the contract by a further 2 x 1 year options. This will replace the previous contract that expires on 30 June 2009.

Services covered in the Expression of Interest include:

- Verbal and written advice
- Preparation of proceedings and representation in Courts, Tribunals and Commissions
- Drafting of documents and agreements
- Overall case management
- Training and education for Council officers on an “as need” basis
- Advice on the effective management and implementation of systems to minimise legal problems and to achieve statutory compliance.

Council called for Expressions of Interest for the provision of legal services in early March 2009. Submissions closed on 30 March 2009. The suppliers recommended in the attachment to this report have been selected from a highly competitive process that meets Council’s requirements and represents the best value for money available in the marketplace.

Recommendation

Council resolve:

1. To accept the suppliers for the legal services panel as shown in Confidential Attachment 1.
2. That the Acting Director Corporate Services be authorised to enter into a 12 month contract (+ 2 x 1 year options for extension) and to sign the necessary contract documentation.
3. To inform the suppliers of the outcomes.

1. Policy Context

The development of the Expression of Interest was exercised in accordance with Council's Procurement Policy and commitment to an open competitive process.

2. Background

The current legal services contract is due to expire on 30 June 2009. Planning for the Expression of Interest began with an internal consultation process to ensure that internal stakeholders had the opportunity to be part of the process and that their existing suppliers were invited to express an interest.

3. Issues

In assessing the Expressions of Interest consideration was given to:

1. Expertise

- Demonstrated legal expertise.
- Ability to meet the legal needs of Council

2. Managerial

- Innovation.
- Use of prevention strategies.
- Demonstrated ability to provide timely and effectively services.

3. Financial

- Cost control strategies and systems.
- Capacity to supply the proposed legal services.

4. Values

- Organisational values and impact on service delivery.
- Commitment to sustainability and Council's Vision and Mission.

Submissions failed to be considered because of the following factors:

- Failure to complete a number of sections of the Expression of Interest documents.
- Not Competitive in areas of experience, pricing, sustainability and quality.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

Public advertisements were placed in *The Age* newspaper inviting Expressions of Interest for the provision of legal services. A broad range of Council officers were consulted in the development of the specifications and in the evaluation process as panel members. This included Property Services, Building Services, Civic Safety and Amenity and Human Resources.

The assessment panel included representatives from Governance, Urban Planning, Contract Support and Legal Services areas.

5. Financial and Resources Implications

The budget for legal expenses will be the responsibility of the Legal Services Unit which will be allocated upon sign off by the Acting Director Corporate Services upon completion of the relevant paperwork in line with the Legal Services Protocol by the officer / Director seeking legal advice.

DCD27 COMBINED AMENDMENT C97 AND PLANNING PERMIT MPS/2009/73 - 81A BELL STREET, COBURG (FORMER COBURG HIGH SCHOOL SITE) (D09/67150)

Director City Development

Sustainable Development Branch / Strategic Planning Unit

Executive Summary

A combined planning scheme amendment and planning permit application has been lodged for the former Coburg High School site (81A Bell Street, Coburg).

Amendment C97 proposes to rezone the site to the Mixed Use Zone, remove the two Heritage Overlays currently on the site and make changes to the Coburg Activity Centre Local Policy. The combined planning permit proposes a mixed use building of up to 13 storeys, comprising 520 dwellings, commercial uses and community facilities; a reduction in the standard requirements for car parking and loading/unloading of vehicles; removal of existing easements; and alterations to existing access arrangements from Bell Street.

The proposal is generally consistent with the policy directions of both the State Government and Moreland City Council to encourage urban consolidation in and around activity centres. If built, the proposal is expected to increase the number of people living within the Coburg Activity Centre, with good access to shops, services and public transport, as well as adding to the amount of employment-generating floorspace (ie. commercial floorspace) within the centre. However, the proposal is inconsistent with the built form pattern and height controls contained in the *Central Coburg 2020 Structure Plan* and associated local policy included in the *Moreland Planning Scheme*.

Upon consideration of the merits of the proposal (including commitment to a high quality architectural design, managing off-site impacts, best practice environmental design, affordability and accessibility) and subject to the resolution of a number of outstanding issues, it is recommended Council request the Minister for Planning to authorise the preparation of the amendment. The amendment should then be subject to a period of public exhibition to allow Council to review the proposal in light of community feedback.

The *Coburg Activity Centre Local Policy* included in the Moreland Planning Scheme is due to expire on 31 August 2009. It is therefore necessary to request the Minister to extend the expiry date on the local policy until such time as the controls are translated into the proposed new Activity Centre Zone and / or the controls are reviewed as part of The Coburg Initiative project.

Recommendation

Council resolve:

1. To write to the Minister for Planning seeking authorisation to prepare combined Amendment C97 and Planning Permit MPS/2009/73, subject to resolution of outstanding issues (as documented in Attachment 4), to the satisfaction of the Director City Development.
2. To endorse for the purposes of public exhibition the proposed changes to the *Coburg Activity Centre Local Policy* (cl.22.12) included in Attachment 6 and that these changes form part of Amendment C97, in place of the changes requested by the proponent.
3. Following receipt of the Minister's authorisation of Amendment C97, proceed to public exhibition of the combined amendment / permit, in accordance with the *Planning and Environment Act 1987*.

4. To request the Minister for Planning use his intervention powers to extend the expiry date of the *Coburg Activity Centre Local Policy* (cl.22.12), in accordance with Section 20(4) of the *Planning and Environment Act 1987*, until such time as Council is in a position to translate the controls into the new Activity Centre Zone and / or to review the controls based on the outcomes of The Coburg Initiative project.
5. To request a report from the Director City Infrastructure for consideration at the next Council meeting on the feasibility and resourcing requirements of a Resident Parking Permit Scheme that prohibits access to on-street parking permits for residents of new medium density developments.

1. Policy Context

The former Coburg High School site is located within the Coburg Principal Activity Centre. The following policy documents contain the policy context for consideration of the proposal.

- Melbourne 2030
- Melbourne @ 5 Million
- Central Coburg 2020 Structure Plan
- Municipal Strategic Statement (MSS) and Coburg Activity Centre Local Policy
- The Coburg Initiative

Relevant policy objectives of each document are discussed in **Attachment 1**. An assessment of the proposal against the policy context is provided below in Section 3 of this report.

2. Background

On 18 February 2009, a combined planning scheme amendment and planning permit application (Amendment C97) was lodged for the former Coburg High School site, located at 81A Bell Street, Coburg. A map showing the site's location and context is included as **Attachment 2**. Given the site's significance as a major redevelopment site within the Coburg Activity Centre, the formal amendment request was preceded by an extensive period of pre-application discussions led by the Chief Executive Officer, in conjunction with officers from The Coburg Initiative and the City Development Directorate.

The proposed Amendment C97 has been prepared to facilitate a combined planning scheme amendment and planning permit process. Section 96A of the *Planning and Environment Act 1987* provides for a Planning Authority to consider an application for a planning permit concurrently with an amendment to a planning scheme.

The planning scheme amendment, as requested, proposes to:

- Rezone the subject land from a Residential 1 Zone (R1Z) to a Mixed Use Zone (MUZ);
- Remove the two Heritage Overlays affecting the land (HO21 – Former Coburg High School and HO31 – Bridges Reserve and City Oval); and
- Replace the existing interim local policy at clause 22.12 (Coburg Activity Centre) of the Local Planning Policy Framework (LPPF), with an amended version which revises the land use and built form objectives and outcomes to be achieved on the site, and includes *The Former Coburg High School Urban Design Framework 2008* (prepared for the proponent by David Lock & Associates) as a Reference Document in the policy.

The planning permit application, as requested, proposes a mixed use building of up to 13 storeys, comprising 520 dwellings, commercial uses (and associated sale and consumption of liquor) and community facilities; a reduction in the standard requirements for car parking and loading/unloading of vehicles; removal of existing easements; and alterations to existing access arrangements from Bell Street.

A single building is proposed, defined by a continuous, undulating building form around the perimeter of the site. The building form comprises inner and outer 'rings', ranging in height from 2 to 13 storeys across the site.

The building is set back a minimum of 2.5 metres from the Bell Street, Rodda Street and Bridges Reserve title boundaries. The building is setback 12 metres from the southern boundary, providing a new pedestrian link to Bridges Reserve and an informal access road servicing the building's waste collection and loading area.

An internal landscaped open space is located central to the site, surrounded by the perimeter building. An opening in the eastern and western facades links this internal space to Rodda Street and Bridges Reserve. A further opening is provided within the north western façade, linking the internal space with a triangle of public open space at the building's north west entry.

A selection of images and plans of the proposed building are provided at **Attachment 3**.

3. Issues

At this first formal stage of the combined amendment / permit process (following informal preapplication discussions), a preliminary assessment of the proposal has been undertaken. It is recommended the combined amendment / permit are of sufficient merit to warrant Council's support for public exhibition, subject to the resolution of a number of details, discussed below.

Following public exhibition, a comprehensive assessment of the proposal will be completed and a further report put to Council to enable consideration of the proposal in light of community feedback.

Strategic Assessment of Proposal

The relevant policy context for the proposal is detailed in **Attachment 1**.

The combined amendment / permit proposal for the former Coburg High School site is generally consistent with the high level policy directions of *Melbourne 2030*, *Melbourne @ 5 Million*, Moreland's objectives to encourage urban consolidation around activity centres and objectives of *The Coburg Initiative*. If built, the proposal is expected to have a significant impact on the number of people living within the Coburg Activity Centre, with good access to shops, services and public transport, as well as adding to the amount of employment-generating floorspace (ie. commercial uses) within the centre.

Notwithstanding the proposal's consistency with overarching policy directions and a number of positive elements unique to the development (detailed in this report), the proposal fundamentally diverges from the built form pattern applied to the activity centre and the subsequent height controls defined for the site in the *Central Coburg 2020 Structure Plan* and translated into policy in the *Moreland Planning Scheme*.

However, the Structure Plan includes a statement that proposals not consistent with the built form guidelines may be considered by Council "*on larger sites where exemplary design is achieved, and it can be demonstrated that off-site impacts can be mitigated through the design response, including overshadowing of public open space areas.*"

It is on this basis and the potential of the project to have a significant impact on the implementation of urban intensification policy that the combined amendment / permit, subject to resolution of detail, is recommended to proceed. The proposal demonstrates commitment to a high quality architectural design, managing off-site impacts, best practice environmental design, affordability and accessibility. Whilst some of these matters require further resolution, it is recommended the proposal be subject to formal public exhibition to provide Council with a good understanding of community feedback on the project.

In addition, consideration has been given to the fact that Council's Coburg Initiative team is currently revisiting of the built form guidelines contained in the *Central Coburg 2020 Structure Plan*. It is expected that the results of this work will alter the existing built form controls currently included in the Moreland Planning Scheme. This situation reduces the level of weighting that would otherwise be applied to the height controls contained in the *Central Coburg 2020 Structure Plan* and *Coburg Activity Centre Local Policy* when assessing the current proposal.

Outstanding Matters

A number of outstanding matters require resolution with the proponent prior to public exhibition. These matters are included in **Attachment 4**. It is recommended that these matters be resolved to the satisfaction of the Director City Development, prior to requesting the Minister's authorisation of the amendment.

Environmental Implications

In addition to the environmental benefits of urban consolidation, the proposal includes commitments to best practice environmental design. Key ESD features of the proposed development include an average 6 star energy rating; 8kW photovoltaic array; centralised solar hot water system; target recycling rate of 80% of construction and demolition waste; an integrated water management system with opportunities for a blackwater treatment system to meet the irrigation and toilet flushing demand of the development and the irrigation demands for Bridges Reserve and Coburg City Oval; rainwater harvesting system; and a Green Travel Plan.

Social Implications

The proposal provides for a significant gap in the housing market for smaller dwellings, assisting to meet the population's changing housing needs associated with smaller households.

The proponent contends that the concentration of a significant number of smaller dwellings within the development will enable the developer to deliver the dwellings at a price point (advised to be >\$300,000 in current price terms) more affordable than the current Coburg median unit price (which is currently \$300,000). The Housing Needs Website 2008 indicates that an income of approximately \$75,000 is needed to purchase a dwelling of approximately \$300,000. The proponent is also investigating other affordability options through the Federal Government's Housing Affordability Fund by potentially providing new stock for purchase below the average entry threshold price.

Some concerns have been raised regarding the potential for adverse social outcomes given the lack of dwelling diversity in such a large development (the proposal is for a significant concentration of 520 small 'affordable' dwellings in the one development). The unintended consequences of a significant concentration of one household type (1-2 people on low incomes) are difficult to predict but it is commonly agreed that household diversity is intrinsic to the social health of the community.

The proposal includes a commitment to housing accessibility by including a proportion of dwellings to be adaptable for people with a disability. Further details on accessibility and adaptability have been requested (refer **Attachment 4**).

The proposal has the capacity to accommodate a range of community facilities, subject to agreement between the proponent and relevant community agencies and groups. Current intentions include space for the Coburg High School Historical Society, a local artists studio, a new community room / library, and opportunities in conjunction with the Coburg Primary School for an after school program for non English speaking students and an arts program for students to work with the 'artist in residence'.

Economic Implications

The proposal should have positive economic effects as a result of the substantial increase in housing provision and commercial floorspace within the Coburg Activity Centre. Increasing the resident population within the centre will result in increased local spending and in turn, the ability to support a greater number and range of commercial businesses to sustain the centre as a whole. The provision of increased commercial space, including offices will also increase the number of job opportunities sustained by the centre.

In the current context of the Global Financial Crisis, the need to facilitate development projects and consequent economic stimulation and job creation is increasingly highlighted by the State and Federal Government.

Regional / Strategic Implications

As discussed in the *Strategic Assessment of the Proposal* above, the combined amendment / permit has the potential to make a significant contribution to the implementation of State and Local Urban Consolidation Policy.

Coburg Activity Centre Local Policy (interim)

The proponent has requested that part of Amendment C97 include changes to the *Coburg Activity Centre Local Policy* included at Clause 22.12 of the *Moreland Planning Scheme*. The changes requested are summarised in **Attachment 5**.

Council Officers do not agree with the proposed changes for the reasons outlined in **Attachment 5** and have proposed alternative changes, based on the existing content of the *Central Coburg 2020 Structure Plan*. These changes are included in **Attachment 6** as a 'tracked changes' version of the existing policy.

The Department of Planning and Community Development (DPCD) has reviewed the changes to the local policy proposed by the proponent and the changes proposed by Council Officers. The DPCD advise that they prefer the proponent's version as they believe it provides the clearest policies for development outcomes on the site. The DPCD has also advised that they believe the proponent's changes to be minor and could therefore be considered separately to the rest of Amendment C97 and approved by the Minister without the need for public exhibition.

It is not agreed that the changes requested by the proponent are minor. The changes essentially replace the existing 2-3 storey height limits for the site with reference to a document prepared by the proponent that indicates 14-15 storeys is acceptable on parts of the site (fronting Bridges Reserve). These changes could in no way be considered policy neutral. Due to the conjecture regarding changes to the local policy, proposed changes should be subject to public exhibition to allow all parties to make their case and have it considered by the community and consequently a Planning Panel.

The *Coburg Activity Centre Local Policy* is an interim policy and expires on 31 August 2009. The Minister for Planning approved the policy on an interim basis to ensure that the requirements of the Structure Plan are considered in decision making while a more comprehensive planning scheme amendment was prepared. The interim policy has not itself been subject to public exhibition because it is a translation of the land use and built form guidelines of the *Central Coburg 2020 Structure Plan*, which was adopted by Council following extensive community consultation.

The preparation of the more detailed planning scheme amendment for the Coburg Activity Centre was put on hold when Council embarked on The Coburg Initiative. More recently, the State Government has proposed the introduction of a new Activity Centre Zone and has advised that the new Zone will be finalised mid year. The Structure Plan and Local Policy are required to be translated into the new Zone, although the timing and process to do so are not clear at this stage.

Given the more recent work currently being undertaken by The Coburg Initiative, it is likely that the land use and built form guidelines included in the Structure Plan and local policy will be superseded. The Coburg Initiative is entering into a phase of community consultation in the development of a spatial masterplan for Central Coburg. This consultation will assist to inform Council as to the community's current response to urban consolidation objectives and associated increase in the scale of built form within the Coburg Activity Centre.

In the context of The Coburg Initiative and associated community consultation program, the imminent release of a new Activity Centre Zone, and the expected need to comprehensively amend the existing planning scheme controls as a result of this work, it is appropriate at this stage to request the Minister for Planning to extend the expiry date of the Local Policy.

The form this process would take is to request the Minister use his powers of intervention to amend the planning scheme, without the usual public exhibition requirements. It is appropriate to remove public exhibition because the policy is an interim policy, based on the existing Council adopted *Coburg 2020 Structure Plan*, to remain in place whilst the following activities are completed:

- The Coburg Initiative develops a spatial masterplan and undertakes associated community consultation activities (to be completed by end 2009). A review of the Structure Plan and Local Policy will then be undertaken to determine the need to amend the existing land use and built form guidelines for the activity centre.
- The new Activity Centre Zone is finalised by the DPCD and consideration is given to the translation of appropriate controls for Coburg into the Activity Centre Zone and the need for any community consultation as part of this process.

Resident Parking Permit Scheme

The planning permit combined with Amendment C97 requests a reduction in the standard requirements for car parking on the grounds that the development is well located to public transport alternatives.

In an effort to reduce the potential impact on on-street car parking in Rodda Street, the proponent has requested Council consider the introduction of car parking restrictions in Rodda Street by way of a Parking Permit Scheme that favours existing residents. Future residents of the proposed development would not be eligible for on-street parking permits. Similar schemes are already in operation in other municipalities of Yarra, Port Phillip and Melbourne.

This matter is also relevant to other developments within the municipality and cannot be dealt with as a condition on a planning permit so another method of implementation should be explored.

To further Council's consideration of this opportunity, it is recommended Council receive a report from the Director City Infrastructure on the feasibility and resourcing requirements of a Resident Parking Permit Scheme that prohibits access to on-street parking permits for residents of new medium density developments. This report should consider car parking impacts resulting from new development within Activity Centres and within the municipality as a whole.

4. Consultation

- Councillors have been consulted at two briefing sessions held on 5 February and 6 March 2009.
- Advice was sought from officers across Council. The assessment contained in this report was informed by the Activity Centres Unit, The Coburg Initiative team, the ESD Unit, Council's Development Advisor, Housing Officer and Accessibility Officer.

- Advice from the Department of Planning and Community Development has informed the preparation of this report.

5. Financial and Resources Implications

Statutory fees and costs associated with the preparation of the combined amendment / permit will be met by the proponent. Administrative costs associated with facilitating the amendment and officer resourcing is met by the Sustainable Development Branch budget.

DCD28 AMENDMENT C96 - 54 DAWSON STREET, COBURG NORTH (D09/43979)

Director City Development

Sustainable Development Branch/Strategic Planning Unit

Executive Summary

Amendment C96 affects the land at 54 Dawson Street, Coburg North, which is currently occupied by the Kangan Batman TAFE (Coburg North Campus). The Victorian Skills Commission has advised that the Kangan Batman TAFE will be moving to alternative premises in the near future.

It is proposed to rezone the part of the land that is currently within a Public Use Zone (PUZ2 - Education) to an Industrial 1 Zone (IN1Z). The rezoning is direct implementation of the Moreland Industrial Land Use Strategy (MILUS).

The amendment was exhibited in accordance with the requirements of the *Planning and Environment Act 1987* for a period of one month between 5 February 2009 and 6 March 2009. Four submissions were received in total and none of the submissions sought changes to the amendment. No changes to the amendment have occurred since authorisation of the amendment was received.

This report recommends that Amendment C96 be adopted as exhibited, and that it be submitted to the Minister for Planning for approval.

Recommendation

Council resolve:

1. The adopt Amendment C96 in accordance with Section 29(1) of the *Planning and Environment Act 1987* without changes.
2. To submit Amendment C96 to the Minister for Planning for approval.

1. Policy Context

The proposed amendment is consistent with the State Planning Policy Framework (SPPF) and Melbourne 2030 in that it will facilitate the use of appropriately located land for an industrial purpose, providing employment and economic benefits.

The amendment is a direct implementation of the Moreland Industrial Land Use Strategy (MILUS). The subject land has been identified in the MILUS as a Category A – Core Industry and Employment Area. Category A areas are relatively unconstrained by residential or other sensitive uses, and are appropriate areas for industrial uses to locate. The proposed rezoning will facilitate the land use outcomes envisaged by the MILUS for Category A areas.

The Youth Strategy 2004-2009 addresses the needs of young people in Moreland. Education and employment is a major theme in the strategy. The loss of land zoned for public education purposes does not prejudice the objectives of the Moreland Youth Strategy.

2. Background

The amendment applies to land located at 54 Dawson Street, Coburg North as shown on **Attachment 1**. The Kangan Batman TAFE - Coburg Campus, currently occupies this land, along with multiple sites that adjoin 54 Dawson St. The majority of the Kangan Batman TAFE premises are already located in an Industrial 1 Zone.

The land subject to the rezoning is currently within a Public Use Zone - Schedule 2 (Education). The land is not subject to any overlays. The explanatory report contained in **Attachment 2** provides a detailed assessment of the proposed amendment.

The Victorian Skills Commission has advised that the Coburg Campus of the TAFE will be moving to new premises in the near future. It is most likely that this Campus of the TAFE will move to the new Kangan Batman TAFE premises at the Docklands.

3. Issues

Public Exhibition

The amendment was placed on public exhibition for a period of one month between 5 February 2009 and 6 March 2009.

Public exhibition was carried out in accordance with Section 19 of the *Planning and Environment Act 1987*, and included the following:

- Letters advising of the proposed amendment sent to prescribed Ministers and service authorities.
- Letters advising of the proposed amendment to materially affected property owners/occupiers.
- Public notice was published in the Moreland Leader newspaper on the 2 February 2009.
- Notice was published in the *Government Gazette* on the 5 February 2009.
- Placing of the amendment documentation at the Coburg, Brunswick and Glenroy Citizen Service Centres.

A total of four submissions were received. All submissions received were from service and referral authorities – Yarra Valley Water, Vic Roads, Melbourne Water and the Department of Sustainability and Environment (on behalf of the Minister for Environment). The submissions were standard formal replies and did not seek to change the amendment. As such, there is no requirement to refer this amendment to an Independent Panel for consideration.

Proposed Zoning

The Moreland Industrial Land Use Strategy (MILUS) includes the subject land in the Category A – Core Industrial Area. MILUS identifies the IN1Z as the appropriate zone to facilitate industrial uses within this category.

The rezoning allows the subject site to be incorporated into the larger industrial area that currently surrounds the site. The Public Use Zone 2 is an anomaly, otherwise described as an 'island site' within the Core Industrial Area which is predominantly zoned IN1Z with an IN3Z at the periphery where it abuts residential zoned land.

The rezoning of the land to an IN1Z will allow it to be used for all industrial uses currently allowed in the broader precinct. These uses are appropriate for the Core Industrial Area. The MSS and LPPF direct that the Core Industrial Areas within the municipality are the preferred locations for major manufacturing and associated industries that generate higher rates of commercial vehicle traffic and activity. The proposed rezoning will assist in the implementation of this directive.

Loss of land zoned for a Public Education Use

The rezoning will result in a loss of land zoned for a public education use. It is important to note however, that the use of the site for a TAFE facility can continue if the land is rezoned as the land currently enjoys existing use rights for tertiary education in accordance with Clause 63 of the Moreland Planning Scheme. These existing use rights would preserve the use of the land for the purposes of a tertiary education facility regardless of any change in operator. In addition, within the IN1Z a tertiary education facility is a Section 2 'permit required' use, such that there is ability for the TAFE to continue at the site with an opportunity to undertake alterations or additions, subject to the approval of a planning permit.

The Moreland City Council's Youth Strategy 2004-2009 is a key policy document for Council to address the needs of young people in Moreland. The Youth Strategy objective for education and employment, a major theme in the strategy, is:

'To improve access to quality education, employment and training for young people in Moreland.'

The loss of land zoned for public education purposes does not prejudice the achievement of Moreland Youth Strategy objectives as they relate to tertiary education facilities, as this use can continue to operate within an IN1Z.

In relation to the site not being able to be used for a primary or secondary education purpose in future due to the rezoning, the Youth Strategy does not identify a need to establish any new primary or secondary schools within the Coburg North area. Council's Youth Strategy identifies a need for more information on alternative education pathways for young people, such as combining secondary schooling with apprenticeships or traineeships. Thus, the focus of the Youth Strategy is on improving the current primary or secondary education establishments to offer such programs, rather than identifying a need to build any additional primary or secondary schools.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

Amendment C96 was placed on public exhibition from 5 February to the 6 March in accordance with the requirements of Section 19 of the *Planning and Environment Act 1987*.

Council's Social Development Department, particularly the Social Planning and Policy Unit, has been consulted during the consideration of this amendment.

The Portfolio Councillor City Development, Cr Connellan, has been consulted during the preparation of this report.

5. Financial and Resources Implications

Statutory fees and costs associated with the amendment will be met by the proponent.

Administrative costs associated with facilitating the amendment and officer resourcing is met by the Strategic Planning Unit budget.

DCD29 CENTRAL COBURG DESIGN REVIEW PANEL (D09/63183)

Director City Development

Urban Planning & Building Services

Executive Summary

This report provides Council with an update on the establishment of the independent Central Coburg Design Review Panel (DRP) and seeks Council adoption of final Terms of Reference for the Panel.

On 9 July 2008 Council resolved to establish an independent Central Coburg Design Review Panel (Report CEO6). The Panel is tasked with the provision of independent advice to Council and Council officers about urban design issues affecting major developments within the Central Coburg Activity Centre. In addition, the Panel will advocate on behalf of the Coburg Initiative and participate in urban design professional development workshops at Moreland.

Recommendation

Council resolve:

1. To note the report on the establishment of the independent Central Coburg Design Review Panel to provide expert advice to Council on design matters relating to development proposals in Central Coburg.
2. To adopt the final Central Coburg Design Review Panel Terms of Reference 2009.

1. Policy Context

This report supports the commitments that form the vision of the Central Coburg 2020 Structure Plan adopted by Council in August 2006.

Council Municipal Strategic Statement (MSS) detailed within the Moreland Planning Scheme articulates a future vision for Moreland including Central Coburg 2020. The MSS includes key strategic statements for Urban Design, Urban Character and street landscape, as one of 10 issues of land use and development prepared in order to achieve Moreland's vision. The establishment of Central Coburg Design Review Panel (DRP) aims to further advance these key strategic statements by informing Council's planning decision-making.

2. Background

Council adopted the Central Coburg 2020 Structure Plan in August 2006 and has since embarked on The Coburg Initiative to implement the Structure Plan.

As part of The Coburg Initiative, Council is about to embark on a series of building projects that will have significant design implications. Issues that will require measured consideration include urban and landscape design as well as architectural merit.

Council has a demonstrated commitment to high quality design outcomes. Council currently uses internal expertise within the Urban Planning & Building Services Branch, Sustainable Development Branch and Activity Centres Team to assist with design matters relating to large-scale developments. However the opportunity exists to further enhance internal capacity and Council's overall urban design performance in Moreland through the operations of the Central Coburg Design Review Panel (DRP).

The role of the DRP is to provide independent expert advice on matters relating to architecture, landscape design and urban design. The advice will be provided to proponents (including the Coburg Initiative) and Council as part of the consideration and determination of planning approvals.

Council undertook an expression of Interest process in August/September 2008, which resulted in the engagement of the following experts to constitute the DRP:

- Steve Thorne, Design Urban (Chair)
- Kirsten Bauer, Aspect Design Studio (Panel member)
- Jon Shinkfield, EDAW (Panel member)
- Simon McPherson, SJB Urban (Panel member).

All panel members have considerable professional urban design or landscape architecture experience at either a national or international level and are very well regarded with their respective fields of expertise.

In addition the Director City Development and Manager Urban Planning & Building Services have met with the Office of the Victorian Government Architect who have since written to Council to confirm their recognition of the Coburg Initiative as an important project and the involvement of Jennifer Calzini, from the Office of the Victorian Government Architect as a Panel Member.

3. Issues

Following the Council elections and Christmas/New Year holiday period the first inception meeting of the DRP was held in mid January 2009. This meeting provided the opportunity for the Panel to brief on The Coburg Initiative and the Pentridge development sites as well as resolve operational and process matters.

At this meeting the Design Review Panel also reviewed the Terms of Reference adopted by Council and provided feedback. As a consequence of feedback received and a review by officers from Council's City Development Directorate an update 'Terms of Reference' document has been prepared reflecting the views of the Panel and incorporating other changes arising from Expression of Interest process and final form of the DRP.

The updated Terms of Reference are included at **Attachment 1**.

A further meeting of the DRP was held in February 2009 with two developments within the Pentridge Village site presented to the Panel. The Panel's recommendations for improvements to both projects were provided to Pentridge Village the following week; however no design changes have been made by the developers to date. Both these applications will now be determined by the Minister for Planning. Council's recommendations of these applications will be supplied to the Minister, together with the independent report from the DRP.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

The Portfolio Councillor City Development, Cr Jo Connellan has been informed of the content of this report.

5. Financial and Resources Implications

In accordance with the outcome of a report to the Moreland Executive Group an operating project budget allocation will be required in the 2009/2010 financial year for the operations of the DRP based on:

- eleven meetings per year attended by all 3-4 members, and
- participation in a quarterly Design Workshop by 3 DRP members for Council officers.

DCI19 REVIEW OF PARKING RESTRICTIONS STEWART STREET, BRUNSWICK EAST (D09/67474)

Acting Director City Infrastructure

Asset Planning

Executive Summary

With the increased parking demand generated from restaurants on Lygon Street, Brunswick East, Council has received a petition from the local residents of Stewart Street, requesting permit parking for residents due to parking saturation caused by the popularity of the restaurants.

To assess the impacts of parking by the restaurants in the area, a five-day parking survey was carried out for the area, during operational times of the restaurants. The survey revealed that all parking sites were being utilised to capacity on Stewart Street, east of Lygon Street (on the basis that 85% is considered effectively full).

The parking spaces on Stewart Street, east of Lygon Street showed to be 90% and 82% full respectively as illustrated in Attachment 2. See Attachment 1 for a diagram of the area.

It should be noted that there are existing 2-Hour restrictions on Stewart Street, east of Lygon Street located on the north side from No.123 to 137 Stewart Street. Restrictions are Monday to Friday 8am to 6pm and it is proposed to extend these restrictions to 7 days per week.

The results indicate that parking is at its capacity on Stewart Street, east of Lygon Street from 6pm to 10pm during the operational hours of the restaurants on Lygon Street.

Recommendation

Council resolve to:

1. Change the existing 2-Hour Parking restrictions in Stewart Street, east of Lygon Street from 8am to 6pm Monday to Friday to 8am to 6pm Monday to Sunday.
2. Introduce resident only Permit Zone to the existing restrictions on Stewart Street, from 123 Stewart Street to Temuka Avenue with times from Monday to Sunday 6pm to 10pm.
3. Review introduced resident permit zone three months after the installation of the parking signage and advise ward Councillors of the findings.

1. Policy Context

Council's Parking Strategy highlights user priority when allocating parking restrictions for streets that are not shopping strips or industrial areas. This includes:

- Residents having high priority (by using 2P and 1P restrictions with parking permit exemption)
- Local employees and commuters having lower priority.

Council's Parking Action Plan 1 (PAP1) highlights the consideration of permit parking where parking occupancy is considered full (85% being considered as full).

2. Background

Restaurants on Lygon Street, Brunswick East, have become extremely popular, attracting a large number of patrons and vehicles during operating hours.

As this area is already of high density in terms of parking, restaurant patrons are forced to seek parking spaces in residential areas, such as Stewart Street.

Stewart Street, east of Lygon Street currently has 2-hour parking restrictions from 8am to 6pm Monday to Friday on one side, and is unrestricted on the other.

3. Issues

Council has received a petition from local residents of Stewart Street requesting resident permit parking due to the high demand for parking generated by patrons to the restaurants on Lygon Street. As the majority of residents on Stewart Street, east of Lygon Street rely on on-street parking for their vehicles, residents are now unable to find adequate parking spaces.

The existing restrictions are not under review as they are viewed to be sufficient for this particular local area during the hours of 8am to 6pm Monday to Friday.

To assess the impacts on parking generated from the restaurants, a five-day parking survey was carried out for the area, during operational times of the restaurants (see **Attachment 2**). The survey revealed that all parking sites were being utilised to capacity on Stewart Street (on the basis that 85% is considered effectively full).

The results indicate that:

1. Parking is at capacity during the operational times of the restaurant (see **Attachment 2**).
2. Properties on Stewart Street, east of Lygon Street are dependant on on-street parking facilities that are being occupied by restaurant patrons, as most do not have off-street parking.

A questionnaire was distributed to local residents seeking support for a designated resident permit zone. The following results occurred:

- Of the 50 questionnaires distributed, 28 were received back or 56%
- Of the 28 questionnaires received 90% supported a residential permit zone and 10% did not
- Of the 90% in favour the majority were strongly in favour of a permit zone to both sides of the street as were all 10% of those against due to concerns over restrictions to only one side not being adequate to relieve the residents concerns over lack of parking availability.

By proposing a resident permit zone to the north side of Stewart Street, Council intends to make available 27 parking spaces, solely for residents during the evening operational times of the restaurants, which would have otherwise been occupied by a mixture of users. To implement a permit zone to both sides would create a "privatisation" of parking which contradicts the Moreland Parking Strategy. Council still cannot guarantee on-street parking to residents outside their dwellings, but will review the success of the restrictions three months after the installation of the restrictions and report back to the ward Councillors.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Financial and Resources Implications

The cost of the signage modification can be covered from the existing operating budget.

Acting Director City Infrastructure

Asset Planning

Executive Summary

Moreland City Council and other Local Governments throughout Victoria are facing the problem of ageing infrastructure assets in need of renewal. Infrastructure assets are generally periodically renewed in part or in full over the life of the asset. This presents particular challenges in terms of monitoring the rate at which these assets deteriorate and need to be renewed.

The purpose of the State of the Assets Report is to provide valuable information to support future Capital Works Planning and to track the condition and performance of Council's assets.

Recommendation

Council resolves to receive and note the State of the Assets Report 2009.

1. Policy Context

Council's total Asset Management Strategy 2007 sets the direction for how Council manages its assets.

2. Background

Moreland City Council and other Local Governments throughout Victoria are facing the problem of ageing infrastructure assets in need of renewal. Infrastructure assets are generally periodically renewed in part or in full over the life of the asset. This presents particular challenges in terms of monitoring the rate at which these assets deteriorate and need to be renewed.

The purpose of the State of the Assets Report is to provide valuable information to support future Capital Works Planning and to track the condition and performance of Council's assets.

3. Issues

Moreland City Council has in excess of \$1,514 million (Land, Buildings, Civil Infrastructure, Open Space and Plant and Equipment - 2007/2008 valuations). Each year, Council allocates millions of dollars towards Capital Works in order to add to improve or renew/maintain these assets. One of the key financial objectives of Council's Strategic Resource Plan (SRP) is to achieve a Capital Works Program, which meets the maintenance and renewal needs of these assets.

In the 2008/2009 year, Council allocated \$26,717,501 in capital works. The attached report (**Attachment 1**) outlines:

- What the 2008/2009 capital works budget was spent on
- How Council's expenditure on the renewal of assets compares to Council's estimated infrastructure spending needs
- Where capital expenditure is required in the future to maintain Council's assets in a sustainable manner
- Previous two years expenditure profiles.

If this gap remains unaddressed, Council's assets will slowly run down over time, requiring significantly more expenditure in the future to bring them up to its current standards. This is expected to be financially unsustainable in the future, as the cost to bring run down assets back up to standard is far greater than the cost to incrementally renew them.

Important steps towards best practice in asset management have already been made, or are currently in progress at Moreland. These include:

- Adoption of formal Council asset management strategy and policy
- Development of detailed asset management plans for each major infrastructure class (in the future this will provide condition based information to determine how much needs to spent on Council's assets each year rather than using depreciation as a best estimate)
- Purchase of the Asset Management Information System – work is in progress to scope Council's requirements of this system
- Participation in the MAV's Step program - a program aimed at assisting Council's progress towards best practice in asset management.

In order to achieve asset sustainability, an increased proportion of the capital works program needs to be directed to renewal of existing assets rather than new assets or expanding existing assets. It is recommended that further work be undertaken to identify appropriate targets for increasing renewal, while balancing this against the need for new projects.

In order to meet the need/balance objective, it is also recommended that the increased spending on renewal should be directed towards those asset classes with the highest renewal priority according to the Asset Management Plan recommendations.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

Councillors have been consulted at the Issues & Discussion Workshop held on 26 March 2009.

5. Financial and Resources Implications

No direct implications at this stage.

DCI21 SUSTAINABLE PUBLIC LIGHTING (D09/64556)

Acting Director City Infrastructure

Asset Planning

Executive Summary

In 2007, Council endorsed the Climate Action Plan 2007-2012, which committed Council to achieve carbon neutrality by 2020 for Council operations and 2030 for community emissions. Street lighting is the single major greenhouse emitter from Council operations.

Council is working with its energy distributors, CitiPower and Jemena, on a Bulk Changeover process to replace street lights with more efficient technology; the T5. (T5s are currently more efficient than LEDs, and are the only energy efficient lights approved by Jemena and CitiPower suitable to replace current local street lights).

At the same time, Council is continuing to assess management options for over lit areas.

Based on costs released by Jemena and the Australian Energy Regulator (AER) in April 2009, it will cost Council an estimated \$1.73m to change lights to T5s in the Jemena area of Council.

Figures for the CitiPower area of Moreland are more complicated for two reasons:

- Council is waiting on a quote from CitiPower for its T5 changeover prices and can therefore, only rely on indicative figures for T5s released by the AER
- Council's recently completed desktop assessment of over lit streets in the CitiPower area reveals that approximately 20% of lights in this area could be removed.

Price estimates suggest the CitiPower changeover project will cost around \$1.72m. This includes the management of over lit areas which will incur larger savings.

Given that \$2.2 million is dedicated in this year's budget, it is recommended that the funds be allocated to the Jemena bulk change in 2008/2009 and the CitiPower bulk change occur in future years using future capital budget.

Recommendation

Council resolve:

1. To agree to call for tenders for the replacement of all standard 80W Mercury Vapour lights with more energy efficient alternatives (T5 lighting) in the Jemena area of Moreland.
2. To refer the CitiPower bulk change to a future capital budget process.

1. Policy Context

In 2007, Council endorsed the Climate Action Plan 2007 – 2012 which committed Council to achieve carbon neutrality by 2020 for Council operations and 2030 for community emissions.

The Mayor's speech in December 2008 takes this goal further by advocating for carbon neutrality for Council operations by 2012.

2. Background

Council committed to reducing its greenhouse emissions to zero by 2020, while the Mayor's speech indicates Council may commit to becoming carbon neutral by 2012. Street lighting is the single major emitter from Council operations, representing 42% of Council emissions in 2004/2005.

At the end of 2005/2006, there were over 11,500 street lights in Moreland, with 36% managed by CitiPower in the southern portion of Moreland, and 64% managed by Jemena (previously Alinta Asset Management) in the northern portion of the municipality.

Council is working with its energy distributors, CitiPower and Jemena, on a Bulk Changeover process to replace street lights with more efficient technology; the T5. The background to why the T5 linear fluorescent is the preferred energy efficient options to replace Moreland's 80W Mercury Vapour lights is outlined in

Attachment 1.

Council has approved capital works funding of \$2.2 million for a T5 changeover in 2008/2009. Figures for T5s have risen since this money was allocated from \$260 to \$323.63 per light in the Jemena area, and possibly more in the CitiPower area (CitiPower is yet to provide an exact quote). This has been beyond Council's control as aspects of the costs are set by the Regulator.

In addition to T5 changeover preparation, Council is finalising an assessment of which street lights in CitiPower's over lit areas can be removed or have its wattage reduced. The assessment takes into account OH&S, Australian Standards and community safety and reveals that around 20% of 80W Mercury Vapour lights in the CitiPower area can be removed considering these issues. This would provide significant savings for Council in avoided installation costs and ongoing Operation, Maintenance and Repair (OM&R). Council is currently following up the initial assessment with a more detailed field assessment. This is due to be completed at the end of May.

3. Issues

Environmental Implications

The greenhouse savings to 2030 of changing all 80W MV lights in Moreland is well over 55,000 tonnes. This is equivalent to the greenhouse (GHG) emissions of 2,750 average Moreland households for one year.

Social Implications

There are implications for the wider community beyond those of greenhouse emissions and cost to be considered. As part of the six year study into energy efficient lights various issues have been assessed to enable a qualitative and quantitative assessment of the different lights types and their social benefit.

This analysis has led to the recommendation to change the current 80W MV lights to T5 lights because of the improved performance in the areas of light spread, lumen maintenance, residential preference and glare. See **Attachment 2** for more details.

A wide range of Australian Councils are also trialing LED's in their streets (including Sydney City Council, several Melbourne Councils, areas in WA and Queensland).

Table 1 below compares the efficiency of comparable minor road lights (minor road lights make up around 75% of installed street lights in Australia) that are currently available. Comparable means lights that can be installed in the same locations with the same distance between each light (i.e. any of these lights can do the same job).

Table 1 Comparable minor road street lights for Australia and New Zealand – energy consumption and development region

Light	Wattage (inc. control gear)
80W MV	96
LED	60
T5	30

Importantly, this table has not altered significantly in the past 5 years. This does not mean that LED's have not improved in the past 5 years. The actual LED chips (that are combined with a fitting to make the light) are improving their performance (although this improvement is slowing); though overall the energy efficiency of LED fittings has not improved for the Australian market.

Fluorescents work better than any other technology when low light levels are required. They are not used widely in North America or Europe because of their high light level requirements. The fluorescents on the market for street lighting have been designed and manufactured by local companies for the local market in response to requests by Councils and power companies to provide an energy efficient option.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

Consultation on the Bulk Changeover to T5s and management of over lit areas would include advertisements in the local newspapers. The management of over lit areas would also include targeted information for everyone who resides in areas that may be affected by the removal of lights.

5. Financial and Resource Implications

Table 2 below provides a summary of the estimated costs and savings of the two options for changing 80W MV lights to T5 lights, including the impact of managing over-lighting in the CitiPower area.

Table 2 Options for T5 changeover, and CitiPower over-lighting management.

Options	Capital Cost	Estimated Energy Cost Savings p.a. (\$)	Greenhouse Savings p.a. (tonnes eCO ₂)	Total Savings 20 years After Project
1. T5 changeover in Jemena area of Moreland starting in 2008/09 using allocated \$2.2 million.	\$1.73m	\$150,000	1,649	\$3.98m
2. T5 changeover in CitiPower area of Moreland, including reducing the over-lighting in the CitiPower area in future years using future capital budget.	\$1.72m (indicative cost)	\$120,000	1,100	\$3.0m

The above is based on the costs provided by Jemena and the AER. Council could tender the works and the industry is estimating cost savings of \$40 - \$50 less than the Jemena cost per light.

However, Jemena has stated that it is, opposed to any other contractors, servicing the Jemena area based on Jemena's interpretation of the Public Lighting Codes. This interpretation is different to the AER release of February 2009 that states Councils have the ability to "obtain these services from a party other than the distributor".

Under the registration, Council is required to publicly tender works to the value of \$200,000 or more. Therefore, tenders will be called and the issue of who can do the works will be resolved as part of this process.

See **Attachment 3** for assumptions used for modeling costs and savings.

See **Attachment 4** for a detailed business case on the T5 changeover.

DCI23 PURCHASE OF LAND – 49 MAY STREET, COBURG (D09/62469)

Acting Director City Infrastructure

Property Services

Executive Summary

Council owns land at 45 May Street, Coburg. The site is occupied by the Anne Sgro Childrens Centre. In December 2008, the land abutting the site, located at 49 May Street, Coburg was placed on the market for sale.

Council resolved at a meeting held on 23 January 2009 (DCI7) to negotiate and make an offer to purchase the property at 49 May Street, Coburg and that the funding of the proposed purchase, should it proceed, be reported to Council as part of the regular Capital Works Program reporting.

An offer of \$370,000 was accepted by the vendor on 5 March 2009. Settlement occurred on 7 April 2009. Council now needs to determine how this purchase will be funded.

Recommendation

Council resolve that a new unfunded Capital Project be created within the 2008/2009 Capital program for the purchase of land at 49 May Street, Coburg.

REPORT

1. Policy Context

The Council Plan 2007 – 2011 articulates Councils commitment to the careful stewardship of Councils assets.

2. Background

Council owns land at 45 May Street, Coburg. The site is occupied by the Anne Sgro Childrens Centre. In December 2008, the land abutting the site, located at 49 May Street, Coburg was placed on the market for sale.

3. Issues

Council resolved at a meeting held on 23 January 2009 (DCI7) to negotiate and make an offer to purchase the property at 49 May Street, Coburg and that the funding of the proposed purchase, should it proceed, be reported to Council as part of the regular Capital Works Program reporting.

An offer of \$370,000 was accepted by the vendor on 5 March 2009. Settlement occurred on 7 April 2009.

Council now needs to resolve where this purchase is to be funded.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

The Portfolio Councilor City Infrastructure, Cr Kavanagh, has been briefed on this matter.

5. Financial and Resources Implications

It is proposed that a new Capital Project be created within the 2008/2009 Capital program for the purchase of land at 49 May Street, Coburg. This project will have no funding allocated to it, which means it will draw upon under expenditure from the 2008/2009 capital program. As there are no anticipated savings from the 2008/2009 program, the year end under expenditure will be due to works not complete. Accordingly, there may be carry forward projects that will be under funded. If these funding deficiencies are unable to be absorbed a further Council report will be presented in this matter.

**DCI24 DORIS BLACKBURN KINDERGARTEN AND WOODLANDS
AVENUE MATERNAL AND CHILD HEALTH CENTRE BUILDING
CONTRACT 1648 - TENDER EVALUATION (D09/64516)**

Acting Director City Infrastructure

Strategic Property

Pursuant to section 89(2) of the Local Government Act 1989, Confidential Attachment 1 to this report will not be publicly disclosed because it relates to contractual matters.

Executive Summary

Council has allocated funds towards the upgrade and expansion of the Doris Blackburn Kindergarten and Woodlands Avenue Maternal and Child Health Centre. Design and construction documentation has been completed, and construction tenders have been received. Council is now in a position to assess and award the construction tender for this project.

Recommendation

Council resolve:

1. To award contract 1648 to Ausmore Pty Ltd for the fixed price lump sum of \$484,021 (excluding GST).
2. That the Director City Infrastructure be authorised to do all things necessary to effect this decision.

REPORT

1. Policy Context

The Council Plan 2007 – 2011 articulates Council's commitment to manage the City's infrastructure and plan for its renewal.

2. Background

Council has allocated funds in the 2008 / 2009 capital program and proposed 2009 / 2010 capital program for the upgrade and expansion of the Doris Blackburn Kindergarten and Woodlands Avenue Maternal and Child Health Centre.

The project comprises:

- Conversion of kinder from a single unit facility to a double unit facility
- Refurbishment of existing MCHC
- New infill building comprising kindergarten playroom, children's bathroom, foyer and storeroom, between the two centers, with associated internal works
- New disable compliant ramped entry toilet
- New deck to play area with covered pergola
- Altered footpaths and on street parking bays
- Structural remediation of existing MCHC building.

A Public Tender seeking submissions from appropriately licensed and experienced builders was advertised for these works in *The Age* newspaper on 7 March 2009. Ten tenders were received.

3. Issues

A panel of Council officers comprising the project manager and the Manager Property Services have assessed the tenders.

A tender evaluation report is provided in **Confidential Attachment 1**.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

The Portfolio Councilor City Infrastructure Councillor, Cr Kavanagh, has been briefed on this matter.

5. Financial and Resources Implications

A summary of the project costs is as follows:

PROJECT BUDGET		
	2008/2009 Capital Budget	\$100,000
	2009/2010 proposed Capital Budget	\$530,000
		\$630,000
PROJECT COSTS		
1.1	Consultants	\$53,478
1.2	Portable (for relocation of service)	\$63,359
1.3	Recommended Construction Tender (Ausmore)	\$484,021
1.4	Contingency (2.5% of construction contract)	\$12,100
	Total	\$612,958
	Balance	\$17,042

Accordingly, the project can be delivered within the allocated budget.

DCI5 DAWSON STREET CHILD CARE CENTRE (D09/61426)

Acting Director City Infrastructure

Property Services

Executive Summary

Council has \$160,000 this financial year to undertake the extension of one of the program rooms at the Dawson Street Child Care Centre. During the planning phase of this project soil contamination was discovered at the site. The remediation has now been completed and the budget implications of this are being reported to Council for its consideration.

Recommendation

Council resolve:

1. To fund the \$170,000 remediation works undertaken at the Dawson Street Child Care Centre from the Brunswick Town Hall Roof and Façade Renewal Project (Project 7505).
2. Write to the Brunswick Kindergarten to thank them for the use of its facility while the remediation works were being undertaken.

1. Policy Context

The Council Plan 2007 – 2011 articulates Council's commitment to manage the City's infrastructure and plan for its renewal.

2. Background

Council allocated \$60,000 and received a grant of \$100,000 this financial year to undertake the extension of one of the program rooms at the Dawson Street Child Care Centre. The grant funds are required to be spent on building works.

Council undertook soil testing at the Dawson Street Children's Centre as part of its normal practice prior to undertaking capital works that will involve any form of earth works or disturbance to prevailing ground conditions. Two environmental assessments were undertaken. The initial assessment in the vicinity of the proposed works indicated the presence of contamination. As a result of these findings, a further assessment was undertaken of the entire site. The final investigation report was completed on 2 October 2008.

The environmental assessor advised that there was contaminated fill at most of the site. This is typically found at a depth of 20cm at the test locations. The following contaminants were present at the site to levels in excess of those deemed suitable for a sensitive use (child care):

- Benzo(a)Pyrene
- Zinc
- Copper

Benzo(a)Pyrene is a carcinogen. It is a by-product of combustion, which is found in such things as coal tar, automobile exhaust fumes (especially from diesel engines), and smoke. The primary exposure pathways for this contaminant are ingestion or dermal (skin contact).

Zinc and Copper are heavy metals, which can be hazardous if certain levels are ingested. While the reported levels of these substances exceed the safety threshold standards, the environmental consultant has assessed them as a very low immediate risk.

Following the soil testing, a risk assessment was undertaken which addressed what remediation should occur, and how the site should be managed in the interim.

Interim arrangements were put in place immediately in consultation with centre manager and parent committee representatives. Liaison with the Department of Education and Early Childhood Development (DEECD) also occurred during this process.

Remediation works were undertaken and completed between 6 April and 24 April 2009. The building extension will commence in June 2009.

3. Issues

The current cost estimates for the project are:

- Remediation \$170,000
- Building works \$160,000

The project budget is \$160,000.

As the grant funds (\$100,000) are tied to the building extension, it is not possible to alter the scope of the project and not undertake the building works. Council is therefore, required to find funds to meet this \$170,000 budget shortfall.

Environmental Implications

The remediation undertaken at this site involved affecting a barrier between surface activity and underlying contaminated soil. Every effort was made to minimise the volume of soil transported to land fill. The site is now deemed fit for its present use.

Social implications

The Brunswick Kindergarten in Glenlyon Road provided its facility while they were closed over the Easter term break so that the Dawson Street Centre could relocate there and enable remediation works to be undertaken without risk to children. This is but one example of the level of goodwill that has been encountered in undertaking the required remediation works.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

The parent committee of Dawson Street Child Care Centre has been extensively consulted throughout the planning and implementation of works. The Portfolio Councillor, Cr Kavanagh, has been briefed on this matter.

5. Financial and Resources Implications

Additional capital funding is required to complete the Dawson Street Child Care Centre extension. It is proposed that these funds be taken from the Brunswick Town Hall Roof and Façade Upgrade project in the 2008/2009 program. This project has funding of \$300,000 this year and proposed funding of \$900,000 in 2009/2010. Tenders for these works close in early May. In the event that there are insufficient funds for the project following receipt of tenders a further report will be presented to Council regarding this matter.

DCI26 NAMING OF NEW ROADS AT 2 JOHN AND 12 – 20 MILLER STREETS, BRUNSWICK EAST (D09/62996)

Acting Director City Infrastructure

Strategic Property

Executive Summary

Council has received an application for a Plan of Subdivision (PS 61536N) for a new development at 2 John and 12 – 20 Miller Streets, Brunswick East.

A public notice seeking suggestions for the naming of two new roads was advertised in the *Moreland Leader* newspaper on 6 April 2009. Council received five submissions, all of which meet the criteria of the Naming Moreland Places Policy.

The configuration of one of the new roads within the subject site at 2 John and 12 – 20 Miller will align with an existing road “St Phillips Street”. Council’s Engineering Department has been consulted in considering the naming of this road. The advice provided advised it would be preferable to continue the name of St Phillips Street through the new development.

Council’s Rates Department has advised the numbering sequence from St Phillips Street through to the subdivision is sequential and have no issues. A new street name needs to be allocated to the small north-south road, as there are four proposed properties that will require access and street numbering to this road.

Council has the opportunity to name the two new roads within the subdivision.

Recommendation

Council resolve:

1. To allocate the name “St Phillips Street” to the new street located at the end of the existing St Phillips Street.
2. To allocate the name Bill Barry Close to the small north-south road.
3. That a letter be sent to all the people that made a submission, thanking them for their submission and informing them of the decision.
4. That the Acting Director City Infrastructure be authorised to do all things required to formalise the street names.

1. Policy Context

The Council Plan 2007 – 2011 articulates Council's commitment to the careful stewardship of Council's assets.

Requests for naming are considered with reference to the guidelines and criteria as set out in the Naming Moreland Places Policy (Policy No. CSD12)

2. Background

Council has received an application for a Plan of Subdivision (PS 61536N) for a new development at 2 John and 12 – 20 Miller Streets, Brunswick East (refer to the plan in **Attachment 1**).

A public notice seeking suggestions for the naming of two new roads was advertised in the *Moreland Leader* newspaper on 6 April 2009 (refer to **Attachment 2**).

Council received five submissions. These are provided in **Attachment 3**. In addition to these Council's Engineering department have suggested St Phillip Street, being an extension to the existing street.

3. Issues

The Moreland Places Naming Policy provides a framework for determining suitable names. **Attachment 4** summarises the submissions received with reference to this framework. The submissions and policy framework are also represented in a matrix in **Attachment 5**.

The names that are deemed to best reflect the guidelines and principles of the Moreland Places Naming Policy and that do not conflict with any other local street names are summarised in **Attachment 6**.

The configuration of one of the new roads within the subject site at 2 John and 12 – 20 Miller will align with an existing road "St Phillips Street". Council's Engineering Department has been consulted in considering the naming of this road. It advised that it would be preferable to continue the name of St Phillips Street through the new development.

Council's Rates Department has advised the numbering sequence from St Phillips Street through to the subdivision is sequential and have no issues. A new street name needs to be allocated to the small north-south road, as there are four proposed properties that will require access and street numbering to this road.

A summary of preferred names is included in **Attachment 7** including a map of the allocated street names.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

A copy of the public notice placed in the *Moreland Leader* newspaper was also placed within the Councillors Communiqué inviting submissions on the 9 April 2009.

Letters were sent to all residents living within a block of the subject site inviting suggested names.

Consultation occurred with local historical societies, progress associations and local indigenous communities, as outlined in the policy.

5. Financial and Resources Implications

There are no financial implications involved for Council to consider and the place names described in this report.

**DCI27 TENDER FOR THE SUPPLY AND DELIVERY OF ONE (1) 22M³
WASTE COLLECTION COMPACTOR - CONTRACT 1596
(D09/64164)**

Acting Director City Infrastructure

Engineering Operations

Pursuant to section 89(2) of the Local Government Act 1989, Confidential Attachment 1 to this report will not be publicly disclosed because it relates to contractual matters.

Executive Summary

Council has invited and assessed tenders for the purchase of a waste collection compactor.

Three tenders were received and have been assessed against the advertised evaluation criteria.

Following a detailed assessment of the tenders received (Attachment 1) the recommended tenderer is Adtrans Truck Centre for the supply and delivery of one waste collection compactor.

Recommendation

Council resolve:

1. To accept the lump sum tender of \$316,045 excluding GST from Adtrans Truck Centre (ABN 17 106 764 327) for the supply and delivery of one Iveco / MJE combination waste collection compactor.
2. To authorise the Director City Infrastructure to sign the necessary contract documents.
3. To advise all the tenderers accordingly.

1. Policy Context

The replacement of plant and equipment is consistent with good asset management practices.

2. Background

The existing side loading waste collection compactor being replaced was a leased vehicle on the garbage collection service. This vehicle was involved in an accident and has been written off.

In developing the requirements for a replacement vehicle with the Waste Services Unit, it was determined that the configuration of the new vehicle be a side-loading vehicle. This will provide the unit with maximum flexibility of vehicles to undertake the range of waste services provided by the unit. It will also enable the unit to better cover breakdowns; to have flexibility in vehicle allocation to collection routes and allows the vehicle to be operated with one operator.

The tender periods closed at 3.00pm on 20 February 2009 and submissions were received from the following companies, all with two compactor options:

- Adtrans Truck Centre
- CMI-Hino
- Westar Trucks

3. Issues

In selecting the recommended tenderer, consideration was given to the selection criteria included in the specification that formed part of the tender documentation, outlined below:

- Compliance to Tender Requirements: Proffer, Compliance - Commercial Relationship, Competence
- Cost / Value for Money
- Ability to Meet Council Needs: Capability, Capacity
- Credibility: Social Issues, Sustainability, Local Content.

An assessment of the tenders received is detailed in **Confidential Attachment 1**.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

Public advertisement was placed in *The Age* newspaper inviting tenders from for the purchase of the waste collection compactor on 31 January 2009 (Contract 1596).

Council users of the plant were consulted in the development of the specification. This included Fleet Management staff, Occupational Health and Safety representatives and Waste Services staff. The assessment panel comprised of Waste Services staff and Fleet Management staff.

The majority of Moreland's side loading waste collection compactors are a Iveco / MJE systems combination which have been reliable over their life and operators are familiar with the controls of the unit.

MJE's after sales service and their ability to track down faults with vehicles is more reliable.

5. Financial and Resources Implications

The evaluation of the tenders has recommended the Iveco / MJE combination provided by Adtrans Truck Centre. The cost of this vehicle is \$316,045.

As delivery of the vehicle will not occur until mid-late 2009 funds for this will be provided in the 2009/2010 Capital Works (Plant Replacement Program).

DSD13 AFFORDABLE HOUSING MATTERS (D09/47889)

Director Social Development

Community Development and Social Policy

Executive Summary

Within the context of new Federal and State Government housing policy directions and funding opportunities, this report describes progress with a range of Council's affordable housing initiatives.

In particular, it reports on:

- revised affordable housing directions from the Department of Planning and Community Development (DPCD);
- recently acquired research on housing affordability in Moreland;
- master planning work to develop quality diverse housing as part of the Coburg Initiative;
- a new information sheet on affordable housing options targeted at developers and investors and add Council's active approach to working with developers to leverage government funds for affordable housing; and
- a new priority to develop a Council protocol to co-ordinate Council's response to inappropriate accommodation and the sudden closures of rooming houses.

Recommendation

Council resolve:

1. To note progress with commitments outlined in the Council Plan 2007-2011, the Mayor's Speech 2008 and the Moreland Affordable Housing Strategy 2006;
2. To note progress with development of a protocol to co-ordinate Council's response to inappropriate accommodation and the sudden closure of rooming house accommodation;
3. To progress ways in which Council can draw on new Commonwealth and State Government funding to develop and support affordable housing options across the municipality; and
4. To note that Department of Planning and Community Development (DPCD) no longer regards implementation of the Northern Regional Housing Statement as a priority in light of directions outlined in meetings with Council officers and the Melbourne 2030 audit 'Planning for all of Melbourne'.

1. Policy Context

In place of the Commonwealth State Housing Agreement at the end of 2008 the Commonwealth and State Governments agreed to a new National Australian Housing Agreement (NAHA) which will provide \$6.2 billion over five years from 2008-2009. NAHA will consolidate a range of housing initiatives to address the short supply of social and public housing (including indigenous housing stock), limited assistance available to people in the private rental market, the need for sustainable accommodation options for homeless people as well as assistance strategies for home purchasers.

Under the Commonwealth Government's \$42 billion Nation Building and Jobs Plan new public and community housing, maintenance and upgrade of public housing and housing for defense personnel will be undertaken.

Also, the National Housing Supply Council has developed national housing supply and demand indicators, part of co-ordinating an annual picture to describe construction rates and land supply over the next twenty years. This task is expected to lead to the adoption of consistent standards for assessing and measuring the adequacy of the supply of land and housing in municipalities across Australia. The first report has just been released and it is widely expected that affordable housing targets will be established in the future.

The Council Plan 2007-2011, Mayor's Speech 2008 and the Moreland Affordable Housing Strategy 2006 (MAHS) also identify the importance of undertaking policy, advocacy and project work that will add to the stock of well designed, affordable housing options.

2. Background

A previous status review of Council's affordable housing work was reported in DCD35 on 11 June 2008. One of the recommendations in DCD35 was to request that the Department of Planning and Community Development (DPCD) provide an update on implementation of recommendations in the Northern Regional Housing Statement. Unfortunately further correspondence clarified that DPCD considers that although the regional partnerships provided 'an effective way of working in partnership with groupings of councils to understand and manage metropolitan housing demand to achieve *Melbourne 2030* objectives', this work has been superseded by *Planning for all of Melbourne 2008*.

Public awareness of housing affordability issues in the municipality has increased, evidenced by responses in Council's *Indicators Survey 2008*. Moreland's Affordable Housing Strategy 2006 anticipated that the longer-term impact of increasing housing stress would include:

- tenants on lower incomes being displaced to cheaper housing beyond Moreland and the inner city;
- tenants who aspire to purchase houses or apartments in Moreland will require above median incomes for the municipality;
- lower income households may no longer be able to live in close proximity to other family members and social networks; and
- current home-owners may make windfall profits which allow them to 'trade up' in the municipality.

3. Issues

New funding programs for housing

New Commonwealth and State Government funding for affordable housing construction is available through programs such as:

- the Housing Affordability Fund (HAF);
- the National Rental Affordability Scheme (NRAS); and
- the Department of Human Services call for expressions of interest in social housing construction in Victoria for approximately 5,000 social housing units to be ready for occupation by 2011.

Council applauds the increase in funding for affordable housing options, but recommends that greater support for development of partnership opportunities is required. For example Council does not have the financial resources to purchase under-utilised State Government owned land, and processes to establish relationships with Housing Associations are cumbersome and limited to some degree by the *Local Government Act 1989*. Programs that pass on information about new funding opportunities to the private sector are urgently required.

Revised directions from DPCD

DPCD regional housing initiatives have been put on hold, a position explained in a letter to Council at **Attachment 1**. DPCD consider that in light of newly released demographic projections which indicate higher than predicted population growth in Melbourne, a more effective way of working with Councils is required to achieve *Melbourne 2030* objectives. The need for a stronger relationship with local government to manage housing demand in established metropolitan areas (such as Moreland) is proposed.

Consequently DPCD has commenced a series of pilot projects to develop new processes to support growth of housing stock. For example DPCD have recently commissioned detailed research into residential dwelling stock across six metropolitan Councils, including Moreland. Data describing vacant residential lot stock by Moreland suburb and residential development density 2004-2007 has been provided to Council. It shows that the proportional increase in density from new dwelling construction is relatively uniform across all suburbs in Moreland. Meetings have also been held with Council officers to establish the reasons behind development delays on larger private sites, which may lead to development incentives to the private and not-for-profit housing sectors in the future.

New housing affordability data for Moreland

Council has recently purchased research about local housing affordability and housing stress from the Institute of Social Research, Swinburne University. It will provide ongoing information about affordability of houses and units in each suburb, homeless persons and rooming houses, which will be made available to the public through a future link on Council's website. Comparative information about other inner Melbourne municipalities will be easily accessible.

Quality, diverse housing recommended as part of master planning for the Coburg Initiative

Planning work for Coburg has noted that:

- Central Coburg is not currently configured in a manner that provides for sustainable residential urban development; and
- Gentrification and a lack of appropriately scaled and located housing stock is diminishing both community diversity and housing affordability.

The Coburg Initiative vision is to ensure that at least 20% of housing will be affordable. New stock is likely to address demographic projections for smaller households and include a mix of conventional own-your-own apartments. Apartments will be designed to target diverse age groups, including affordable apartments for first home buyers and key workers, Housing Association units, student accommodation, accommodation for older residents who are 'downsizing' or who have low care needs, serviced apartments which take advantage of access to the CBD and airport, and home offices.

Affordable housing options for developers and investors

To meet the MAHS commitment to engage more effectively with the private sector, an information sheet on affordable housing options has been produced and is being distributed. It provides information about incentives, partnerships and tenancy management available to private developers and investors who wish to address the lack of housing affordability for tenants and purchasers in Moreland. In addition Council will take an active role in working with developers to leverage government funding for affordable housing options.

Protocol for sudden closures of overcrowded and unsafe accommodation

Council responds to many complaints about unsafe rooming houses and other overcrowded and unsafe dwellings - such as student accommodation - which have been dramatically reported in the local press. To develop a more co-ordinated Council response to inappropriate accommodation, Council has commenced work on a protocol to guide officers and relevant community and housing support agencies. The need for a protocol stems from the complexity of the closure process and the diverse support needs of vulnerable occupants, who are often close to homelessness.

Development of a Moreland protocol will draw on the experience of other inner municipalities and include consultation with appropriate representatives of the community and private sectors.

Limited role allocated to local government in the National Affordable Housing Agreement

Despite the considerable expertise local government across Australia has displayed in generating affordable stock and effective partnerships (especially over the last decade), NAHA outlines a limited role for Local Government. At the same time there are strong expectations from Commonwealth and State Government departments that all tiers of government will co-operate to achieve housing targets, which will support demographic trends.

Environmental Implications

The commitment to housing, which meets high ESD standards, is incorporated into housing work undertaken across Council.

Social Implications

Moreland has developed diverse strategies to increase the stock of well-located, affordable housing, with longer-term lower utility costs. It is recognised that the rapid increase in mortgage and rental costs is placing great pressure on many households.

Economic Implications

Measures to boost housing supply, especially at the more affordable end of the market for both tenants and purchasers, is an important part of NAHA and the Commonwealth Government financial stimulus packages. However the potential role of Local Government in housing partnerships requires further direction and specific resourcing.

Regional / Strategic Implications

Uncertainty about housing directions arising from the Melbourne 2030 Audit, *Planning for all of Melbourne*, is likely to delay initiatives proposed in the regional housing statements.

Council is currently working closely with Darebin, Melbourne and Yarra City Councils on various housing initiatives, including rooming house and housing accessibility issues.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities, although housing rights are not directly acknowledged. It should be noted that the Moreland Affordable Housing Strategy 2006 outlines underlying principles which support housing as a human right.

Future reports

Future reports on housing commitments outlined in the Council Plan 2007-2011, the Mayor's Speech 2008 and the Moreland Affordable Housing Strategy 2006 will be provided; such as the intention to establish a municipality-based housing forum, potential partnership projects with Housing Associations and VicUrban.

4. Consultation

The Portfolio Councillor Social Development, Cr Alice Pryor, Councillor Responsible for Housing Affordability and Accessibility, Cr Kathleen Matthews-Ward, and Cr Toby Archer have been consulted in the preparation of this report.

Council's Strategic Planning Unit, Activity Centre team and The Coburg Initiative team were consulted on specific aspects of this report. Feedback from the internal consultation process has been incorporated into this report. For example, advice was sought from officers across Council in development of the information sheet: Affordable Housing Options for Developers and Investors.

Community consultation will occur on many local housing matters during formation of the Moreland Housing Advisory Group in 2009.

5. Financial and Resources Implications

During 2008-2009 Council has drawn on its Housing Strategy reserve (a non-restricted reserve which is not cash backed) to progress housing initiatives.

DSD14 DISABILITY POLICY AND ACTION PLAN UPDATE (D09/71038)

Director Social Development

Social Policy and Early Years

Executive Summary

Under the *Victorian Disability Act 2006*, all local governments are required to develop a Disability Action Plan. The Disability Policy and Action Plan will outline Council's Commitment to reducing discrimination and ensuring that the rights of people with a disability and their families are recognised, protected and promoted.

Through the MetroAccess program a Community Building Plan is required to be developed. This plan outlines the way Council implements community building projects that develop a more welcoming and inclusive community for people with a disability.

This report provides an update on the development of Council's Disability Policy and Action Plan and MetroAccess Community Building Plan. This report outlines the process being undertaken to develop the policy, key themes identified to date and a proposed framework for the formulation of the Disability Policy and Action Plan.

Recommendation

Council resolve to note the progress of developing the Disability Policy and Action Plan and endorse the broad framework proposed for the Policy

1. Policy Context

Under the *Victorian Disability Act 2006*, Local Government is required to develop a Disability Action Plan. The aim of a Disability Action Plan is to:

- Reduce barriers to persons with a disability accessing goods, services and facilities;
- Reduce barriers to persons with a disability obtaining and maintaining employment;
- Promote inclusion and participation in the community of persons with a disability; and
- Achieve tangible changes in attitudes and practices, which discriminate against persons with a disability.

The development of the Disability Policy and Action Plan is consistent with Council's strategic objective in the 2007–2011 Council Plan to improve social conditions.

Council has previously developed two Disability Policy and Action Plans. As well as being legislatively required, such plans have been recognised as a model of good practice that proactively address the discrimination faced by people with a disability and their families.

The development of a Disability Policy and Action Plan is consistent with the Victorian Charter of Human Rights and Responsibilities and the United Nations Convention of the Rights of People with a Disability. Council's Disability Policy and Action Plan is central to ensuring that the rights of people with a disability are recognised, protected and promoted.

2. Background

In August 2008 Council received a report on the implementation of the previous Disability Policy and Action Plan (DSD44). This report reviewed the implementation of actions from the Plan and sought Council's endorsement to develop a new Plan during 2009, with a draft policy to be submitted to Council in August 2009.

3. Issues

The Community Development and Social Policy Unit is leading the development of the Disability Policy and Action Plan. A variety of mechanisms are being used to consult with the community and gather information for the formation of this policy, details of which are at **Attachment 1**.

Future development and Policy Framework

During May – August 2009, the themes and priorities identified through the analysis of data from research and consultation will be developed to form the basis of the Disability Policy.

It is proposed that annual action plans and specific projects are developed for each year of the Policy to address its objectives.

The development of the Disability Policy has highlighted the need for an integrated and whole of Council approach to improving conditions, reducing discrimination and protecting and promoting the rights of people with a disability.

The structure of the Policy will be based on three pillars that highlight Council's commitment, shape Council's actions and guide the development and implementation of annual Council Action Plans. The pillars are described in **Attachment 2**.

The three pillars will provide an integrated and holistic response to the issues raised through the development of the Disability Policy and Action Plan. It is anticipated that most objectives of the plan will include specific actions that sit within these three areas of action. Any objectives that do not fit into the three areas specified will be accommodated under another focus area.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Victorian Government's Charter of Human Rights and Responsibilities.

4. Consultation

The Portfolio Councillor Social Development, Cr Alice Pryor has been consulted in the preparation of this report. Extensive internal and external consultation is integral to the development of the Disability Policy and Action Plan.

5. Financial and Resources Implications

The development of the Disability Policy and Action Plan is being led by Council's MetroAccess officer. MetroAccess is a partnership between the Department of Human Services and Local Government.

Further consideration will need to be given to the resources required to oversee and guide the implementation of the Disability Policy upon its endorsement by the Council.

DSD15 SYDNEY ROAD STREET PARTY EVALUATION (D09/62435)

Director Social Development

Cultural Development / Arts and Culture

Executive Summary

The Sydney Road Street Party is a well-established highlight on Moreland's festival calendar. It consistently attracts audiences in excess of 50,000 and provides significant benefits to the Moreland community.

The Street Party provides a valuable platform to foster creativity, connectedness, a sense of place and contributes to the knowledge, understanding and appreciation of Moreland's diverse community. The Street Party engages numerous local performers from a variety of cultural groups and also provides opportunities for non-arts based community groups to promote their activities with over 60 community stalls.

In 2009 Council had two stalls at the Street Party: one specifically for Councillors and one to promote Council initiatives. Both provided an effective means for connecting Council with its constituents and promote Council initiatives. Although successful, there is the potential to further leverage this opportunity for engagement with the provision of additional resources.

Recent initiatives to improve the safety and amenity of the Street Party, such as the Local Law preventing the consumption of alcohol outside of licensed areas on the street and improved traffic management for the event, have proven highly successful.

In future years, Council will be the Street Party's major sponsor rather than the presenter. With the transfer of the presenter role to Performing Arts Moreland, it is expected that there will be an increase in the community's involvement in the event as well as further opportunities for sponsorship and funding.

Recommendation

Council resolve:

1. To continue supporting the Sydney Road Street Party through the Performing Arts Moreland Funding Agreement.
2. To recommend that Performing Arts Moreland conduct an evaluation of the Sydney Road Street Party by 2011.
3. To continue the provision of a Council and Councillors Stall at the event and to provide further resources to enable increased community engagement.
4. To continue supporting initiatives which increase the safety and amenity of the event.

1. Policy Context

The Sydney Road Street Party is consistent with Council's commitment to its role as a key facilitator and provider of arts and cultural opportunities for the Moreland Community. Through the Moreland Arts Strategy, Council acknowledges that the arts play a powerful role in the building of culture and the enhancement of individual and community wellbeing. The Sydney Road Street Party is identified in the Council Plan's Building Communities Objective to support important community festivals. In addition, support of Performing Arts Moreland, the future presenter of the Street Party, is one of the initiatives highlighted in the current Mayor's Speech.

2. Background

The Sydney Road Street Party is traditionally a signal for the beginning of the Brunswick Music Festival and has a long history in Brunswick. It consistently attracts in excess of 50,000 patrons. This year the event was held on Sunday 1 March 2009.

Promoted as "the friendliest party in town", the Sydney Road Street Party is one of the biggest multicultural gatherings in Melbourne. It is a genuine all-ages day celebrating peace, understanding and cultural diversity. In 2009 there were six community stages: the Afro-Iramoo Stage, Roots Stage, Community Stage, Youth Stage, Sydney Road Brunswick Association Stage and the Children's Stage. There were close to 50 performances on these stages that showcased the wide variety of culturally diverse and highly talented local artists and community groups.

In addition to the incalculable cultural and artistic benefit to the community, the combined economic impact of the 2009 Brunswick Music Festival and Sydney Road Street Party is calculated at bringing more than \$2.5 million into the Moreland Community. The Street Party has established long running partnerships with the Sydney Road Brunswick Association and Yarra Trams who make in-kind contributions to the Street Party.

In 2008 the possession and consumption of alcohol was banned outside official licensed areas at the Sydney Road Street Party. This initiative has been well accepted by attendees and has improved the quality of the experience for all. This initiative has also drastically reduced the amount of waste left on the street. In 2009 Council increased Traffic Management resources to further improve the safety of the event with great success.

In 2009 there were approximately 130 stalls at the Street Party, of which over 50% were community stalls. This provided community organisations with a valuable opportunity to promote and showcase their programs and activities. There were two Council stalls, one specifically for Councillors and another to promote Council's programs and services.

This year was the first year that the Councillors had a separate stall at the Street Party. Citizens Services, the Mayor and several Councillors staffed the stall over the day and this was an important opportunity for members of the community to meet and discuss issues with their Councillors. Resourced primarily by the Library, Social Policy and Communications and Research Units, the Council stall promoted various library services, collections and programs including the 'Read More Program' as well 'Our Moreland – Looking Good' campaign. The community were also surveyed for the Municipal Public Health Plan. Further resources would allow more opportunities for community consultation and engagement.

This was the last year that Council will present the Sydney Road Street Party. The role of presenter has been handed over to Performing Arts Moreland, a community based not for profit organisation. Council will now become a major sponsor of the Sydney Road Street Party. This new structure allows for the expansion of the Street Party and an increased community involvement in its presentation. This new structure will also increase the Street Party's ability to attract funding and sponsorship. An evaluation of the Street Party in 2010 or 20211 would be advisable to assess the impact of this change in structure.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

The Sydney Road Street Party has received positive feedback from community organisations and participants. Local Police have commented that the event, and particularly traffic management, was well organised. The Security Company engaged, who also monitor event attendees, commented that that numbers had increased in 2009 and that overall the event ran without incident. Feedback from Council Officers involved in the event has also been positive. Local businesses and the broader community have highlighted the positive contribution of the event in promoting local pride and community strengthening through various letters of support sent to John McAuslan at Across the Borders, the company contracted to run the event.

5. Financial and Resources Implications

In 2009 the Sydney Road Street Party was funded through Council's contract with Across the Borders that has a net value of \$354,000 for the management of the Sydney Road Street Party, the Brunswick Music Festival and the Mechanics Institute. In following years, Performing Arts Moreland will take over the presenter role of the event and the Council will become the major sponsor through a funding agreement established in October 2008 with Performing Arts Moreland.

DCS12 PROPOSED COUNCIL BUDGET 2009 - 2010 (D09/71739)

Director Corporate Services

Finance

Executive Summary

Council has prepared a Budget for the 2009 - 2010 financial year. Key features include:

- A Capital Works Program of \$33.23 million
- An Operating Projects Program of \$4.731 million
- General Rates to be increased by 6.5%
- New loan borrowings of \$3.25 million
- A Differential Rate on Vacant Land levied at four times the General Rate but capable of reduction via rebate to one and a half times the General Rate upon compliance with criteria
- A Differential Rate on Vacated Land levied at four times the General Rate but capable of reduction via rebate to the General Rate upon compliance with criteria

The purpose of this report is to present to Council the Proposed Budget for years 2009 - 2010 as contained in Under Separate Cover Attachment 1.

Recommendation

Council resolve:

1. To declare the proposed Budget annexed to this resolution and initialed by the Mayor for identification purposes as the proposed 2009/2010 Budget in accordance with Section 127 of the *Local Government Act 1989*.
2. To give public notice of the preparation of the proposed 2009/2010 Budget in accordance with section 129(1) of the *Local Government Act 1989* and to set the period for the receipt of submissions.
3. To put the proposed 2009 - 2010 Budget, together with that information required to be made available under section 127(2) of the *Local Government Act 1989* and the Local Government Regulations 2001, on display at Council offices, Council Libraries and on the Council internet site.
4. To receive and hear all submissions on the proposed 2009 - 2010 Budget made in accordance with section 223 of the *Local Government Act 1989*, at a Special Council meeting to be held on Monday 22 June 2009.

REPORT

1. Policy Context

This Budget has been informed by Council priorities and commitments including the Mayor's Speech 2008, Council Plan 2009 - 2013 and the Strategic Resource Plan.

2. Background

Council adopted a Five Year Financial Plan in 2003. This has since been updated annually and referred to as the Strategic Resource Plan as required by the *Local Government Act 1989*.

The Strategic Resource Plan has guided the development of the 2009 - 2010 Budget, along with the commitments outlined in the Mayor's Speech and the priorities listed in the Council Plan. The Strategic Resource Plan has been prepared with the benefit of expenditure and revenue modelling and is significantly informed by the need for ongoing stewardship and replacement of the City's infrastructure and the ongoing delivery of services to the Moreland Community.

The key principles of the SRP are:

- maintain the annual expenditure on asset renewal to a level, which offsets and exceeds Council's fixed assets depreciation expense; and
- the recurrent operating result will improve from a deficit of \$2.7 million in 2008 - 2009 to a surplus before capital contributions by 2010 - 2011.

3. Issues

The 2009 - 2010 Budget will be based on the following key parameters:

- General Rates will be increased by 6.5% in line with the Strategic Resource Plan
- Differential Rates will continue for Vacant and Vacated Land to allow Council to better encourage property owners to maintain and make safe their vacant or vacated properties.
 - Vacant land will be rated at four times the General Rate. Where property owners comply with certain criteria regarding the maintenance of their properties, rebates will be provided which will enable the differential rate to be reduced to one and a half times the General Rate.
 - Vacated land will be rated at four times the General Rate. Where property owners comply with certain criteria regarding the maintenance of their properties, rebates will be provided which will enable the differential rate to be reduced to the General Rate.
- New loan borrowings of \$3.25 million are proposed.
 - The Capital Works Program amounts to \$33.23 million (\$20.48 million internally funded, \$1.88 million from reserves, loan funds of \$3.25 million and \$7.6 million of external funding). These projects are detailed in Under Separate Cover **Attachment 1 - Appendix C.**
 - The Operating Projects Program amounts to \$4.731 million. These projects are detailed in Under Separate Cover **Attachment 1 - Appendix D.**
 - Total Council expenditure will amount to \$115.5 million and results in an operating deficit of \$1.618 million after capital contributions and developer contributions are removed. These items are removed as they relate to capital commitments and as such are not used to fund the operations of council. The Income Statement is included under separate cover **Attachment 1 - Appendix A.**

The Proposed Council Budget has been prepared based on these parameters and includes all required statutory information. Its preparation will be advertised to the community and made available during a public consultation period.

The Budget may be subject to change as a result of the public consultation process.

4. Consultation

The proposed Budget has been the subject of extensive consultation between Councillors and officers.

This Budget will be advertised through The Age newspaper and will be open for public submissions for a period of 28 Days following the advertisement.

It is proposed that Council will hear any submissions from the community at a Special Council meeting on Monday 22 June 2009. Following consideration of those submissions, it is anticipated that Council will adopt the Budget and declare the rates at the Council meeting on Wednesday 8 July 2009.

5. Financial and Resources Implications

The Budget for 2009 - 2010 forms the basis of the targets for the Strategic Resource Plan for 2009 - 2010 to 2012 - 2013. These targets are included at under separate cover **Attachment 1 - Appendix A**.

DCD30 PENTRIDGE PRISON REDEVELOPMENT (D09/70257)

Director City Development

City Development

Executive Summary

This report seeks Council endorsement of key issues / concerns raised by Council officers as part of the internal review of the Pentridge (Piazza) Coburg Design Guidelines and Masterplan (November 2008) and the Pentridge Village Design Guidelines and Masterplan (December 2008).

Given the Minister's decision to take over as the responsible authority for Pentridge, and in the absence of any process to progress both Masterplans, it is intended to formally advise the Minister for Planning of Council's issues / concerns raised and request that these matters are appropriately considered.

Council officers have previously requested that the Minister for Planning appoint a Priority Development Panel to review and make recommendations in relation to the outstanding issues in each Masterplan and the planning controls affecting the Pentridge Precinct.

Council should also note that following the Minister's decision, the community consultation phase did not proceed in relation to the Pentridge (Piazza) Coburg Masterplan, as resolved by Council at the meeting on 8 April 2009.

Recommendation

Council resolve to:

1. Endorse the comments previously raised at the Council meeting on 8 April 2009 in relation to the Pentridge Coburg Design Guidelines and Masterplan (Valad) (November 2008), previously known as Pentridge Piazza.
2. Endorse the comments included at Attachment 1 and Attachment 2 in relation to the Pentridge Village Design Guidelines and Masterplan (December 2008).
3. Advise the Minister for Planning of the issues / concerns raised with respect to both Masterplans for the Pentridge Precinct and request that these matters are considered by a Priority Development Panel as previously requested.

1. Policy Context

The Council Plan 2007 – 2011 commits Council to continue to work co-operatively with the developers in the redevelopment of the former Pentridge Prison site.

Moreland's Municipal Strategic Statement (MSS) identifies Pentridge as a focus area for change and its redevelopment is an exciting component of the Coburg Principal Activity Centre. The MSS commits Council to continue to work with the developers of the site to create a successful, integrated and seamless activity centre for Moreland.

In the Moreland Planning Scheme, Pentridge is included within the Comprehensive Development Zone (Schedule 1) and its purpose is to provide for a mix of residential, tourist and commercial uses that can integrate the site with the surrounding uses whilst complementing the heritage significance of the site.

2. Background

Council on 18 March 2009 requested that the Minister for Planning seek advice from a Priority Development Panel (PDP) in relation to the revised Pentridge Masterplans to ensure consistency with the State Planning Policy Framework and Council's long-term vision for the Coburg Principal Activity Centre. This would provide the PDP an opportunity to review both Masterplans and review the proposed planning framework and controls as a complete package. Council is yet to receive a response from the Minister for Planning on this matter.

Council considered the Pentridge (Piazza) Coburg Design Guidelines and Masterplan (DCD21) at its meeting on 8 April 2009 and resolved to commence the community consultation phase over a one-month period. This was not intended to form part of any formal statutory process but rather an opportunity for the community to have their say on the Masterplan before the document was formally considered by Council. In addition, Council resolved to work with the Pentridge developers to resolve outstanding issues of concern, prior to further consideration of the revised Masterplan. Any submissions received and input from the Priority Development Panel was to be considered in a further report on the revised Masterplan for Pentridge.

In a letter dated 14 April 2009, the Minister for Planning advised Council that he would prepare, adopt and approve Amendment C110 to the Moreland Planning Scheme to make himself the responsible authority for the former Pentridge Prison site. This only affects land included within the Comprehensive Development Zone and not the land already developed for residential purposes and included within the Residential 1 Zone.

Amendment C110 was gazetted on 23 April 2009 to allow the Minister the responsibility for administering planning permits for Pentridge but excludes any permits issued under the *Subdivision Act 1988* and any matters relating to enforcement. Heritage Victoria will still be required to refer permit applications to Council for comment.

A letter to the Minister for Planning on 29 April 2009 expressed Council's disappointment with the lack of consultation and notice given in relation to this matter. It is not considered that such a decision will accelerate building construction on site. Clarification was sought with regard to permits issued under the *Subdivision Act 1988* and why the Minister has not accepted responsibility for these applications.

Despite this, Council expressed its commitment to working co-operatively with officers from the Department of Planning and Community Development to achieve good planning outcomes for Pentridge and Moreland more broadly.

Following the Minister's decision, it was determined to postpone the community consultation phase of the Pentridge (Piazza) Coburg Design Guidelines and Masterplan until such time as further advice is received regarding how the Minister will consider the revised Masterplans.

3. Issues

According to the Minister, the Pentridge site is considered a project of state significance and will make a significant contribution to *Melbourne @ 5 Million* policy objectives. The Minister advised that Amendment C110 to the Moreland Planning Scheme would enable him to facilitate development of this key strategic development site in accordance with *Melbourne 2030*.

Pentridge (Piazza) Coburg Design Guidelines and Masterplan (November 2008)

The Council report of 8 April 2009 (DCD21) relating to the Pentridge (Piazza) Coburg Masterplan detailed the key issues of concern identified by Council officers, as part of the internal review process. These concerns related to the position and height of a number of the proposed marker buildings, the lack of commitment to the adaptive re-use of the existing heritage buildings and the amount of retail proposed as part of the redevelopment and its likely impact on the retail core of the Coburg Principal Activity Centre.

Despite Council's objection to the proposed 16-storey tower in the western courtyard of B Division, Heritage Victoria issued a permit on 28 April 2009. It is assumed that Valad will now apply for planning approval for this building from the Minister for Planning.

Pentridge Village Design Guidelines and Masterplan (December 2008)

(Circulated as Under Separate Cover Attachment)

Pentridge Village was advised of issues / concerns raised by Council officers in a letter dated 14 April 2009 and provided at **Attachment 1**. A detailed matrix, responding to specific sections of the document is provided at **Attachment 2**.

The Pentridge Village Masterplan (December 2008) seeks to amend the 2005 version previously endorsed by Council on 14 March 2007. The key outstanding issues are summarised below:

- Reference to other documents and general errors
The Masterplan requires general editing and review. Policy documents have been incorrectly quoted and precinct boundaries are inconsistent with those defined in the Grandview Square Comprehensive Development Plan, an incorporated document in the Moreland Planning Scheme.
- Public realm
The revised Pentridge Village Masterplan lacks an analysis of desired public realm outcomes and it seems that these will be an afterthought and dealt with after each of the lots are developed, or in a piecemeal manner, as part of the development of the individual lots.
- Building heights
The revised Masterplan provides little guidance with regard to proposed building heights and design guidelines to assist with the consideration of planning applications.
- Retail uses
More emphasis is placed on promoting the retail function of Pentridge Village. The retail focus should be restricted and linked to serving the tourism role of the Pentridge Precinct with a small amount of local convenience shopping. Any proposed retail / commercial component must not operate in competition with or have significant negative impacts on the Coburg Principal Activity Centre.

- **Viewlines**
The revised Masterplan now refers to the importance of 'some viewlines'. All key viewlines must be identified to avoid any further confusion and should include the view from Pentridge Boulevard through to Village Walk and the view to the D Division building from the northern forecourt of the Council Offices in Urquhart Street. View lines that are no longer considered critical have also been acknowledged.
- **Linkages**
While it is acknowledged that traffic along Urquhart Street will continue along the existing alignment, an identified pedestrian link still exists along the southern D Division wall, extending through to the north-eastern corner of the currently vacant Lot A (on the corner of Pentridge Boulevard and Urquhart Street). Sufficient justification must be provided for not including the link and any alternative must be justified.
- **ESD**
Reference in the revised Masterplan to sustainable development being incorporated where 'economically' viable' is not supported. Alternative wording was suggested to ensure sustainability measures are incorporated into each development proposal, to be determined at the planning permit application stage and in accordance with the approved precinct-wide Water Sensitive Urban Design Strategy.
- **Housing**
Consistent with the Coburg Activity Centre Local Policy (Clause 22.12) and State government policy, the revised Masterplan must make a clear commitment to housing choices to incorporate affordable housing.

A Way Forward

Pentridge Village was requested to undertake further work on the revised Masterplan. Valad was required to undertake a similar process whereby the November 2008 version addressed a number of issues raised by Council officers in relation to the draft March 2008 version. Valad then briefed Councillors at an Issues and Discussions Workshop in March 2009 before the matter was reported to a Council meeting on 8 April 2009.

However, in response to the Minister's decision to take over as responsible authority and in the absence of any process to move forward, it is critical that Council endorses the officer comments and advises the Minister of the issues / concerns identified in each Masterplan.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

Councillors have been consulted about the Pentridge (Piazza) Coburg Masterplan at the Issues & Discussion Workshop held on 10 March 2009 and invited to attend a site visit on 12 March 2009. A report was presented to the Council meeting on 8 April 2009 (DCD21).

Following the Minister's decision, the community consultation phase did not proceed and Council's Information Session, which was to be held on 12 May 2009, was postponed.

Over 50 people attended the information sessions held by Valad at Pentridge Piazza on 18 April and 21 April 2009. A summary of the issues identified by Valad at both information sessions is provided at **Attachment 3**.

The revised Pentridge Village Masterplan (December 2008) was circulated internally on 22 January 2009 for comment. The feedback from this internal consultation process has been incorporated in the Council officers' response to Pentridge Village on 14 April 2009 provided at **Attachment 1** and a detailed matrix provided at **Attachment 2**.

5. Financial and Resources Implications

There are no financial implications for Council.

DCD31 AMENDMENT C111 - REDEVELOPMENT OF FORMER KODAK SITE (FORMERLY AMENDMENT C100) (D09/73791)

Director City Development

Sustainable Development Branch/Strategic Planning Unit

Executive Summary

On 1 May 2009 the Minister for Planning, Justin Madden, executed his right to call in the planning scheme amendment for the redevelopment of the former Kodak site located at 173-199 Elizabeth Street, Coburg North. The Minister exempted himself from any notice requirements and prepared, adopted and approved Amendment C111 to the Moreland Planning Scheme. The amendment was gazetted on 7 May 2009 and allowed the rezoning of land to facilitate predominantly residential development.

The amendment was previously known as Amendment C100 and Council had received Authorisation to prepare and exhibit the amendment on 28 January 2009. Council was awaiting submission of a draft Development Plan before proceeding to public exhibition in accordance with Council Resolution DCD72 12 November 2008.

Given the Minister's decision to become the responsible authority for the former Kodak site, and in the absence of a clear process for approval of any future Development Plan, it is intended to formally advise the Minister for Planning of Council's issues and concerns previously raised with the proponent, Urbex Pty Ltd, and request that these matters are appropriately considered in any future decision-making.

This report informs Council of the Minister's decision to approve Amendment C111 and seeks endorsement of key issues / concerns raised by Council officers as part of the internal review of the draft Development Plan submitted to Council in July 2008.

Recommendation

Council resolve to:

1. Acknowledge the Minister for Planning's decision to call-in Amendment C100 to the Moreland Planning Scheme which affected land at the former Kodak site at 173 Elizabeth Street, Coburg North (detailed in his letter at Attachment 1), and approve the proposal with changes as Amendment C111 as identified at Attachment 2.
2. Endorse the issues/concerns/comments included at Attachment 3 in relation to the draft Development Plan for the former Kodak site.
3. Write to the Minister for Planning to:
 - a) Advise of the issues / concerns raised with respect to the draft Development Plan and request that these matters are considered as part of the approval of any future Development Plan; and
 - b) Request that any future Development Plan submitted by the proponent to the Minister for Planning be referred to a Priority Development Panel and that Council and the community be given the opportunity to make a submission to the Panel prior to any approval.
 - c) Seek clarification on the manner in which the Department for Planning and Community Development will ensure the provision of the broader community benefits contributions.

1. Policy Context

The Moreland Industrial Land Use Strategy 2004 (MILUS) sets out Council's policy position in relation to the rezoning and redevelopment of the former Kodak site in Coburg North. The site is identified as a Category A – Core Industry and Employment Area. While rezoning of industrial sites located within these core precincts is not supported, MILUS commented that if the site was to be vacated, the eastern portion of the site could be redeveloped for a number of non-industrial uses (including residential).

Council's adopted *Objectives for the Redevelopment of the Former Kodak Site* (DCD83 – 13 September 2006) set the framework to guide any amendment and related development proposal. The adopted objectives detail a wide range of issues and desired outcomes relating to land uses, environmentally sustainable design, urban design and built form, public open space and landscaping, interface with and upgrade of the Edgars Creek corridor, provision of affordable housing, as well as, traffic engineering issues.

2. Background

Amendment C100

In July 2008, Council received a request for a Planning Scheme Amendment to rezone the former Kodak site and apply a Development Plan Overlay (DPO) by Urbex Pty Ltd (a subsidiary of the BMD Group). Following extensive negotiations and discussion between Council officers and the proponent Urbex, Council resolved at the Council Meeting on 12 November 2008 (DCD72) to seek Authorisation from the Minister for Planning to prepare and exhibit the amendment.

The Minister for Planning granted Authorisation on 28 January 2009 and Council was awaiting submission of a revised Development Plan prior to proceeding to public exhibition of the amendment.

On 1 May 2009 the Minister for Planning announced a "Ministerial call-in" of the amendment. The amendment is now known as Amendment C111 and was gazetted on 7 May 2009. Reasons given for the Minister's call-in are largely based on trying to expedite planning processes in an effort to stimulate the local economy and the construction industry, identified in the Minister's correspondence to Council contained in **Attachment 1**.

Development Plan Overlay (DPO)

The Development Plan Overlay (DPO) is applied to require the preparation of a development plan to coordinate future use and/or development, before a planning permit can be granted. The intention is to provide certainty about the nature of the proposed use or development upon endorsement of the Development Plan by the responsible authority. Any subsequent planning permit application that is generally in accordance with the Development Plan is exempt from notice and review pursuant to Clause 43.04-2 of the planning scheme. The DPO will not introduce a new permit trigger, the underlying Residential 1 Zone or Business 1 Zone will continue to set the permit requirements.

3. Issues

Zoning

The rezoning of the subject land to part Residential 1 Zone and part Business 1 Zone along Elizabeth Street opposite the school is consistent with the zoning proposed by Council and the adopted objectives for the site. The floor area limits detailed in the Schedule to the Business 1 Zone (max. 1000sqm office / 2000sqm shop) are also consistent with Council's version.

However, Ministerial Amendment C111 does not rezone the Edgars Creek Bridge from an Industrial 1 Zone to a Public Park Recreation Zone (PPRZ) as proposed by Amendment C100. In accordance with Ministerial Direction 7(5), privately owned land cannot be in a Public Park and Recreation Zone. To enable rezoning of the bridge, it would first have to be transferred into Council or State owned land or become Crown Land. It is unclear whether this will be facilitated by the Minister for Planning.

Development Plan Overlay (Schedule 11)

Council and the proponent have been engaged in a long period of negotiation regarding a proposed Development Plan Overlay – Schedule 10 (DPO10) for the site. The Minister for Planning has approved a revised DPO10 with changes summarised as follows:

- Change of wording to require any development to *'have regard to'* the Council adopted objectives for the redevelopment of the former Kodak Site instead of being *'generally consistent with'*.
- Removes the specific requirement for 10% of all dwelling stock to be affordable housing. The overall objective (no percentage) for inclusion of affordable housing is still contained within the schedule to the DPO10 in the form of a requirement for a report that outlines how affordable housing will be incorporated and how local housing needs will be met.
- Removes the specific requirement for 10% of all dwelling stock to be accessible and adaptable housing. The overall objective (no percentage) for provision of accessible and adaptable housing is still contained within the schedule to the DPO10.
- Removes and rewords detailed requirements for an Environmental Management Plan (EMP). A general requirement for an EMP remains.

The gazetted DPO10 is contained in **Attachment 2** with changes compared to Council's proposed version highlighted.

The removal of targets in relation to the provision of affordable as well as adaptable and accessible housing could result in increased uncertainty. Specific targets would have provided Council and the developer with a clear understanding of what is expected, removing the need for negotiations and discussion about appropriate targets in the future. Retention of these specific targets would have shown strongly needed leadership by the State Government on important policy issues.

Overall it is considered that the changes made to the DPO10 do not present a substantial change to the intent of Council's objectives and the DPO10 proposed as part of Amendment C100. However, the critical aspects of the eventual redevelopment of the site are dependent on the approval of any future Development Plan. While the Minister for Planning has assumed responsibility for the approval of such a Development Plan, Council will be the responsible authority for future planning permit applications once a Developments Plan has been approved.

Environmental Significance Overlay

The removal of the Environmental Significance Overlay Schedule 1 (ESO1) is supported as it is consistent with the removal proposed by Amendment C100.

Developer Contributions

In a letter to Council the proponent has previously stated that they are willing to enter into an agreement pursuant to Section 173 of the *Planning and Environment Act 1987* detailing monetary contributions and the timing. The proponent agreed to make financial contributions to Council towards the:

- upgrade or extension of existing community facilities; or provision of new facilities in the surrounding local area;
- upgrade or provision of street furniture, street landscaping, bus stops and other public assets; and
- any required upgrades or modifications to existing roads.

With the Minister for Planning now assuming the role of responsible authority, it is unclear how and whether these contributions will be made. So far the Department of Planning and Community Development (DPCD) has failed to provide clear direction about how these aspects will be dealt with and desired outcomes facilitated.

To ensure that the redevelopment of the former Kodak site provides broader community benefits, these contributions are critical and Council should seek clarification from DPCD how the delivery will be ensured.

A way forward

Council was awaiting submission of a revised Development Plan by the proponent to enable public exhibition of the amendment.

The approval and gazettal of Amendment C111 by the Minister for Planning did not involve any public consultation that would otherwise have been required under Section 19 of the *Planning and Environment Act 1987*. It is therefore considered critical that Council and the community are provided with the opportunity to participate in the process for approving the Development Plan.

So far there has been no clear direction from the DPCD on the processes for public consultation and the approval of any Development Plan. In the absence of any clearly process to move forward, it is critical that Council advises the Minister of the issues / concerns previously identified by officers for the draft Development Plan of the former Kodak site. **Attachment 3** provides a summary of issues collated against the assessment criteria of the *Objectives for the Redevelopment of the former Kodak Site*.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

4. Consultation

Council was briefed regarding Amendment C100 at the Issues & Discussion Workshop on 20 October 2008 which involved a presentation by the proponent Urbex Pty Ltd. A report was presented and endorsed by Council on 12 November 2008.

No public consultation of Amendment C100 occurred. Council was awaiting the submission of a revised Development Plan that responds to Council's concerns and issues prior to sending the planning scheme amendment out on public exhibition. A decision on whether the Minister will involve Council and the community in deciding on the Development Plan for Amendment C111 is unclear.

5. Financial and Resources Implications

Financial and resource implications are unknown at this stage as DPCD has so far failed to establish a clear process for the future approval of a Development Plan.