

Moreland City Council

COUNCIL AGENDA

WEDNESDAY 9 SEPTEMBER 2009

COMMENCING 7 PM

COUNCIL CHAMBER, MORELAND CIVIC CENTRE
90 BELL STREET, COBURG

Language Link

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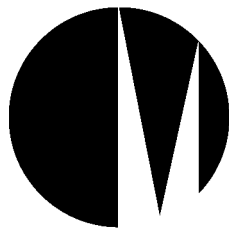
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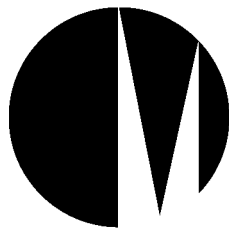
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INFORMATION ABOUT COUNCIL MEETINGS

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. **COMPLETED AND OUTSTANDING COUNCIL RESOLUTIONS AND REPORTS** A list of Council resolutions and reports that are completed and outstanding.
8. **REPORTS FROM COMMITTEE TO COUNCIL** Council considers reports from Committees that Councillors represent Council on.
9. **QUESTION TIME** This is an opportunity (30 minutes), for citizens of Moreland to raise questions with Councillors.
10. **"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.
11. **COUNCILLORS ITEMS** Councillors may raise issues or matters of interest that are not listed on the meeting Agenda.
12. **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.
13. **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.
14. **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.
15. **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 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 discussed.
16. **CLOSE OF MEETING** The Mayor will formally close the meeting and thank all present.
17. **NEXT MEETING DATE** The next Council meeting will be held on Wednesday 14 October 2009 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 12 August 2009 be confirmed.

4. DECLARATION OF INTERESTS AND/OR CONFLICT OF INTERESTS

5. PETITIONS

(D09/149205) BLUESTONE KERBS IN WEST BRUNSWICK

A petition has been received containing 164 signatures requesting that the bluestone kerbs in West Brunswick, particularly in Hopetoun Avenue and McColl Court, not be removed.

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.

6. MAYOR AND COUNCILLORS' CORRESPONDENCE

7. COMPLETED AND OUTSTANDING COUNCIL RESOLUTIONS AND REPORTS

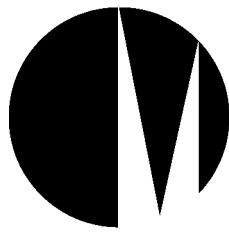
8. REPORTS FROM COMMITTEE TO COUNCIL

Nil.

9. QUESTION TIME

10. "ON NOTICE" ITEMS FROM PREVIOUS COUNCIL MEETING

- DCD (Colin Sparks) VCAT Appeal



11. COUNCILLORS' ITEMS

12. COUNCIL REPORTS

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CITY DEVELOPMENT

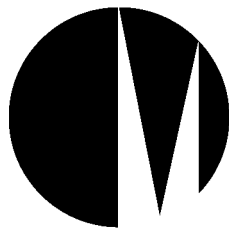
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	Nil.	

DCS20 DRAFT STANDARD, FINANCIAL AND PERFORMANCE STATEMENTS 2008/2009 (D09/144812)

Director Corporate Services

Finance and Business Systems

Executive Summary

The Moreland City Council Standard Statements, Financial Statements and Performance Statement for the 2008/2009 financial year have been prepared by Council and reviewed by the Auditor General's agent, DFK Collins Chartered Accountants. Council's Audit Committee has also examined the documents.

The draft statements are attached to this report for consideration by Council and adoption-in-principle as required by the *Local Government Act 1989* prior to them being forwarded to the Auditor General for review.

Recommendation

Council resolve:

1. That having considered the Standard, Financial and Performance Statements for 2008/2009, Council gives its approval in principle to the statements and authorises the Mayor, Cr Tapinos, or in the absence of the Mayor, the Deputy Mayor, Cr Matthews-Ward, and Cr Teti, Portfolio Councillor Corporate Services, to certify the Statements in their final form.
2. That any changes to the Standard, Financial and Performance Statements recommended, or agreed to, by the Auditor General be approved by the Chief Executive Officer, in consultation with the Mayor, Cr Tapinos, or the Deputy Mayor, Cr Matthews-Ward, and Cr Teti after consideration by the Principal Accounting Officer.

REPORT

1. Policy Context

This report is in keeping with Council's commitment to accountability and sound financial management. It also addresses the requirement under sections 131 and 132 of the *Local Government Act 1989*, which requires Council to consider and give approval-in-principle to the Standard, Financial and Performance Statements, and to authorise two (2) Councillors and the Chief Executive Officer to certify the Statements in their final form, together with the Principal Accounting Officer.

2. Background

This report contains the following Attachments:

- Standard Statements 2008/2009 (Under Separate Cover **Attachment 1**)
- Financial Statements 2008/2009 (Under Separate Cover **Attachment 2**)
- Performance Statement 2008/2009 (Under Separate Cover **Attachment 3**)
- Draft Minutes of the Audit Committee held 18 August 2009 (Under Separate Cover **Attachment 4**).

The Statements have been prepared by Council staff, audited by the Auditor General's contractor and examined by Council's Audit Committee on Tuesday 18 August 2009.

Following the consideration and adoption-in-principle by Council, the Statements will be forwarded to the Auditor General. The Auditor General will consider the report of his contractor, DFK Collins Chartered Accountants, conduct a review of the Standard, Financial and Performance Statements and return them for signature by the authorised Councillors, the CEO and Principal Accounting Officer prior to inclusion in the Moreland City Council Annual Report.

The Auditor General's contractor, DFK Collins Chartered Accountants, have advised the Audit Committee that, subject to a review of the final version, they intend to recommend to the Auditor General that the Moreland Standard, Financial and Performance Statements should each be given confirming audit opinions without qualification.

3. Issues

The Audit Committee resolved that:

Subject to further minor amendments to the Notes to the Standard Statements and the Financial Statements:

1. In the opinion of the Audit Committee and to the best of the Committee's knowledge and belief:
 - a) The draft 2008/2009 Standard Statements have been prepared on accounting bases consistent with the Financial Statements, and in accordance with the *Local Government Act 1989* and the *Local Government (Finance and Reporting) Regulations 2004*, and therefore recommend that Council "approve in principle" the 2008/2009 Standard Statements.
 - b) The draft 2008/2009 Financial Statements present fairly the financial transactions of the Moreland City Council for year ended 30 June 2009, and the financial position as at that date, and therefore recommend that Council "approve in principle" the 2008/2009 Financial Statements.

- c) The draft Performance Statement for 2008/2009 presents fairly the performance measures and targets prescribed in the Council Plan and Annual Business Plan, and therefore recommend that Council “approve in principle” the 2008/2009 Performance Statement.
2. The Audit Committee recommend that Mayor, Cr Tapinos and Cr Teti be nominated by Council as the two Councillors authorised to certify the Statements in their final form after any changes recommended, or agreed to, by the Auditor have been made and to sign the final 2008/2009 Standard, Financial and Performance Statements on behalf of Council.

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’s Audit Committee has examined the financial statements.

5. Financial and Resources Implications

The attached 2008/2009 Standard, Financial and Performance Statements will be subject to review by the Auditor General and will form part of the Council Annual Report.

This report does not have any direct financial or resource impacts.

DCD55 POSSESSION AND CONSUMPTION OF ALCOHOL IN PUBLIC PLACES IN BRUNSWICK (D09/148663)

Director City Development

Urban Safety

Executive Summary

Clause 26 of the Moreland City Council General Local Law 2007 provides that Council may, by resolution, prescribe all or part of a public place to be a place where the consumption and possession of alcohol is prohibited. Furthermore, pursuant to Section 224A of the *Local Government Act 1989*, Council may authorise any member of the Victoria Police to enforce a Local Law provision relating to alcohol possession and consumption and may publish a notice in the *Victorian Government Gazette* stating that any police officer may so enforce such a provision of a Local Law.

Issues within the local community, and feedback from various organisations have lead to a recommendation that a prescription about alcohol possession and consumption in public places be made in relation to parts of Brunswick. The proposed area is closely aligned to the boundary of the draft Brunswick Structure Plan.

Finally, it is also considered appropriate to make a time-based prescription in relation to all parks and reserves in Moreland. This will mean that any anti-social behaviour occurring late in the night can be more easily addressed, and residents' amenity will be protected.

Recommendation

Council resolve

1. In accordance with the provisions of Clause 26 of the Moreland City Council General Local Law 2007:

a) To prescribe the following area to be a place where the consumption and possession of liquor is prohibited in all public places at all times:

The area of Brunswick bounded by:

- The Upfield Railway Line from Brunswick Road to Victoria Street;
- Victoria Street (west) to Beith Street;
- Beith Street (south) to Albert Street;
- Albert Street (east) to David Street;
- David Street (south) to Glenlyon Road;
- Glenlyon Road (east) to Charles Street;
- Charles Street (south) to Edward Street;
- Edward Street (east) to Ewing Street;
- Ewing Street (south) to Brunswick Road;
- Brunswick Road (west) to Stranger Street;
- Stranger Street (south) to Park Street;
- Park Street (west) to the Upfield Railway Line;

as shown in the attached map (Attachment 1).

2. In accordance with Section 224A of the *Local Government Act 1989*, to authorise all members of the Victoria Police to enforce clause 26 of the Moreland City Council General Local Law 2007; and

3. To authorise the Chief Executive Officer to take the necessary action to give effect to this decision.

1. Policy Context

The objectives of the Moreland City Council General Local Law 2007 ("the Local Law") include providing for all of the following:

- the peace, order and good government of the municipal district;
- a safe and healthy environment so that the community of the municipal district can enjoy a quality of life that meets its expectations;
- the safe, fair and reasonable use and enjoyment of public places.

In order to achieve these objectives, Clause 26 of the Local Law provides that Council may, by resolution, prescribe all or part of a public place to be a place where the consumption and possession of alcohol is prohibited. Furthermore, pursuant to Section 224A of the *Local Government Act 1989*, Council may authorise any member of the Victoria Police to enforce a Local Law provision relating to alcohol possession and consumption and may publish a notice in the *Victorian Government Gazette* stating that any police officer may so enforce such a provision of a Local Law.

2. Background

Complaints have been received by Council concerning drinking in public places in parts of Brunswick, and people behaving in an anti-social manner.

Complaints have also been made to Victoria Police about the behaviour. In a written response to the group, Victoria Police have pointed out that many of the issues of concern do not happen immediately in front of members of the Police, and expressed the view that the behaviour may not occur if the people concerned were not able to possess and consume alcohol in the area concerned.

Other issues have also been raised concerning some parks and reserves within Moreland, particularly in relation to anti-social behaviour in the late evening.

3. Issues

Issues within the local community, and feedback from various organisations have lead to a recommendation that a prescription about alcohol possession and consumption in public places be made in relation to the Brunswick area. The proposed area is closely aligned to the boundary of the draft Brunswick Structure Plan (as shown in **Attachment 1**). This will mean that any anti-social behaviour occurring late in the night can be more easily addressed, and residents' amenity will be protected.

Human Rights Consideration

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

The Charter provides that every person must be entitled to a fair hearing. Clause 95 of the Local Law provides that any person who is issued with an infringement notice for a breach of the Local Law may access a right of internal review of the decision to issue the infringement notice (in accordance with the provisions of the *Infringements Act 2006*).

4. Consultation

Direct input has been received from members of the community, and Officers have consulted internally.

5. Financial and Resources Implications

There are no financial or resources implications associated with this report.

DCD56 AMENDMENT C107 - MORELAND PLANNING SCHEME: BARKLY STREET / NICHOLSON STREET / BRUNSWICK ROAD PRECINCT - REQUEST FOR AUTHORISATION (D09/122238)

Director City Development

Sustainable Development Branch/ Strategic Planning Unit

Executive Summary

In May 2009, Council received a request to rezone industrially zoned land within the area bound by Barkly Street, Nicholson Street and Brunswick Road, Brunswick East. The proposed amendment has been assessed in regard to the development capabilities of the land and its surrounds with particular reference to the scale of future development and the strategic merit of the amendment proposal.

Specifically, the amendment proposes to:

- a) Rezone land at 4-6, 8-10, 12, 14, 16, 18 & 20-26 Barkly Street and 5, 7-9, 11-15, 21-27 Brunswick Road, Brunswick East, from an Industrial 3 Zone to a Business 2 Zone;
- b) Apply a Design and Development Overlay (DDO22) to the entire precinct including 2, 4-6, 8-10, 12, 14, 16, 18, 20-27 Barkly Street, 25-37, 39, 41, 43, 45, 47 Nicholson Street and 1-3, 5, 7-9, 11-15, 21-27 Brunswick Road, Brunswick East;
- c) Delete the existing Design and Development Overlay (DDO3) for landmark development sites that applies to 25-37 Nicholson Street; and
- d) Apply an Environmental Audit Overlay to 4-6, 8-10, 12, 14, 16, 18 & 20-26 Barkly Street and 5, 7-9, 11-15, 21-27 Brunswick Road currently included in an Industrial 3 Zone proposed to be rezoned as part of this amendment.

The amendment proposal is considered to be consistent with urban village policy in the Municipal Strategic Statement, the objectives of the *Moreland Industrial Land Use Strategy*, and supported through the work undertaken as part of the Brunswick Major Activity Centre Structure Plan. Similarly, the rezoning of land to encourage a mixed-use character along a significant transport spine is consistent with State Government policy in *Melbourne 2030: Planning for Sustainable Growth* and *Melbourne @ 5 Million*.

Several properties within the precinct are currently underutilised and present an opportunity to be developed for a range of commercial and residential uses that will complement the surrounding area and positively respond to Council's planning policies and strategies. The precinct is located close to public transport and other community facilities and in a neighbourhood that is under significant development pressure for conversion from industrial to residential and other uses.

The Business 2 Zone provides the opportunity to pursue a range of new uses, including commercial and other employment generating activities as well as residential development. The proposed application of the Design and Development Overlay will set design and built form parameters for any future development, whilst respecting the established residential interfaces. The application of the Environmental Audit Overlay will ensure that contamination issues are managed appropriately prior to the sensitive use of land within the precinct. It is recommended that Council request Ministerial Authorisation to prepare and exhibit the amendment.

Recommendation

Council resolve:

1. To seek Authorisation from the Minister for Planning to prepare Amendment C107 to the Moreland Planning Scheme in accordance with section 9 of the *Planning and Environment Act 1987*; and
2. Upon receipt of the Minister's Authorisation, to prepare and exhibit Amendment C107 to the Moreland Planning Scheme pursuant to section 19 of the *Planning and Environment Act 1987*.

1. Policy Context

MILUS

The amendment has been prepared in the context of the *Moreland Industrial Land Use Strategy* (MILUS). The MILUS provides a 10-15 year strategic framework to guide the future use and development of industrial land in Moreland. The precinct is included within MILUS Category C - Multi Use – Employment Area, and refers to industrial areas that are appropriate to evolve to provide a wider mix of employment generating uses to establish, including offices, to provide new jobs within the municipality. On large sites, the potential for a residential component may exist, provided the development maintains employment activities.

The proposed Business 2 Zone is appropriate to achieve the objectives of the MILUS as they relate to 'Multi-Use – Employment' areas and the desire to encourage a mix of employment generating uses in conjunction with new residential development. The proposed rezoning will not prejudice the ongoing operation of existing viable industries that intend to remain in the area in the long term.

Brunswick Major Activity Centre

The Brunswick Structure Plan includes the precinct within local area 3A – Nicholson Street South. The vision for the area is to develop as a city fringe location for businesses serving the inner city. Nicholson Street is envisaged to attract investment in showrooms and offices as well as medium and high-density housing. In particular, the area is expected to develop as an activity node, facilitating the development of offices and associated commercial uses, and an intensification of residential development in the precinct.

Nicholson Street / Brunswick Road Urban Village

The Municipal Strategic Statement of the Moreland Planning Scheme identifies Nicholson Street / Brunswick Road as an urban village and a focus area for change (Clause 21.04-2). Urban villages can be defined as suburban centres with residential, local employment opportunities, good public transport, and community facilities within walking distance. The precinct is located at the nexus of a tram and bus route with existing retail and community services and facilities located close by. Additionally, the precinct includes large redevelopment sites that are capable of supporting more local employment and providing greater housing choice possibilities.

Melbourne 2030 and Melbourne @ 5 Million

Melbourne 2030 and the recent planning update *Melbourne @ 5 Million* provide policy direction for the efficient use of strategic redevelopment sites along existing transport spines. In particular, the proposed amendment is consistent with the State Government's objectives to free up surplus industrial land located in activity centres, accommodate more housing along transport corridors, and help stimulate private investment.

2. Background

Subject Sites and Precinct

An application to rezone the precinct was submitted in May 2009 by Contour Consultants Pty Ltd on behalf of EG Funds Management which is the owner of land known as the 'Charles Parsons' site (21 – 27 Brunswick Road, Brunswick). The site formerly used by Charles Parsons Pty Ltd, producer of manchester, garments and fabrics, has the largest landholding in the precinct comprising approximately 2,241m². The precinct consists of 23 properties within Barkly Street, Nicholson Street and Brunswick Road, Brunswick East. Other uses in the precinct include: residential, a truck tyre centre; cleaning supplies and machinery sales; manchester sales, building supplies and electrical sales.

The precinct is currently located within a mix of four zones including the Mixed Use Zone, Business 2 Zone, Industrial 3 Zone and the Residential 1 Zone. An existing zoning map of properties affected by the proposed Amendment is contained in **Attachment 1**. The precinct is located within an area undergoing change including two vacant sites and several underutilised industrial buildings. The western portion of the precinct remains predominantly industrial while the eastern portion has an emerging mixed-use character. Beyond the precinct to the north and west, the land use is more typically residential.

3. Issues

Zoning

MILUS clearly promotes office and retail activities as a significant component of development with residential use only allowed subject to guidelines that emphasise the employment generating functions in the precinct. The amendment proposes to rezone the precinct from an Industrial 3 Zone to a Business 2 Zone to facilitate commercial and residential uses. The amendment is considered to address local and state planning policies for an underutilised strategic development site located along a transport corridor and within a designated urban village.

Specifically, the purpose of the Business 2 Zone (B2Z) is to encourage a mixture of office and associated commercial uses in areas that are within proximity to public transport, main roads and activity centres. In the B2Z offices are permitted as of right and residential uses are permitted subject to a planning permit. There is no proposal to amend the schedule to the B2Z to restrict the amount of office space or retail that can be developed on the site. The area to be rezoned is shown in **Attachment 2**.

Design and Development Overlay

The amendment proposes to include the precinct within a Design and Development Overlay (DDO) to guide the development of built form through design objectives. A copy of the proposed schedule to the DDO and map can be found in **Attachment 3**. These objectives aim to:

- promote high quality contemporary architecture;
- ensure that the height and design of new development does not adversely impact on the amenity of neighbouring properties;
- encourage new development to provide high-density forms of residential accommodation above ground floor and first floor commercial spaces;
- activate street frontages and provide linkages between Barkly Street and Brunswick Road;
- avoid unreasonable bulk when viewed from surrounding streets and properties; and
- incorporate environmentally sustainable design features and meet the access needs of all sectors of the community.

As part of the amendment request, a detailed Height and Massing Study was prepared by the proponent for the precinct. The study takes into account the height and massing of existing surrounding buildings and current approved and proposed planning applications within the precinct. The investigations undertaken as part of the Height and Massing Study is considered to provide a thorough analysis of the site and its surrounds. In particular, the proposed heights are considered to be appropriate and have considered existing interfaces to Barkly Street, Brunswick Road and Nicholson Street. The Height and Massing Study provides supplementary information to the Brunswick Structure Plan and serves to justify the proposed deviations to building height in this precinct. The proposed heights are detailed in **Attachment 2**, in the built form section.

The amendment also proposes to delete the existing DDO that applies to land on the corner of Nicholson Street and Brunswick Road that relates to landmark developments. The proposed DDO that will apply to the entire precinct integrates the design objectives for this landmark development site and aims to achieve an appropriate transition for the remainder of the precinct. It should be noted that planning approval has already been provided for a seven-storey building at the corner of Nicholson and Brunswick Road.

Environmental Audit Overlay

When rezoning land that has previously been used for industrial purposes that may have resulted in potential contamination of a site to a zone that allows more sensitive uses like residential, the appropriate tool to apply is the Environmental Audit Overlay (EAO). The application of the overlay ensures that possible contamination is identified and appropriate remediation strategies are put in place prior to buildings and works. The area to be included within the EAO is shown in the map at **Attachment 4**.

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's Urban Development Branch and Activity Centres Team have been consulted throughout the preparation of this planning scheme amendment.

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

The amendment will be exhibited in accordance with the requirements of section 19 of the *Planning and Environment Act 1987*. This includes a one-month exhibition period, notices in the *Victorian Government Gazette* and the *Moreland Leader*, and letters to affected property owners/occupiers, adjoining property owners/occupiers and prescribed Ministers.

5. Financial and Resources Implications

The proponent will meet statutory fees and costs associated with the amendment.

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

DCD57 AMENDMENT C85 - PUBLIC OPEN SPACE CONTRIBUTIONS AND SUBDIVISION (D09/132046)

Director City Development

Sustainable Development Branch / Strategic Planning Unit

Executive Summary

Amendment C85 proposes to introduce a schedule to Clause 52.01 (Public Open Space Contribution and Subdivision) of the Moreland Planning Scheme, to require a mandatory public open space contribution for all non-exempt subdivisions. The amendment also proposes to make minor changes to the Municipal Strategic Statement (MSS) to reference the Schedule to Clause 52.01, and include the 2004 version (the current version) of the Moreland Open Space Strategy (MOSS) in the reference documents.

The amendment applies to all land within the City of Moreland and will apply to all residential, mixed use, commercial and industrial subdivisions within the municipality, unless the subdivision is of a class that is exempt from public open space contribution requirements.

The proposed Schedule to Clause 52.01 introduces a variable levy rate on a suburb basis, which is considered to be a fair and equitable method as it reflects local supply and demand for open space. The amendment would achieve a public open space contribution rate when averaged across the municipality of 6.6% of the value of land to be subdivided; this rate is higher than the maximum 5% that is allowed under the *Subdivision Act 1988*.

The amendment was placed on public exhibition between 23 April 2009 and 25 May 2009. Following the exhibition period, a total of eight submissions were received, with four of the eight submissions seeking changes to the proposed amendment.

As a resolution of each of the requested changes in the submissions cannot be achieved it is appropriate to refer the matter to a Panel, which will provide an independent review of all positions, including the view of Council.

This report provides a summary and response to the issues and concerns raised by submitters. It recommends that Council note the submissions to Amendment C85 and resolve to write to the Minister for Planning to request the appointment of an independent Panel to consider Amendment C85 and related submissions.

Recommendation

Council resolve:

1. To note the submissions to Amendment C85.
2. To support Amendment C85 and adopt the response to submissions detailed in the report.
3. To request the Minister for Planning, under Part 8 of the *Planning and Environment Act 1987*, appoint a Panel to consider Amendment C85 and associated submissions.
4. To notify all submitters of this resolution.

1. Policy Context

The Council Plan 2007-2011 and the Mayors Speech 2006-2007 both include the following as a key strategic activity for the Strategic Planning Unit: *To prepare an amendment to the Moreland Planning Scheme to incorporate the Moreland Open Space Strategy.*

The Moreland Open Space Strategy 2004 (MOSS) identifies strategic priorities and projects for Moreland with the aim of “*developing and maintaining a high quality, resource efficient network of open spaces in Moreland that will satisfy current and projected community needs in a sustainable way.*” Section 12 of the MOSS recommends a number of options for funding methods to implement the MOSS, including the introduction of a schedule to Clause 52.01.

Moreland's Municipal Strategic Statement (MSS) recognises that with less than two hectares of open space per 1000 residents, Moreland has one of the lowest levels of open space in inner Melbourne. The distribution of open space in Moreland is also uneven, with some residential areas being more than 500m from a large local park at least 1 hectare in area. The quality of open space within Moreland is also inconsistent.

Moreland City Council currently imposes a “blanket” 5% public open space levy on the subdivision of land across the entire municipality, unless the subdivision proponent puts forward an argument for a reduction in the levy. A 5% contribution is the maximum that can be imposed under Section 18 of the *Subdivision Act 1988* (seeking a 5% contribution is also policy under Clause 21.05-6 of the MSS).

A number of decisions of the Victorian Civil and Administrative Tribunal (VCAT) that have considered the payment of public open space within Moreland have highlighted that there is no reason for Moreland *not* to include a schedule to Clause 52.01 of the Moreland Planning Scheme, specifically stating in one case (*Calleja v Moreland CC [2004] VCAT 2371* (30 November 2004)), “*The failure of Council to take either or both of these steps (to formalise open space contribution rates) significantly undermines Council's stated position .. that a standard 5% open space requirement is appropriate here.*”

There is no standard methodology available to Councils to assist in establishment of a mandatory Public Open Space contribution rate. Therefore, SGS Economics and Planning (SGS) were commissioned by Council in 2006 to produce a report to provide Council with a methodology for calculating a mandatory contribution rate for the municipality. The SGS report produced for Moreland titled *Public Open Space Contributions and Subdivision* recommends that Council introduce a variable contribution rate on a suburb basis to reflect local supply and demand for open space. This proposed schedule is shown in **Attachment 1**.

2. Background

Authorisation

On 12 November 2008, Council resolved (DCD71) to write to the Minister for Planning to seek Authorisation to prepare and exhibit Amendment C85. Council Officers sent a request for Authorisation on the 18 November 2008. Council received Authorisation (A01228) from the Minister for Planning on 9 December 2008. There were no conditions or comments included with the Ministerial Authorisation.

Public Exhibition

Amendment C85 was placed in the *Victorian Government Gazette* on the 23 April 2009, and on public exhibition for a period of one month between 23 April 2009 and 25 May 2009.

The *Planning and Environment Act 1987* states at Section 19 that Council is not required to directly notify owners and occupiers of land affected by an amendment, if Council considers the number of owners and occupiers affected makes it impractical to notify them all individually about the amendment. As the amendment affects the entire municipality, it was considered impractical to notify all landowners individually. It is also noted that other municipalities that have sought to introduce a Schedule to Clause 52.01 of their Planning Scheme have not sent a direct notification letter to every resident, setting a precedent in this regard.

Thus, notification letters sent in relation to Amendment C85 were targeted towards regular users of the Moreland Planning Scheme. Notification letters were sent to the following organisations:

- Land surveyors that are regular applicants for planning permits for subdivision within the City of Moreland.
- Planning consultancies/ drafts people/ architects that are regular applicants for planning permits for medium density developments within the City of Moreland.
- Planning consultancies that have made applications for planning permits or amendments for large redevelopment sites within the City of Moreland (eg. Pentridge, former CDA site etc).
- The Merri Creek and Moonee Ponds Management Committees.

A public notice of the amendment was placed in the *Moreland Leader* in the Public Notices Section on the 20 April 2009. In addition to this, to ensure that the community and community groups (such as parks groups) received notification of the amendment, an item also appeared in the 'Moreland City News' section of the *Moreland Leader* every Monday over the four weeks the amendment was on exhibition. The amendment documents were available at each of Council's Citizen Service Centres, as well as on Council's and the Department of Planning and Community Development's website.

A copy of the Notice of Preparation of Amendment and schedule to Clause 52.01, as exhibited, are contained in **Attachment 1**. No changes have been made to the amendment since exhibition.

3. Issues

Submissions

Following the exhibition period, eight submissions were received in total (a response to the submissions is included as **Attachment 2**):

- One submission in support of the amendment was received from the Merri Creek Management Committee.
- Three submissions were received from Referral Authorities (both statutory and non-statutory), none of which sought changes to the amendment.
- Four submissions were received seeking changes to the amendment.

A summary of the submissions and a recommended response to each of the issues raised is included at **Attachment 2**.

The submissions generally called for Council to exclude the land owned by the submitters from being subject to the schedule or abandon the amendment due to an in principle objection to the use of Clause 52.01 of the Moreland Planning Scheme rather than the more flexible *Subdivision Act 1988*. As Council could not accommodate the changes to the amendment, there was no benefit in holding a consultation meeting with submitters.

It is therefore appropriate that the next step in the response to the submissions is to refer the matter to an independent Panel, appointed by the Minister for Planning, which will provide an independent review of all positions, including the view of Council. As part of their deliberations the Panel will examine the proposed variable contribution rates and make recommendations on whether the variable contribution rates are strategically justifiable, appropriate and reasonable. The Panel may provide recommendations on the proposed rates of open space contribution and make suggestions for improvements in the operation of the proposed schedule.

Following receipt of the Panel Report, Council can then consider the recommendations of the Panel and make a decision on whether or not to adopt the amendment at that time. If Council makes a decision to adopt the amendment, the amendment would be forwarded to the Minister for Planning for approval. Alternatively, Council may make a decision to abandon the amendment following consideration of the Panel Report.

Environmental Implications

The amendment will assist in the provision of new and improved public open spaces across the municipality and an improved urban landscape, providing for additional tree planting and additional areas of permeable space to assist in stormwater treatment. The amendment will also assist in the upgrade of existing open spaces, including vegetation restoration within the creek corridors, leading to an improved biodiversity outcome for the municipality.

Social and Economic Implications

The amendment will provide certainty for both developers and Council in relation to the percentage contribution rate that will be required for all non-exempt residential, commercial and industrial subdivisions. This will assist proponents to appropriately cost and budget for developments, and assist Council in funding the open space projects identified in the MOSS and Activity Centre Structure Plans.

Enhancing open space within the municipality will contribute to providing places for social interaction, recreation, sport, activity and relaxation that contribute towards physical and mental health. In addition, creating new and improved open space and civic space will contribute to making Moreland a more attractive place to invest, live, work and visit.

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 amendment was exhibited to the public in accordance with Section 19 of the *Planning and Environment Act 1987*.

The SGS report was prepared with input from Council's Open Space Branch, Activity Centres Team, Strategic Planning Unit and Urban Development Branch.

The Open Space Branch and the Urban Development Branch, in particular the Subdivisions Officer, has been consulted through the preparation of this report and response to submissions table at **Attachment 2**.

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

Council was briefed on the SGS report at the Issues and Discussion (I&D) Workshop on 7 September 2009.

5. Financial and Resources Implications

Due to the number of variables and estimates required to formulate the levy percentages, it is not possible to definitively conclude that all projects costed in the levy calculations will be fully funded by the open space contributions.

The actual income Council receives from the levy will depend on a number of factors. Different scenarios are set out in chapter 4.4 of the SGS report.

It is generally considered however that the introduction of a contribution rate into the planning scheme is likely to result in an increase in revenue for Council to fund its open space projects because the percentage contribution rates, when averaged across the municipality, result in a contribution rate of 6.6% - a figure greater than the maximum 5% allowed under the *Subdivision Act 1988*.

The amendment will allow for more surety in the subdivision process for all parties, and result in a more efficient use of Urban Development Branch resources as the implementation of the schedule will remove opportunities for planning permit applicants to appeal a public open space requirement to the VCAT.

Council already has an administrative process to collect and administer public open space contributions. It is expected that only minor changes will be made to this existing process as a result of the proposed amendment.

Administrative costs associated with the processing of Amendment C85 and representation at a Panel Hearing will be met by the Strategic Planning Unit budget.

**DCD58 COMBINED AMENDMENT C97 AND PLANNING PERMIT
MPS/2009/73 - 81A BELL STREET AND 2-24 RODDA STREET,
COBURG (FORMER COBURG HIGH SCHOOL SITE)
(D09/146066)**

Director City Development

Sustainable Development Branch / Strategic Planning Unit

Executive Summary

The combined Planning Scheme Amendment C97 and Planning Permit Application MPS/2009/73 for the former Coburg High School site was submitted in February 2009 following lengthy and detailed discussions between the proponent and Council officers. The submission propose:

- to rezone the site to the Mixed Use Zone;
- to remove the two Heritage Overlays currently on the site;
- to make changes to the Coburg Activity Centre Local Policy;
- a mixed use building of up to 13 storeys, comprising 520 dwellings, 563 car parking spaces, 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 vehicle access arrangements from Bell Street.

The combined amendment / permit was placed on public exhibition from 25 June to 27 July 2009. A total of 43 submissions were received, of which 37 were objections.

A consultative meeting was held with submitters and other interested persons on 6 August 2009, with approximately 30 people attending the meeting. No resolution of issues was reached at the meeting and no objections have been withdrawn following that meeting.

This report provides a summary of and response to the issues raised by submitters and a detailed assessment of the proposed amendment and planning permit application.

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. For these reasons, the Amendment part of the proposal is generally supported, subject to consideration of some minor changes discussed in this report.

However, the development proposed by the planning permit application is significantly 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*. Recently, this built form pattern has been confirmed by work in progress of The Coburg Initiative. In addition, the detailed assessment of the proposed development concludes that the site's local context and sensitive interfaces have not been adequately responded to and off-site impacts have not been adequately resolved.

Council must now decide whether to:

- a) continue to support the amendment and permit application and request both be considered by an independent Panel; or
- b) continue to support the amendment and request it be considered by an Independent Panel, but to abandon the permit application; or
- c) continue to support the amendment, do not support the permit application, but request they both be considered by an independent Panel; or
- d) abandon both the amendment and permit application.

It is recommended that Council endorse option C.

In recognition that the site is one of the largest private landholdings within the Coburg Activity Centre and in the interests of facilitating an outcome on the site with the current landowner/developer, a Statement of Objectives has been drafted for the site. These draft objectives are intended to provide direction on the built form parameters that are considered acceptable on the site, having regard to the Central Coburg 2020 Structure Plan (and planning scheme policy), evolving directions from The Coburg Initiative, the local context, and community feedback on the current proposal. It is recommended that Council provide in principle support to the Draft Statement of Objectives, to form the basis of a more detailed document to be submitted to the Panel and the proponent for further consideration.

Following the Panel's consideration, the amendment, planning permit application and Draft Statement of Objectives will be reported back to Council for a final decision. Council's decision is then submitted to the Minister for Planning for final approval (unless Council determines to abandon the entire proposal).

Recommendation

Council resolve:

1. To note the submissions to Amendment C97 and Planning Permit Application MPS/2009/73 and to endorse the response to submissions detailed in this report.
2. To continue to support Amendment C97, subject to consideration of use of the Schedule to the Mixed Use Zone to define a maximum amount of floor space for retail (Shop) uses, and subject to consideration of removing or defining the term 'exemplary design' in Clause 22.12 Coburg Activity Centre Local Policy, for the reasons detailed in this report.
3. To not support Planning Permit Application MPS/2009/73, for the reasons detailed in this report.
4. To support the Draft Statement of Objectives for the site, to form the basis of a detailed set of built form parameters to be developed for the site.
5. To write to the Minister for Planning to request the appointment of a Panel to consider Amendment C97, Planning Permit MPS/2009/73, and Council's Draft Statement of Objectives for the site.
6. To notify the proponent and all submitters of this resolution.

1. Policy Context

The former Coburg High School site is located within the Coburg Principal Activity Centre, at 81A Bell St and 2-24 Rodda St, Coburg. 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 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* and Moreland's objectives to encourage urban consolidation around activity centres. 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.

However, the proposal fundamentally diverges from the built form pattern applied to the activity centre and the subsequent height guidelines defined for the site in the *Central Coburg 2020 Structure Plan* and translated into policy in the *Moreland Planning Scheme*.

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."*

The design response and off-site impacts of the proposal have been assessed in detail and it is concluded that the proposal does not meet the objectives for proposals not consistent with the built form guidelines of the Structure Plan and local policy. This assessment is discussed in detail in the Issues section of this report.

2. Background

The subject land is the site of the ex Coburg High School. The school building was subject to heritage controls, however after being extensively damaged by fire, a permit was issued for its demolition in March 2007.

Prior to the demolition of the school building, two earlier planning permits had been issued for the development of the site. In January 2001 a permit was issued for 160 dwellings on the site, and in November 2005 a permit was issued for a revised proposal comprising 102 dwellings. Both permits included the restoration and reuse of the ex school building.

In this context it is noted that the Coburg 2020 Structure Plan was developed, and approved by Council, with an intact heritage building and an existing Council approved planning permit for development. The demolition of the school and the clearing of the site created an opportunity to revisit the development capacity of the site.

Preliminary meetings with the proponents provided guidance as to the outcomes Council officers expected from any redevelopment. Specifically, these matters included a building of significance and of exemplary design (as acknowledged in the Structure Plan), activated street frontages, a highly considered response to the interface with the heritage reserve and due regard to the Rodda St streetscape.

On 18 February 2009, a combined planning scheme amendment and planning permit application (Amendment C97 and Planning Permit Application MPS/2009/73) was lodged for the former Coburg High School site by SJB Planning, acting on behalf of Hamton JV (Coburg) P.L. A map showing the site's location and context is included as **Attachment 1**. This proposal was lodged after extensive consultation and engagement with the proponent and their consultant team. It is important for Council to be aware that the proponent entered the process with a very collaborative approach and responded positively to suggestions and advice.

The amendment, as exhibited, proposes to:

- Rezone the site from Residential 1 Zone to Mixed Use Zone.
- Remove the Heritage Overlays from the site (HO21 – Former Coburg High School and HO31 – Bridges Reserve and City Oval Precinct).
- Make changes to the existing Coburg Activity Centre Policy in the Moreland Planning Scheme, to include additional land use and built form objectives related to the former Coburg High School site. Essentially these changes are to confirm that commercial uses along Bell Street are supported and that higher density built form, of a greater scale than the heights included in the policy, may be considered on larger sites where certain requirements are met. These changes are based on the Central Coburg 2020 Structure Plan.

A copy of the exhibited amendment is contained in Under Separate Cover **Attachment 2**.

The combined permit application, as exhibited, proposes:

- A building of up to 13 storeys (on Bridges Reserve), with 520 apartments and approx. 3,128 sqm of commercial floor-space fronting Bell St, comprising Shops, Food and drink premises (except Tavern and Hotel), Offices, Place of assembly (Community Facilities).
- A 1,186 sqm (approx.) courtyard located in the centre of the site, surrounded by the proposed building, intended to be open to the public during the day.
- 563 car parking spaces in 2 basement levels (520 for dwellings, 43 for non-residential uses) and 520 bicycle spaces.
- Two vehicle accessways to the basement car park; one located on Rodda Street and one located on Bell Street (a Road Zone Category 1).
- A pedestrian link extending east-west through the middle of the site, accessing the internal courtyard and connecting Rodda St to Bridges Reserve. This link is only intended to be open to the public during the day.
- A public pedestrian link extending east-west along the southern boundary of the site, connecting Rodda St to Bridges Reserve. The public nature of this link will be confirmed by variation to an existing carriageway easement. The carriageway easement also serves to maintain public access to the laneway at the rear of properties 26-44 Rodda St.

A copy of the exhibited draft planning permit is contained in Under Separate Cover **Attachment 3**.

The combined Amendment / Permit was placed on public exhibition from 25 June to 27 July 2009, in accordance with the requirements of the *Planning and Environment Act 1987*. Public Notice of the exhibition period was given in the *Victorian Government Gazette* and *Moreland Leader* Newspaper at the start of the exhibition period. Public Notices were erected and maintained on the site for the duration of exhibition and all nearby owners and occupiers were notified by mail of the exhibition. The combined Amendment / Permit documents were available for viewing at Council's Citizens Service Centre at Coburg as well as on Council's and the Department of Planning and Community Development's websites.

A consultative meeting was held in the Coburg Library meeting room on 6 August 2009, chaired by the local Federal Member of Parliament, Kelvin Thompson and the Mayor, Cr Lambros Tapinos. Ward Councillors, the Planning Portfolio Councillor, Council Officers and the proponent of the combined Amendment / Permit were in attendance. Approximately 30 residents attended the meeting and were able to ask questions and raise their concerns regarding the proposal.

3. Issues

As a result of public exhibition a total of 43 submissions were received, of which 37 were objections. A summary of submissions received is contained in Under Separate Cover **Attachment 4**.

Objections to the combined Amendment / Permit raised a variety of issues, summarised below. A response to each issue is also provided.

Inconsistency with existing Council policy and controls

Many submissions raised concerns with the fact that the proposed development is inconsistent with existing Council-endorsed controls for the site and expressed disappointment that Council did not appear to be upholding these controls.

Residents referred to the extent of community participation and sign off on the vision, objectives and built form and height guidelines of the Central Coburg 2020 Structure Plan and the fact that these objectives and guidelines were reflected in the Moreland Planning Scheme. Additionally, mention was made of community participation in the more recent activities of The Coburg Initiative.

It was pointed out that the community supports the vision for Coburg and concerns were raised that in the first major development proposal for the area, the vision and associated controls have been ignored.

Response:

The development of a strategy for the future use and development of the Coburg Principal Activity Centre has evolved over the last 8 years and over that time has involved extensive community participation and generally received a high level of community support.

Coburg was originally identified as Moreland's primary activity centre and a suitable location for increased residential and commercial densities in the Urban Villages Policy adopted by Council in 1997 (prior to the State Government's release of Melbourne 2030). In 2001 Council endorsed the project brief for the development of an integrated plan to guide the intensification and redevelopment of the area. A significant component of the project brief was a comprehensive community consultation strategy. In 2003 Council adopted the Central Coburg 2020 Vision. Based on the Vision, a range of options for redevelopment of the centre were explored and discussed with the community. This culminated in the Central Coburg 2020 Structure Plan (CC2020), adopted by Council in 2006. In 2007 the relevant objectives of the Structure Plan were translated into local policy in the Moreland Planning Scheme.

Most recently, Council has embarked on The Coburg Initiative project, intended to implement the CC2020 Structure Plan. The first stage of work currently being undertaken by The Coburg Initiative (the development of a 'Spatial Masterplan') has involved further consultation with the community. Advice to date from The Coburg Initiative indicates that the built form guidelines of the Structure Plan remain relevant.

It is important that the extensive amount of work undertaken by Council, in consultation with the community, over the last 8 years is taken into consideration when assessing the current proposal. The proposal has been assessed in detail against the objectives of the CC2020 Structure Plan, along with other relevant requirements of the Moreland Planning Scheme, as discussed in this report and in the detailed assessment of the planning permit application (refer Under Separate Cover **Attachment 5**). The evolving directions of The Coburg Initiative have also informed assessment of the proposal.

Height, built form and impact on Neighbourhood Character

Most objecting submissions were opposed to the proposed height of the development. Submitters argued that the proposed heights conflict with the existing 2-3 storey height controls in the planning scheme that were established after extensive community consultation, as discussed above.

Many submissions argued that the height and scale of the proposal is not consistent with the surrounding context and neighbourhood character, nor consistent with the heritage controls (existing and proposed) of nearby properties.

Response:

A number of referral comments also raised these concerns.

The proposed development is significantly larger than that encouraged by the CC2020 Structure Plan and associated planning scheme policy. In summary, the structure plan identifies the subject site for incremental change, reflecting its location on the periphery of the activity centre, adjacent to Bridges Reserve and at the transition to low scale residential areas. Heights of 2-3 storeys are recommended for the site, in keeping with an overall built form pattern of 6 storeys in the core of the Activity Centre, transitioning down to 2-3 storeys at the edges of the centre.

However, both the CC2020 Structure Plan and local planning policy include statements providing for the consideration of developments greater than the established built form guidelines. In such instances, Council must be convinced that exemplary design is achieved and off-site impacts are mitigated through the design response, including overshadowing of public open space areas. The local policy in the planning scheme provides further guidance for the exercise of this discretion – a commitment to the following elements must be demonstrated: best practice ESD measures; at least 20% affordable housing guaranteed; public realm improvements; inclusion of adaptable, accessible and visitable housing; accommodation of community facilities.

As detailed in the assessment of the planning permit application (refer Under Separate Cover **Attachment 5**), it has been determined that the development does not adequately address the objectives to be achieved by development proposals greater than the established heights.

Traffic

Many submissions object to the traffic impact of the proposed development on surrounding streets. Submitters do not believe the small street / laneway at the south end of Rodda St connecting to Budd St will cope with the significant traffic increases proposed.

It was also pointed out that the Rodda / Bell St intersection is accident prone and should have clearways to allow traffic to turn into Rodda St.

The location of entrances to the basement car parking are objected to, in particular, the access from Rodda Street and the associated traffic impact on local streets created by this access.

Some submissions object to the impact of commercial traffic generated by the development on the surrounding area.

Response:

The proponent's Traffic Impact Assessment has calculated the expected flows of traffic generated by the development and concluded there is adequate capacity in the surrounding road network to cater for the traffic generated by the proposed development. Council's Development Advisor generally concurs with the statements made.

However, the Traffic Impact Assessment makes no mention or assessment of the adequacies of the connection between Rodda and Budds Sts. Verbal comments made by the proponent's traffic engineer at the consultation meeting held on 6 August 2009 indicated that this connection may need upgrading / widening to cope with the traffic generated. VicRoads also noted that this road connection may need to be improved. This issue requires further analysis and consultation with Council's Development Advisor.

VicRoads also noted the restricted visibility at the Bell / Rodda St intersection and indicated that parking restrictions should be implemented.

There are proposed to be two accesses to the development, one from Bell St and one from Rodda St. As the authority for major roads, VicRoads have accepted the access onto Bell St on the basis that all commercial traffic is intended to use the Bell St access only, minimising commercial traffic using local streets. However, it is uncertain how this outcome is guaranteed and the loading / unloading facilities proposed to be provided in Rodda St may also conflict with this intention. Further clarification and consultation with Council's Development Advisor and VicRoads is required on this issue.

Car Parking

A concern of submissions was the impact of the car parking and loading / unloading requirements of the development. It was argued that the recommendations to introduce a car parking permit scheme to address the impact of parking in Rodda St is an inappropriate way to tackle the car parking issue and highlights the inadequacies of the proposal.

Response:

The proposed provision of car parking for residents, business owners and employees in the development is considered satisfactory (by Council's Development Advisor).

The proposal provides no off-street car parking for visitors and customers to the development. In an effort to reduce the potential impact of 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 Activity Centre and the broader municipality. Council requested a report from the Director City Infrastructure on the feasibility and resourcing requirements of a Resident Parking Permit Scheme (Council Report DCD27, 13 May 2009). It is understood that The Coburg Initiative is also investigating alternative car parking management options. No commitments to timelines and the likely implementation of such a Scheme are known at the time of writing. If Council chooses to support the approach, Council must make a clear commitment to implement an appropriate parking scheme prior to approving any development that relies on such a scheme. It is also suggested that the proposal was an opportunity lost in not considering other alternatives to car parking e.g. car share schemes.

Exemplary Design

A number of submissions raised concerns as to the meaning of “exemplary design” and questioned how the proposed “exemplary design” would be managed and upheld. Some submissions argued that the proposals for affordable housing would conflict with achieving a quality building.

Response:

It is agreed that the term ‘exemplary design’ is problematic and can be highly subjective when no definition or criteria for assessment is provided. Therefore, consideration should be given to removing or defining this term in the local policy.

In general terms, the proposal has been assessed as commendable architecturally and was designed by a highly respected architect, but in the wrong location given its off-site physical and aesthetic impacts. This assessment has been discussed elsewhere in this report and in the assessment of the planning permit application (refer Under Separate Cover **Attachment 5**).

Number of Apartments and Lack of Dwelling Diversity

Many submissions objected to the number of apartments proposed. It was argued that an excessive number of small one and two bedroom apartments are included and whilst a need for smaller dwellings was acknowledged, some submitters argued that they should be dispersed amongst the broader residential area by subdivision of larger blocks, not concentrated in one location or one development. Concerns were raised that the proposal will attract student renters and a transient population, which it was argued does not enhance the community and creates social problems.

Concerns were also raised as to whether existing infrastructure could cope with the proposed increase in density.

Response:

A number of referral comments also raised concerns with the lack of dwelling diversity provided within the development. The proposal is made up of approximately 76% studio and one bedroom and 24% two bedroom apartments.

While the current low proportion of smaller dwellings in Coburg is acknowledged, it is not the intent that one development should make up the shortfall. Dwelling diversity across a development, especially one as large as the current proposal, is the intent of Council’s policy objectives.

A development of this size should be expected to include a large range of dwelling sizes and to minimise the number of one bedroom dwellings. Council’s Social Development Department has advised that a greater proportion of two and three bedroom apartments should be included and the majority of apartments should be 2 or more bedrooms.

With regard to the capacity of existing infrastructure, Council’s Development Advisor has noted that the Harding Street Main Drain (which this development would be connected to) is at capacity and this development is expected to further exacerbate flooding. However, Council’s Development Advisor and ESD Unit have indicated a willingness to trade stormwater management measures (which would assist in reducing the amount of stormwater directed to the Harding Street Main Drain) for the Blackwater Treatment Plant proposed as part of the application (which has the potential to provide water for Council to purchase for watering Bridges Reserve and City Oval). Further discussion and agreement on these issues is required.

Impact on Bridges Reserve

Many submissions object to the impact of the proposal on Bridges Reserve and the overshadowing of the park in the morning.

Response:

The proposal has been assessed, and is considered to cast unreasonable shadows on Bridges Reserve in mid winter, particularly on winter mornings when the community should have a reasonable expectation of early sun penetration into the park. The proposal will visually dominate the park. The proposal has not responded to the heritage significance of Bridges Reserve, confirmed by a Heritage Overlay. The height and scale of the proposal requires reduction to address these matters.

An option to create a better interface between the development and Bridges Reserve is provision of a generous path on the site for the full length of the boundary, built form should be setback from the path with front gardens/courtyards and all ground floor residences and any commercial tenancies should have direct access to this path.

Mixed Use Zone and commercial uses

A number of submissions object to the proposed rezoning to the Mixed Use Zone. The opinion was expressed that the area is a residential area and should remain in a residential zone and that commercial / retail uses should be located in the retail core of the Activity Centre. Some submissions indicated they had purchased in the area because of the residential zone and would not have done so if it was zoned for mixed use.

Some submissions object to the proposed commercial and retail uses on the basis that they are considered unnecessary in a residential area and undermine the retail core of the Activity Centre.

Objections to the proposal for the sale and consumption of liquor were also raised on the basis of proximity to a residential area.

Response:

The objectives of the CC2020 Structure Plan and The Coburg Initiative include a desire to increase employment opportunities within the centre and increase the amount of retail, office and other commercial floorspace. The preferred locations of such uses should be influenced by the Structure Plan objective to ensure the retail core of the activity centre (focussed around Sydney Rd and the train station) is not undermined.

In keeping with these objectives the proposal to rezone to the Mixed Use Zone is supported. However, in recognition of the importance that such uses should not undermine the retail core, it is recommended that consideration be given to the use of the Schedule to the Mixed Use Zone to limit the amount of retail floorspace allowed in this location. Council's Activity Centres Team suggests that the maximum allowable floorspace for Shop be defined as 255m²; being the area of the two smaller tenancies fronting Bell Street, closest to Bridges Reserve.

Removal of Heritage Overlays

Some submissions object to the removal of the Heritage Overlays to make way for "excessive development".

Response:

Removal of the Heritage Overlays is supported for the following reasons:

- HO21 (Former Coburg High School site) – The land is now vacant because the buildings the overlay was designed to protect have been demolished. Therefore the HO21 is no longer relevant. Despite removal of HO21, the site's history must still be reflected in redevelopment due to the requirements of a Section 173 Agreement that was registered on title as a result of conditions of the permit issued to demolish the former heritage buildings. The Section 173 Agreement requires that an area of public open space be set aside in the north-west corner of the site and be developed for heritage interpretation purposes.

- HO31 (Bridges Reserve and City Oval) – A small slither of land along the western boundary of the site has been included in the broader area of HO31. This appears to be a boundary anomaly as the place intended for protection by HO31 is Bridges Reserve and City Oval. Removal of HO31 from this small section of the site reflects the land's private ownership and separation from Bridges Reserve. HO31 remains on the adjoining Bridges Reserve and City Oval.

Removal of the Heritage Overlays from the site reflects current circumstances and addresses boundary anomalies.

Overshadowing and Overlooking

Some submissions object to overshadowing and overlooking of their properties.

Response:

The overshadowing diagrams submitted with the permit application are inappropriately scaled to provide a proper assessment of off-site impacts to individual properties. Nevertheless, based on the diagrams provided, it is evident that the proposed development will excessively overshadow private open space of residential property to the south for a majority of the day, private open space of residential property to the east for a majority of the afternoon and a large part of Bridges Reserve for the entire morning period.

With regard to overlooking, the proposed building is separated from adjoining residential properties to the south by approximately 12 metres and from those on the east side of Rodda Street by approximately 20 metres. Therefore, the proposal satisfies the standard ResCode requirements for avoiding unreasonable overlooking (i.e. greater than 9 metres).

Waste Collection

Some submissions object to the location of the waste collection (at the south end of development) and argued that this location will have an unreasonable impact on adjoining residences (noise, smell, rodents).

Response:

No specific concerns were identified with regard to the location of waste collection and the impact on nearby properties in the assessment of the proposal against planning scheme requirements. Council's Development Advisor raised no concerns with the proposed waste management arrangements.

Noise

Some submissions raised concerns with noise generated by the scale and intensity of the development and associated increases in traffic, including commercial traffic. The intention to include the sale and consumption of liquor in the planning permit also contributed to residents concerns regarding noise and potential for late operating hours.

Response:

Noise impacts have been identified as an issue that requires careful consideration, particularly given the inclusion of commercial uses adjacent to residential properties and the anticipated traffic generation and on-street car parking demand. The permit application does not specifically address the issue of noise generated by the proposed commercial uses or by traffic.

Given the scale and intensity of development proposed, the commercial uses proposed, the potential for late operating hours and the intention to sell liquor, the existing amenity situation will undoubtedly be altered for local residents.

These amenity impacts require greater consideration and an adequate response from the proponent, and would ordinarily be controlled by way of conditions on any permit issued.

Other issues relevant to the combined Amendment / Permit are discussed below.

Assessment of the Proposal

A detailed assessment of the proposal has been undertaken, taking into consideration State and local policy (including the CC2020 Structure Plan and evolving directions from The Coburg Initiative), the Moreland Planning Scheme, referral advice (internal and external), independent design advice (provided by Williams Boag Architects) and submissions received as a result of public exhibition. The main points that have arisen from the assessment include:

Planning Scheme Amendment

- Support the rezoning from the Residential 1 Zone (R1Z) to Mixed Use Zone (MUZ) to reflect the site's location within an Activity Centre and to enable the development of employment generating uses along the land's Bell St frontage. However, consideration should be given to the use of the Schedule to the MUZ to specify floor area limits for retail uses that have the potential to undermine the retail core of the Coburg Activity Centre, as discussed in the response to submissions above.
- Support the removal of the Heritage Overlays to reflect current circumstances and address boundary anomalies, as discussed above.
- Support the changes to the local policy as exhibited – to include and expand on the statement from the Structure Plan that indicates higher density built form may be considered if certain conditions are met. However, consideration should be given to either deleting or clarifying the term 'exemplary design', as discussed in the response to submissions above.

In conclusion, it is recommended Council support the Amendment component of the combined proposal and seek the Panel's direction on use of the Schedule to the Mixed Use Zone, and use of the term 'exemplary design', as discussed above.

Planning Permit Application

- At a general level the development proposal is consistent with State and local policies to increase densities, smaller dwelling types and commercial floor-space within activity centres. However, when considered in detail the height and scale of the proposal is considered to be unacceptable on the site in the context of the CC2020 Structure and associated Planning Scheme Policy, and particularly given the site's location on the fringe of the activity centre and separated from the core by the Coburg Primary School and Bridges Reserve.
- The proposal does not provide an acceptable design response to the localised context of the site, including the sensitive nature of the site's interfaces with Bridges Reserve to the west and predominantly one storey, low scale residential areas to the south and east. Specifically, the height and scale of the proposal:
 - is not consistent with the height guidelines that apply to the site (2-3 storeys) nor with the broader built form pattern established by the CC2020 Structure Plan (6 storeys in the core of the activity centre, graduating down to 2-3 storeys at the periphery); and
 - creates a negative impact on Bridges Reserve that is not in keeping with the Structure Plan objective to ensure all new development creates a high quality interface with public open space areas.
- The Structure Plan and associated planning scheme policy allow for the consideration of proposals that are not in keeping with the recommended heights. Such proposals must demonstrate exemplary design; mitigation of off-site impacts; best practice ESD measures; 20% of the residential component

committed as affordable housing (either allocated to a social housing provider or with guaranteed life-long purchase price affordability); improvement to the public realm; inclusion of adaptable, accessible and visitable housing; and accommodation of community facilities (if deemed appropriate in consultation with Council). When assessed against these objectives, the proposal falls short on the following basis:

- When considered in isolation from its context, the proposal presents as an interesting and cutting edge building. It also includes impressive commitments to ESD (including a maximum 6 star energy rating for some apartments and blackwater treatment plant) and a significant proportion of adaptable dwellings (approx 80%), although only 2 disabled car parking spaces are included. These aspects alone do not justify the height and scale of development proposed, especially when considered in its context.
 - The proposal does not adequately minimise the off-site impacts associated with its overall height and scale, including the visual and overshadowing impact on Bridges Reserve, the visual impact on the existing low scale residential character of Rodda Street, the impact of traffic and car parking on nearby local residential streets, and associated noise impacts.
 - The accommodation of community facilities cannot be guaranteed given they have been configured into apartment spaces which can be readily utilised for residential purposes without further approval.
- The proposal does not include an adequate diversity of dwelling sizes, especially necessary in such a large development.
 - The proponent has recently advised they have received confirmation that the proposed development's application to have 255 apartments incorporated into the Federal Government's National Rental Affordability Scheme (NRAS) has been successful. NRAS has been established by the Federal Government to help increase the supply of affordable rental dwellings. Under the Scheme, rent for included apartments will be subsidised by the Government, enabling them to be leased at 20 per cent below the market rate for eligible tenants. The apartments will be monitored by the developer or Housing association over 10 years to receive a tax break, providing the incentive to the developer.
 - Notwithstanding this positive announcement, if the proposal was to be supported by Council, various questions remain in respect to affordability, even with the NRAS. Will apartments 20% below the market rate be affordable for people on low incomes? How will the market rate be established for the development given there are no comparative examples in the area upon which to estimate this value? Will there be a requirement for a mix of dwelling types?

A detailed assessment of the planning permit application is contained Under Separate Cover **Attachment 5**.

In conclusion, it is recommended Council should not support the Planning Permit Application, but should refer it to a Panel for further consideration. Alternatively, Council could abandon the Planning Permit Application, whilst continuing to support only the Amendment.

Draft Statement of Built Form Objectives

In recognition that the site is one of the largest private landholdings within the Coburg Activity Centre and in the interests of facilitating an outcome with the current landowner and through the current amendment process, it is recommended Council articulate what scale of built form would be accepted on the site. To this end, a Draft Statement of Objectives has been prepared for the site by Williams Boag Architects (WBa). WBa were engaged by Council to provide independent design advice on the proposal.

The Draft Statement of Objectives is based on:

- The guiding principles of the Central Coburg 2020 Structure Plan (and associated planning scheme policy);
- Evolving directions from The Coburg Initiative;
- The local context, including the site's sensitive interfaces with Bridges Reserve to the west and existing low scale residential areas to the east and south;
- An overall principle of achieving an increase in density on the site, in keeping with State and local urban consolidation objectives.

The Draft Statement of Objectives includes the following:

- A minimum 50% of all dwellings to possess northern aspect, with solar access at the winter solstice.
- Respond appropriately to sensitive edges:
 - East, west and south boundaries to have a min 3 metre setback. The Bell St edge can have a zero setback.
 - Rodda Street edge: maximum 2 storeys up to the 12 metre setback, then maximum 3 storeys up to the 19 metre setback. The exception is a 3 storey built form edge along Bell Street, built up to the boundary on Rodda St. The built form on Rodda Street should reflect the fine grain residential character on the east side of Rodda Street, with the buildings separated an adequate distance to maintain northern aspect at the winter solstice, and include a front garden setback of 3m.
 - Southern edge: maximum 2 storeys, set back a minimum 3m from the boundary.
- Locate taller buildings within the site, whilst maintaining the solar setback:
 - Beyond 19 metres from Rodda Street, built form can reach a height of between 4 and 7 stories, but only in a manner that meets the solar access requirement.
 - Bridges Reserve edge: 4 to 7 storeys can be sustained by built form fronting Bridges Reserve.
- Maintain public pedestrian permeability throughout the development. An east-west pedestrian link (identified in the Structure Plan) located in the southern part of the site, linking Rodda Street to Bridges Reserve and linking to the laneway at the rear of properties 2-24 Rodda Street must be created and confirmed on title as a carriageway easement vested in Council. The entire site must be permeable and all shared landscapes created on the site must have guaranteed public access at all times.
- Connect site vehicle circulation to the existing laneway.
- Conceal majority of car parking.
- Avoid singular massive building forms.

It is recommended Council support the Draft Statement of Objectives for the site, to provide direction on the built form parameters Council will accept on the site. The Objectives are in draft form to allow further discussion and consideration with the developer, the community and relevant Departments within Council. It should be noted the Draft Objectives were prepared in a relatively short timeframe, in an effort to avoid delaying this Council Report. For these reasons, it is noted the Draft Objectives require further review and clarification of some matters. This can occur through the Panel process.

It is recommended Council seek the Panel's consideration of the Draft Statement of Objectives for the site as a tool for Council to facilitate a suitable development outcome for the site.

4. Consultation

- Councillors have been briefed on the issues associated with the combined Amendment / Permit at the Issues and Discussion Workshop held on 24 August

2009. Previous information sessions were also held with Councillors prior to public exhibition.

- 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, the Open Space Unit, Council's Development Advisor, Housing Officer and Accessibility Officer.
- External advice has been provided by the Department of Planning and Community Development, VicRoads, the Director of Public Transport, the Department of Environment and relevant service agencies.
- Independent design advice has been provided by Williams Boag Architects.
- Community consultation has occurred through statutory public exhibition requirements in accordance with the *Planning and Environment Act 1987* as detailed in Section 2 of this report. In addition, a consultation meeting was held on 6 August 2009.

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

**DCI56 ROAD RECONSTRUCTION YORK STREET, BELL STREET TO
EASTGATE STREET, PASCOE VALE SOUTH CONTRACT 1698
(D09/139810)**

Director City Infrastructure

Asset Management

Pursuant to section 89(2) of the Local Government Act 1989 the 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 reconstruction of York Street, Pascoe Vale South.

An advertisement was placed in *The Age* newspaper on Saturday 11 July 2009 inviting tenders from contractors to undertake the works. Tenders closed on Wednesday 29 July 2009 at 3pm. Following evaluation of the tenders submitted, Council is now in a position to award this Contract.

Recommendation

Council resolve:

1. To accept the lump sum tender from ADP Constructions Pty Ltd for the amount of \$226,708.95 (excl. GST) plus the provisional sum of \$57,677.50 (excl. GST) for the reconstruction works in York Street, Pascoe Vale South.
2. To authorise the Director City Infrastructure to sign the necessary contract documents.
3. To note that the balance of the funding required to complete the project will be funded from the savings from other projects in the Capital Works Program.
4. That all tenderers be advised of Council's decision in this matter.

1. Policy Context

The reconstruction works have been identified in the 2009-2010 Capital Works Program within the Roads and Car Parks Kerb and Channel Program. The width of the road will remain at 7 metres, which is a standard width for residential roads in this area. The balance of York Street between Eastgate Street and O'Hea Street was reconstructed in the 2007/2008 year.

2. Background

The works will involve the construction of underground drainage, new concrete kerb and channel and asphalt resheeting of the road pavement, similar to the previous works undertaken in York Street. Some street trees will also be replaced by Council's Open Space as part of the project.

3. Issues

On Saturday 11 July 2009, a public advertisement was placed in *The Age* newspaper inviting tenders from suitably experienced contractors for 'Road Reconstruction, York Street from Bell Street to Eastgate Street, Pascoe Vale South'. Tenders closed at 3pm on Wednesday, 29 July 2009 and 12 tenders were received from the following contractors:

- Presta Construction Group
- MJ Construction Group Pty Ltd
- J. Russo & Sons
- Parkinson Group Pty Ltd
- Panhold Constructions P/L
- CDN Constructors Pty Ltd
- Universal Concrete Contractors Pty Ltd
- United Roads Pty Ltd
- Viscaria Pty Ltd
- J & C Construction Pty Ltd
- Grancon Road Constructions Pty Ltd
- ADP Constructions Pty Ltd

The tender is a lump sum contract. For this type of contract, the tenderer is required to submit fixed rates for individual items, based on estimated quantities for the project prepared by the Council's Engineering and Transport Unit.

Rates for provisional items are also submitted. These are items where quantities are difficult to determine or there are unknown risks such as rock excavation. Payment for these items is only made on actual quantities undertaken. The final contract sum is the total of the lump sum plus the approved provisional sum.

Tender Evaluation

Prices for the tenders ranged between \$244,126.50 and \$336,233.00 (excl. GST) including provisional items. Tendered price is not the main criteria in the tender evaluation process.

The tenders are evaluated in accordance with Council's policy for procurement of services. The tender submitted by ADP Constructions Pty Ltd achieved the highest overall score through the process, refer to Confidential **Attachment 1**.

In assessing the tenders, consideration is given to the following criteria:

EVALUATION CRITERIA	WEIGHTINGS
PROFESSIONAL COMPETENCE	Total 40%
1.1 Compliance to Specifications Includes submission of documents describing the tenderer's works program, traffic management plan and occupational health and safety plan.	10
1.2 Capability Includes the tenderer's resource capacity, experience and knowledge of company and staff to undertake the works under this Contract.	5
1.3 Past Performance and current work The tenderer must include details of work experience of a similar nature to this project with names and telephone numbers of contact persons, who can verify their competency during the last two years.	5
1.4 Quality system for deliverables Includes the tenderer's quality systems used to undertake the works under this Contract.	5
1.5 Customer Service The tenderer's approach in its dealings with Council and residents.	5
1.6 Strategic How the tenderer meets with Council's goals in delivering this project.	5
1.7 Innovation Includes the tenderer's approach to undertake the works under this Contract.	5
COMMERCIAL and SOCIAL	Total 20%
2.1 Financial viability	5
2.2 Risk and Insurance	5
2.3 Compliance to Conditions of Contract	5
2.4 Conflict of Interest	5
FINANCIAL	40%
3.1 Tendered Price	This criterion is formula driven

Tenders are assessed against the criteria, and assigned a score reflecting how well it satisfies each item (except for tendered price). The weighted scores for each criterion are calculated and totalled. A weighted matrix analysis is used to assist the final evaluation of the tenders, which takes into account tendered price.

Capability

ADP Constructions Pty Ltd has carried out various reconstruction and drainage works for Council, with very good results. It would be available to commence the reconstruction works this month and complete the works within nine weeks, weather permitting.

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 with the York Street residents was undertaken via a letterbox drop during the design process.

A notice will be forwarded to residents and construction notice boards will be placed in prominent locations prior to works commencing, giving timelines and contact details.

5. Financial and Resources Implications

Council's 2009-2010 Capital works budget includes a sum of \$210,000 within the Roads and Car Parks Kerb and Channel Program for this project. Following the completion of the design, a budget shortfall was anticipated prior to tendering. The balance of \$74,386 required to complete the project will be funded from the savings from other projects in the Capital Works Program.

DCI57 TENDER FOR THE PROVISION OF WASTE DISPOSAL SERVICES - CONTRACT 1566 (D09/102823)

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 a three year period (2009-2012), for the provision of waste disposal services for the activities of the Street Cleansing Unit.

One tender was received and has been assessed against the advertised evaluation criteria.

As only one tender was received, this being from the existing provider, the tender was also evaluated against current service standards and prices both at the time of tender and the revised 2009/2010 prices submitted.

Following this assessment, it is recommended the Schedule of Rates tender of Whelan Kartaway Pty Ltd be accepted for the three year period 2009/2010 to 2011/2012.

Recommendation

Council resolve:

1. To accept the Schedule of Rates tender (Confidential Attachment 1 to the report) from Whelan Kartaway Pty Ltd (ACN 006 838 624) for the provision of waste disposal services for the three year period 2009/2010 to 2011/2012.
2. To authorise the Director City Infrastructure to sign the necessary contract documents.

1. Policy Context

Council is committed to providing a range of street cleansing programs aimed at improving the cleanliness of the municipality. The provision of appropriate disposal facilities is an integral part of providing these services.

2. Background

Prior to the closure of the Hume City Council's Bolinda Road, Campbellfield Landfill facility all waste collected by the Street Cleansing Unit was taken to that facility for disposal.

Following closure of that facility, the unit has taken the putrescible waste from litter bins to the Regional tipping facility at Wollert, and all other waste taken to a range of facilities, predominantly the Whelan Kartaway site in Kirkdale Street, Brunswick East.

A public advertisement was placed in *The Age* newspaper on 19 November 2008 inviting tenders for the provision of waste collection services (for a three-year period) and only one tender was received.

3. Issues

In assessing the only tender received, consideration was given to the advertised evaluation criteria, both at the time of tender and including the 2009/2010 charges, and the existing level of service provided. The rates tendered are the same as the rates currently being charged (2009/2010 prices) to Council for the use of this facility.

The receipt of only one tender is not totally unexpected. The Bolinda Road facility is now only available to residential/domestic patrons, hence no tender was submitted by Hume. Putrescible (litter bin waste) is able to be taken to the Wollert facility under the existing Regional Waste Management Contract. Any other facilities such as the CityWide facility in North Melbourne have a high level of patronage and are generally beyond the acceptable travel time for Council.

The evaluation panel has considered the one tender received and has recommended acceptance of the tender.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities, and it is considered that there is no negative impacts resulting from this tender/contract.

4. Consultation

Street Cleansing and Procurement Unit staff have been consulted in the development of the specification and consideration of the tender received.

5. Financial and Resources Implications

Council's Street Cleansing unit expends approximately \$200,000 per annum disposing non-putrescibles at this type of facility. Hence a total expenditure of approximately \$600,000 over the life of the contract.

The rates now tendered are the same as those currently being paid 2009/2010, and therefore can be accommodated within existing budget allocations. Future budgets can then be prepared to accommodate the annual contract prices.

DSD32 COMMUNITY FACILITY FUNDING PROGRAM 2010/2011 (D09/142934)

Director Social Development

Youth and Leisure Services

Executive Summary

The Community Facility Funding Program (CFFP) provides an opportunity for Council to apply for external funding from Sport and Recreation Victoria (SRV) to complement its financial commitment to recreation planning and capital works projects in any given year.

This report seeks Council endorsement to submit two applications to SRV for funding under the minor facilities category – Moomba Park Tennis Club \$60,000 and Coburg Basketball Stadium \$57,475. Council has previously considered a report for the Major Facility category (DSD30).

Recommendation

Council resolve:

1. To endorse two funding applications to SRV – Moomba Park Tennis Club, construction of three synthetic courts with lights \$60,000 and Coburg Basketball Stadium, refurbishment and refining of existing courts and upgrade of change room facilities \$57,475.
2. To refer the above projects to Council's Capital Works Program for Council's funding contribution of \$100,000 for Moomba Park Tennis Club and \$57,475 for Coburg Basketball Stadium.

1. Policy Context

Council participation in the 2010/2011 Community Facility Funding Program (CFFP) is consistent with the implementation of a range of Council policies including the Moreland Leisure Plan, the Moreland Open Space Strategy, Disability Access Policy and Action Plan and the Moreland Health Plan. The report and proposed funding applications are also consistent with Council's key strategic objective – "Ensure that the community has access to a range of sporting and recreational opportunities to maximise their potential".

2. Background

Sport and Recreation Victoria (SRV) provides a program of Community Facility Funding on an annual basis to assist local government authorities to develop and improve sport and recreation facilities. Details on the 2010/2011 funding round were recently received from Sport and Recreation Victoria inviting Council to submit applications under a number of categories including the Minor Facility category. Major Facility Funding was considered in a previous report presented to Council (DSD30) on 12 August 2009.

Only local government is eligible to apply for funding under the above categories. The closing date for applications is 17 September 2009.

3. Issues

Minor Facilities funding from SRV assists Councils, local clubs and community organisations to work together to develop local sport and recreation facilities that create more accessible, usable and sustainable leisure opportunities. Council is able to submit up to three applications. Two applications may seek up to \$60,000 in funding for projects with a total cost of \$250,000 or less. One application must be for a project with a total cost of \$60,000 or less. The projects to be considered for application are contained in **Attachment 1**.

As a result of there being no eligible project with a total project cost of less than \$60,000, only two funding applications are recommended for Council endorsement. Officers understand that many clubs are intending to apply to Council's Partnership Funding program.

4. Consultation

Council officers have liaised extensively with local sporting clubs and associations and received just 6 applications. In an effort to improve funding success, Officers met with representatives from Sport and Recreation Victoria to discuss proposed applications. As a result of that discussion, applications from the Coburg Basketball Stadium and Moomba Park Tennis Club were considered as being the most likely applications to receive SRV funding.

The Portfolio Councillor for Social Development, Cr Pryor, and Councillor Responsible for Leisure, Cr Kavanagh, have been consulted about this report.

5. Financial and Resources Implications

All applications require a financial contribution commitment from Council. Successful applications will require a contribution as specified from Council as part of the 2010/2011 Capital Works Program.

A potential funding commitment from Council of \$160,000 will be required from the Capital Works Program as matching contribution from Council for the projects specified in this report.

DSD33 SUMMER SPORTS GROUND ALLOCATIONS 2009/2010 (D09/137986)

Director Social Development

Youth and Leisure Services

Executive Summary

Pursuant to section 89(2) of the Local Government Act 1989 this report contains a confidential attachment that will not be publicly disclosed because it relates to a matter which the Council considers would prejudice the Council or any person.

In accordance with Moreland City Council Sports Ground User Guide policy, seasonal tenancy applications are received in July from sporting clubs requesting a summer sports ground allocation. Each sporting club wishing to utilise Council grounds and pavilions must apply using the application forms prescribed within the Sports Ground User Guide and provide compliance documentation related to public liability insurance and other requirements.

One club has an outstanding fee from the previous season. The club owing money has been contacted regarding the payment of outstanding fees and advised that no ground allocation will be confirmed until all outstanding fees have been paid or an agreed payment plan is approved.

Recommendation

Council resolve:

1. To allocate sporting reserves for the 2009/2010 summer season to nominated clubs as specified in Attachment 1 to this report.
2. To withhold the allocation of sporting reserves to nominated clubs until such time as all outstanding fees are paid or an agreed payment plan is approved.
3. That minimum ground allocation fees be set at \$100.

1. Policy Context

This report is consistent with Council's Sports Ground User Guide policy, which outlines the processes and charges with respect to the allocation of sporting facilities for their dedicated purpose.

At its meeting held 12 September 2007 (DSD53), Council resolved to suspend ground allocations to any club owing ground and pavilion fees from a previous season until payment is made or an approved payment plan is entered into.

2. Background

The Moreland City Council Sports Ground User Guide outlines the terms and conditions of use for Council's sporting facilities.

The purpose of the Sports Ground User Guide is to allow the users of Council's sporting facilities to better understand the process guiding the allocation of facilities by clearly identifying:

- Council's requirements.
- Responsibilities of the user groups.
- Responsibilities of Council.
- Process for facility development.
- A framework that is equitable and easily administered.

Allocations are made through seasonal or annual tenancy agreements. Each season, sporting clubs wishing to utilise Council facilities must apply. By signing the Application Form, Clubs agree to the terms and conditions outlined in the Sports Ground User Guide.

The Recreation Unit coordinates the application process and assessment of applications in accordance with established criteria. Ground allocations are recommended to Council for approval. Grounds are allocated in consultation with all sporting clubs, local sporting associations and relevant governing bodies.

3. Issues

Cricket Allocations

Pascoe Vale United Cricket Club has been relocated from Mutton Reserve to Wallace Reserve. The relocation of Pascoe Vale United Cricket Club was facilitated to allow Haig Amateur Cricket Club to move from Hosken Reserve to Mutton Reserve to create a local sporting association with the Northern Saints Football Club. The creation of a sporting association between Haig Amateur Cricket club and Northern Saints Football Club is expected to allow a more financially viable club to grow with a focus on increasing junior participation in Fawkner. Pascoe Vale United Cricket Club does not have any junior sides. The Ascot Vale Cricket Club, which has an allocation of Dunstan Reserve South has the majority of its members living in Moreland.

McDonald Reserve West

Due to the extension of Pentridge Boulevard, the use of McDonald Reserve West oval and turf table will be withdrawn. Previous tenants have been accommodated within existing facilities and through the re-location of Haig Amateurs and Pascoe Vale United.

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

Relevant peak sporting bodies in the area including the North West Cricket Association, Moreland Moonee Valley Cricket Association, Cricket Victoria, Football Federation Victoria and Vicsoccer League, have been consulted as part of the allocation process. Internal consultation has been undertaken with the Open Space Unit.

The Portfolio Councillor Social Development, Cr Pryor, and Councillor Responsible For Leisure, Cr Kavanagh, have been consulted about this report.

5. Financial and Resources Implications

Allocation of grounds to the clubs listed in **Attachment 1** is proposed on the assumption that issues relating to the non-payment of fees will be resolved. All clubs owing money as shown in Confidential **Attachment 2** have been formally notified regarding their non-payment of fees and potential withholding of allocation.

DSD34 AQUATIC FACILITIES - SINGLE SERVICE SPECIFICATION (D09/143269)

Director Social Development

Youth and Leisure Services

Executive Summary

Pursuant to section 89(2) of the Local Government Act 1989 this report contains a confidential attachment that will not be publicly disclosed because it relates to a matter which the Council considers would prejudice the Council or any person.

Service reviews have been completed for all Moreland leisure centres in past three years. A strategy for the redevelopment of pools was adopted in 2007. As result, Council is now in a position to review the effectiveness of its existing service specifications for leisure centre management and consider the introduction of a single service specification for the operation of all aquatic centres to more closely align leisure centre operation with organisational objectives.

This report reviews the current service specification for each leisure centre and includes an assessment of each leisure centre performance in meeting customer service and performance standards. The report also discusses the issues surrounding the introduction of a single service specification and operation under an Active Moreland theme.

Recommendation

Council resolve:

1. To develop a single service specification for the operation and management of all the Moreland City Council's aquatic facilities by May 2010.
2. To develop the "Active Moreland" sub brand marketing theme as part of the development of the single service aquatic specification.
3. To review a draft service specification and potential management models for the operation and management of all aquatic facilities by May 2010.

1. Policy Context

Key Strategic Objective (KSO13) of the 2009-2013 Council Plan is to ensure that the community has access to a range of sporting and recreational opportunities to maximise their potential. Measures for this objective include the number of people participating in organized sport or facilities and level of satisfaction with recreational facilities.

Section 186 of the *Local Government Act 1989* requires Council to undertake a competitive process to test the market before entering into contracts for the purchase of goods or services with a value of \$150,000 or more.

Section 208B of the *Local Government Act 1989* requires all Council services to comply with the Principles of Best Value including, quality and cost, responsiveness, accessibility, continuous improvement and regular consultation with its community.

All aquatic facilities undergo regular best value reviews in accordance with the framework established for all service units at Council.

2. Background

Belgravia Health and Leisure Pty Ltd (BL) manages the Coburg Leisure Complex (CLC), Coburg Outdoor Pool (COOP) and Pascoe Vale Outdoor Pool (PVOP) for Council under Contract No. CO 1333 which commenced on 1 July 2006. A two year extension was granted by Council at its meeting held 10 June 2009 (DSD19). Prior to Belgravia Leisure, the centre was managed by the YMCA and RANS Management.

The Victorian YMCA Community Programming Pty Ltd (YMCA) manages the Brunswick City Baths for Council under Contract No. CO526 which commenced on 1 July 2001. The YMCA has managed this facility since 1993.

The further extension of this contract is scheduled to be considered by Council at its meeting to be held 14 October 2009 to enable the existing service contract to be extended until the centre is redeveloped. Redevelopment works are scheduled to commence in late 2010.

The Fawkner Leisure Centre and Oak Park Aquatic Centre operate under direct management of Moreland City Council without a specific service specification. Annual service plans are prepared for each centre and approved by the Youth and Leisure Services Branch within fiscal parameters set by Council through the strategic resource plan.

A review of each centre's performance against customer service and key performance standards including level of satisfaction is contained within Confidential **Attachment 1** under separate cover to this report.

The Active Moreland theme was first developed at the time the Coburg Leisure Centre service specification was developed. Without a consistent application across all centres, the theme has had limited application.

3. Issues

Service Reviews

Service reviews have been completed for all Moreland leisure centres in past three years. Service reviews were completed to better identify the needs of the community to prescribe a more relevant range of services for Council's leisure centres to provide. The Fawkner Leisure Centre service review in particular, calls for a re-focusing of service provision from open door programming to direct service provision. This review will form part of the future Council consideration of an appropriate service specification and potential management models for the operation and management of all aquatic facilities by May 2010.

As a result of the Oak Park Aquatic Centre facility feasibility investigation, currently being finalised, it is likely that the range of services will be expanded at this site to accommodate the growing recreational needs of the area and demand for dry programming opportunities as the centre is redeveloped.

Service reviews were completed for the Coburg Leisure Centre and Brunswick Baths as part of the operational reviews completed for the Coburg Aquatic Feasibility Study in 2007 and strategic review and feasibility study for Brunswick in 2008.

Existing Service Specifications

Officers have identified the following issues and potential benefits of developing a single service specification for future leisure centre management.

3.1 Meeting key Council objectives.

Under the current contract specification with Belgravia Leisure and YMCA, the service mix and operation of the Coburg and Brunswick facilities is governed by the broad service specification of the respective contracts. Each centre does prepare an annual operating budget and service plan, which is completed in isolation to all other centres and reviewed by officers to ensure budget compliance.

A single service specification with more direct programming requirements will enable Council to more easily coordinate a targeted approach to service provision in key focus areas and enable the transfer of usage rights across facilities. Under existing contracts, users are not able to transfer membership or even multi-pass visit cards between centres despite all being Council funded and operated.

A new service specification will also enable Council to introduce new direct programming requirements at the Fawkner Leisure Centre as identified through the recent service review and an opportunity to address low user satisfaction as outlined in Confidential **Attachment 1**.

3.2 Council recognition

A new service specification is also an opportunity to address inconsistent branding and recognition of Council aquatic facilities. Each service provider currently has the ability to co-brand its staff and facility, thus resulting in different branding and confusion over Council's role at each centre despite being fully funded by Council. It is envisaged that greater involvement in direct programming and consistent centre branding will result in greater opportunity for Council exposure and recognition.

3.3 Marketing and promotion

Presently, each facility is responsible for its own marketing and promotion. Marketing strategies are completed independently by each centre, which often results in less effective marketing and increased competition between centres. Centre promotions also often fail to capitalise on broader events or opportunities within Council. Council receives little or no acknowledgement through current promotions.

3.4 Use of available resources

The use of separate service specifications often limits the opportunities for collaboration and potential for resource use to be consolidated. Each centre currently undertakes a number of tasks across a range of areas that could easily be consolidated through a coordinated approach to maximise the use of available resources. Examples of such duplication include costs for marketing and design, web design and management, data control, insurances and head office costs. It is expected that a consolidated service specification will also increase the opportunity to capitalise on economies of scale that may or may not result through a competitive tendering process.

Active Moreland

Recent consultation across a number of Council strategies has identified a consistent barrier to participation. Specific findings of the Active Women's strategy, Disability Action Plan, Youth Facilities and Service Review (oxYgen), Later Years Strategy, Early Years Strategy and Municipal Public Health Plan have all identified that access to information and knowledge about available activities is a major barrier to participation across a number of groups.

Under (KSO13) and in accordance with action 13.10.2 of the 2009-2010 Strategic Operational Plan, Council is required to develop an Active Moreland Strategy. The Active Moreland theme is therefore an initiative to increase community awareness and participation across a range of Council activities including the management and operation of leisure centres. A key component of the theme is to address the identified needs of high priority and disadvantaged groups, targeting issues of social inclusion and inactivity through direct programming and more effective awareness campaigns.

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

Community consultation has occurred through the ongoing collection of customer service expectations and performance.

5. Financial and Resources Implications

The combined income from Council's six aquatic facilities totals over \$8.5 million. Total expenditure currently stands at over \$10 million per annum. The operating deficit in 2008/2009 was \$1.56 million, and excludes corporate overheads for in-house service provision and any capital expenditure. The total attendance figure to the six facilities over the same period was 1,300,000 representing both a significant investment by Council and level of community participation at a cost per visit ratio of \$1.20. Any active participation strategy should look to improve the cost per visit ratio as a community outcome through increased participation at existing funding levels.

DSD35 INTERIM YOUTH MEETING SPACE (D09/144539)

Director Social Development

Youth and Leisure Services

Executive Summary

The purpose of this report is to provide Council with a progress update of achievements by the Youth Facilities and Services Steering Committee, and to seek approval to operate a disused Council owned Maternal and Child Health Centre located at 75 Albion Street, Brunswick, as an interim youth meeting space.

Council commissioned the oxYgen project (formerly know as the Youth Facilities and Services Project) by resolving to endorse the project-operating framework at its Ordinary meeting held 11 February 2009 (DSD4). After which, members, young people only, were appointed to the Youth Facilities and Services Steering Committee (YFASSC) to oversee the implementation of the oxYgen project.

To support and resource the OxYgen project, Council resolved to provide an allocation of \$25,000 in the 2009/2010 Operating Projects budget. This funding will be used to create an independent 'interim meeting space' for the YFASSC to conduct all tasks and duties associated with the project to ensure best outcomes.

Recommendation

Council resolve:

1. To endorse the operation of an interim youth meeting space located at 75 Albion Street, Brunswick.
2. To endorse Option B at Attachment 1 to the report, that incorporates clear protocols and procedures to ensure appropriate standards and expectations are met for unsupervised meetings conducted by the YFASSC.

1. Policy Context

The establishment of a Youth Facility has remained an ongoing priority for Council. Following extensive community consultation, the Moreland Youth Strategy and Action Plan 2004 - 2009, identified the need for an investigation into the establishment of youth facilities. The Moreland Council Plan 2007-2011 also makes specific commitment to undertake a feasibility study into the establishment of youth facilities. Additionally, direct consultation with young people over a number of years through the Moreland Youth Summit continues to highlight the need for the creation of youth spaces and/or facilities.

2. Background

Moreland Council has now actioned this key priority by commissioning a specific project called OxYgen – “breathing spaces for young faces” to investigate and action Council’s key commitment to young people. The oxYgen project is providing a unique opportunity for young people to become actively involved in the research, consultation, and development of any youth spaces specifically aimed to meet the needs of young people in Moreland, and work towards solutions for better service coordination across the municipality

Council’s Young Persons Advisory Committee, now re-formed as the Youth Facility and Services Steering Committee (YFASSC), made up predominantly of local young people, is acting as the Oxygen Project Steering Committee. This Committee, which is chaired by Cr Oscar Yildiz, Councillor Responsible For Youth, has guided the oxYgen project throughout each stage of the project. This operating model has ultimately allowed young people the opportunity to have major input and significant influence over the design and delivery of services and facilities to best meet the present and future needs of young people in Moreland.

The oxYgen project was formally introduced to the community on 2 April 2009, when over 100 guests and community stakeholders were invited to the Brunswick Town Hall to celebrate the launch of the project. Guests were entertained with a plethora of local dance and musical entertainment in a celebration of youth diversity and talent.

The oxYgen project is continuing to deliver and has provided significant opportunities for young people and has achieved significant milestones. A Working Group has been responsible for the investigation and presentation of preferred Interim Youth Meeting Space options.

3. Issues

Access to Suitable Meeting Space

The need for an interim youth meeting space has been continually identified during the course of the oxYgen project. The primary use of this space will be to provide greater access to suitable meeting space for young people to carry out tasks related to the project.

The oxYgen project is heavily focused on youth participation and engagement, in alignment with the DPCD funding agreement. Currently, committee members are heavily reliant on Council Officers to facilitate and provide access to appropriate meeting spaces in order for young people to work on set project tasks.

The YFASSC were advised of the \$25,000 budget allocation in person by the Mayor, Cr Lambros Tapinos, and Cr Oscar Yildiz at its committee meeting held 10 June 2009.

As a result of this additional budget allocation, there has been an investigation into all available Council spaces, which have the potential to be refurbished into an interim youth meeting space. Consideration was given to the following criteria:

- Capacity to house a minimum of up to 20 people;
- Close proximity to forms of public transport;
- Have, or be capable of being retro fitted with internet or other cabling requirements;
- Located in a youth friendly area; and

Space to be compliant with all appropriate Australian Standards with specific attention to disability access.

Consideration was also given to non-Council spaces if appropriate.

Investigation Process

Five options were provided by the Property Services Branch, which both Council Officers and members of the Youth Facilities and Services Steering Committee inspected.

After final inspection, the committee resolved to seek approval to secure the disused Maternal and Child Health Centre in Albion Street, Brunswick as their preferred site and for the site to be refurbished into an interim youth meeting space.

Options for the appropriate use and access to the interim space have been developed for Council consideration. See **Attachment 1**.

A review of the interim meeting space will be undertaken in March 2010 with a view to assessing its effectiveness and future function in the context of OxYgen project's findings and financial implications.

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

Advice was sought from officers across Council during the investigative process into the availability of Council spaces. Further consultation was conducted across neighboring municipalities including Banyule, Darebin and Whittlesea, who operate similar youth meeting spaces in an attempt to benchmark appropriate operating use.

Cr Oscar Yildiz, Councillor Responsible For Youth, has been consulted and heavily involved in the operations of the project.

The Moreland Executive Group (MEG) has been consulted and have given its support to the use of the disused Maternal and Child Health Centre located at 75 Albion Street, Brunswick, as the interim youth meeting space, contingent as the development of an operating model that outlines how the space would function and operate.

5. Financial and Resources Implications

The recommendations of this report would involve an initial refurbishment cost. Refurbishment costs would likely include:

- Computers and internet access;
- Security upgrades (if appropriate);
- New furniture and chattels;
- Floorings; and
- Signage and painting.

The budget allocation of \$25,000 would be utilised to meet refurbishment and operating costs.

DSD36 DRAFT MORELAND MUNICIPAL PUBLIC HEALTH PLAN (D09/145168)

Director Social Development

Community Development and Social Policy

Executive Summary

The draft Moreland Municipal Public Health Plan 2009 (MPHP), as at Under Separate Cover Attachment 1 to the report, provides a framework to guide Council's action to improve the health safety and wellbeing of the Moreland community. The MPHP 2009 outlines social, environmental (built and natural) and economic objectives for population health planning. This draft Municipal Public Health Plan builds on the work and achievements of Council's previous Municipal Public Health Plan. Council has considered a report on the outcomes of the Municipal Public Health Plan 2003-2009 (DSD08).

The development of the draft MPHP has been informed by research, data analysis, policy and literature reviews and consultation with partners and the community.

The framework is based on the World Health Organisation's social determinants of health which can be grouped into four planning areas – the social, built, natural and economic environments that interrelate and influence wellbeing outcomes.

The draft MPHP contains the priority areas for action under each of the above environments for the next 3 years. The draft has been developed for further consultation with key internal and external implementation partners to seek agreement for the priority action areas.

Recommendation

Council resolve to endorse the Draft Municipal Public Health Plan 2009 – 2012 for consultation, prior to final adoption in November 2009.

1. Policy Context

This report is consistent with the strategic objectives of the 2009 – 2013 Council Plan *Planning for a Sustainable Future*. Municipal Public Health Plans are a legislative requirement of all Victorian local governments under the *Health and Wellbeing Act 2008*, which requires Council to develop a four year plan within one year of each Council election.

A Municipal Public Health Plan (MPHP) provides a broad policy framework for improving population health, safety and wellbeing. This draft MPHP is consistent with Council's strategic objective for the Council Plan 2007 – 2011-“Appropriately respond to the population health needs of people at all stages.” The framework is consistent with the World Health Organisation's Social Determinants of Health and Healthy Cities approach, UNESCO's Child Friendly Cities, the Federal Government's National Health Priority Areas (NHPA), the National Preventative Health Strategy, and the Victorian Department of Health (formally) Department of Human Service's Environments for Health framework.

2. Background

A MPHP aims to improve population health by addressing local health priorities. Authorities including the World Health Organisation, the Federal Government, and the Victorian Department of Health (formally Department of Human Services) have collected data and developed frameworks to assist in the development of a MPHP.

The Municipal Public Health Plan (MPHP) is a holistic community health and wellbeing plan that encompasses Council's planning, service provision, capacity building and advocacy roles. The development and implementation of the plan requires partnership with other stakeholders including the community, local organisations and other levels of government.

3. Issues

The development of this MPHP was informed by research, data analysis, policy and literature review and consultation with partners and the community. Consultations included a telephone survey of residents, a written survey, forums, (including the inaugural Child Friendly Cities summit) focus groups and public consultations at festivals.

There is a focus on integrated planning within Council and with partner agencies to promote a population health approach for all residents in Moreland.

The framework for this MPHP is based on four planning areas - the social, built, natural and economic environments that interrelate to influence health and wellbeing outcomes.

The draft MPHP 2009 - 2012 contains the priority areas for action for the next four years, which require the collaboration between partners to implement. From this holistic health plan, which comprises a comprehensive set of strategies for the next four years, an annual implementation plan will be formulated. Each year progress and outcomes will be reported to Council. In 2013 the plan will be fully evaluated.

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

Development of the plan included extensive community consultations in line with the strategic directions of the *Moreland Community Consultation and Engagement Strategy*.

The Moreland Health, Safety and Wellbeing Leadership Group have been involved in the development of the draft 2009 MPHP. Consultations have been undertaken with staff across Council, agencies, networks, advisory groups, and the public to identify the emerging priorities of the social, built, natural and economic environments.

Councillors have been consulted at the Issues & Discussion Workshop held on 29 March 2009.

Portfolio Councillor Social Development, Cr Pryor, has been consulted regarding the content of this report.

5. Financial and Resources Implications

The development of the draft MPHP has been within the existing Social Development budget allocation.

The implementation of actions for the Municipal Public Health Plan over the next four years may require additional budget allocations across the relevant operational areas. Annual actions will be costed and if required, operational and capital budget bids will be prepared.

It is expected that many of the actions can be accommodated within budget parameters, consistent with the new Strategic Resource Plan.

DSD37 DRAFT MORELAND DISABILITY ACCESS AND INCLUSION POLICY (D09/142672)

Director Social Development

Social Policy and Early Years

Executive Summary

The draft Access and Inclusion Policy (Attachment 1 to the report) outlines Council's commitment to removing barriers and increasing opportunities for people with a disability. This policy builds on the work and achievements of Council's previous Disability Policy and Action Plans (1998 – 2002 and 2003 – 2006)

This report seeks Council's endorsement to undertake formal community consultation on the draft Policy. As part of the consultation process a first year action plan will be developed and submitted to Council in November 2009.

Recommendation

Council resolve:

1. To endorse the draft Access and Inclusion Policy;
2. To undertake formal community consultation on the draft Policy; and
3. To receive a final Access and Inclusion Policy and first year Action Plan in November 2009.

1. Policy Context

Under the *Victorian Disability Act 2006*, Local Government is required to develop a Disability Action Plan. The Act requires that Local Government develop a plan 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.

Council's draft Access and Inclusion Policy addresses these four areas and establishes them as four key priority areas. The title 'Access and Inclusion Policy' which is broader than a 'Disability Action Plan' is intended to highlight the Policy's focus on increasing access and inclusion through the removal of barriers.

The development of Council's Access and Inclusion Policy is consistent with Council's strategic objectives outlined in the 2009–2013 Council Plan: to be a Sustainable and Just City, a Proud City, a Healthy and Educated Community, and a Responsive Organisation.

The development of Council's Access and Inclusion Policy 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 Access and Inclusion Policy' will ensure that the rights of people with a disability are recognised, protected and promoted to a broad audience.

2. Background

Council's Access and Inclusion Policy does not subscribe to any one model of understanding disability and the impacts that disability has on a person's life.

Council understands that the lived experience of disability is different for each person and will be described differently by each individual. A person's experience will be influenced by their age, gender, culture background, socio-economic circumstances and numerous other factors.

Council has previously developed two Disability Policy and Action Plans (1998 – 2003 and 2003 – 2006). 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 the broader discrimination experienced by their families.

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 Policy and Action Plan during 2009. In May 2009 Council received a report outlining the development of a new Policy and introducing the framework for the new Policy and Action Plan (DSD14).

Extensive community and internal consultation has informed the development of the Access and Inclusion Policy.

Council's Disability Advisory Committee has been established and has contributed to and guided the development of the Policy.

3. Issues

The Policy outlines a broad Council vision for the inclusion and full participation of people of all abilities.

The Policy identifies four key priority areas:

- Employment and Training;
- Inclusion and Participation;
- Accessing Goods and Services; and
- Changing Attitudes.

The objectives that relate to these priority areas target Service Development, Community Building and Advocacy:

- **Service Development** objectives are focused on areas where Council can develop its services to directly respond to the issues and opportunities presented in the Policy.
- **Community Building** objectives are focused on ways Council can work with and support other organisations and individuals to respond to the issues and opportunities presented in the policy.
- **Advocacy** objectives are focused on issues and objectives of the Policy that are beyond the direct control of Council or the community. Here Council will take on an advocacy role and strengthen the voice of people with a disability.

Implementation and Review

The four priority areas addressed in the Policy present a picture of the issues and opportunities raised by the community and Council officers. A specific implementation Action Plan will be developed annually. This approach allows for Council's actions to be current and focused and to capitalise on the changing context and current opportunities for improving access and inclusion.

Each year Councillors, officers and the community will be brought together to develop an annual Action Plan. The first action plan will be developed during September 2009. The Action Plan will identify specific and achievable actions for the following year.

The action planning forum will be used to systematically review and evaluate the past year's Action Plan and to develop a revised Action Plan for the following year. From this process Council will receive an evaluation and implementation report along with a new Annual Action Plan. This approach will ensure that the Policy is implemented and evaluated over a period of four years.

Social Implications

The development of the Access and Inclusion Policy aims to improve conditions for people with a disability and their families.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities. The objectives of the Policy are aligned with the protection and promotion of specific rights addressed in the charter.

4. Consultation

The contents of this Report and the attached Policy are the result of extensive consultation with the community and Council officers.

Groups consulted include:

- Local Disability Services
- Individuals with a Disability
- Local Disability Employment Services
- Local Community Services
- Council's Disability Advisory Committee

The Portfolio Councillor Social Development, Cr Alice Pryor, has been consulted in the preparation of the Draft Policy.

5. Financial and Resources Implications

There are no direct financial implications as a result of this report which cannot be managed in the 2009-2010 Unit budget.

DSD38 RICHARDS RESERVE, COBURG (D09/143299)

Director Social Development

Youth and Leisure Services

Executive Summary

At its meeting held 10 June 2009, Council resolved to carry out an investigation into the development of Richards Reserve, Coburg including renovation of the existing velodrome and construction of a multi-purpose sporting complex including synthetic soccer pitch and netball and basketball facilities.

The resolution was carried after Cr Oscar Yildiz (CROY3) reported that for the past ten to fifteen years the reserve had not been maintained and or utilised to its full potential. Cr Yildiz also expressed concern that the site may not be to an acceptable standard and may pose a danger to users with various OH&S issues.

Following investigation into the specific elements of the resolution, officers recommend that appropriate studies be undertaken into the specific needs of sports cycling, regional football facility and indoor courts across the municipality before committing to any further investigation into the development of Richards Reserve, Coburg.

Recommendation

Council resolve:

1. To undertake a sports cycling study as part of the Moreland Bike Plan review.
2. To include Richards Reserve within the sites to be assessed as part of the regional football facility review to be completed in 2010.
3. To undertake an investigation to determine a suitable location for additional indoor court provision to accommodate netball and basketball competition within Moreland.

1. Policy Context

Key Strategic Objective 13 (KSO13) of the 2009-2013 Council Plan is to ensure that the community has access to a range of sporting and recreational opportunities to maximise their potential.

2. Background

Council at its Meeting held 10 June 2009 (CROY3) considered the under utilisation of Richards Reserve, Coburg and resolved:

- “1. To conduct research into the cost of renovating the velodrome,
2. To conduct research into the viability, location and accessibility of having a multi-use sporting complex at Richards Reserve including a synthetic soccer pitch, netball and basketball courts.
3. That a Council report be presented to Council by September 2009.”

Officers have subsequently carried out preliminary investigation into the above matters and provide the following information as the basis for further consideration.

3. Issues

Richards Reserve

Richards Reserve Coburg is located just north of Gaffney Street in the heart of the Municipality. The site is approximately 40,000 square metres in size and surrounded by industrial land. The complex has limited off street parking, a low standard soccer training pitch, a velodrome and cycling club pavilion as shown at **Attachment 1**.

Renovation of Velodrome

The Coburg Velodrome is one of two sports cycling venues within Moreland. The second velodrome is located at Roberts Reserve, Brunswick and is in a similar condition to that of Richards Reserve. Both tracks therefore present an intermediate risk to Council and need to be assessed against the level of usage currently provided. The cost of renovating the facilities has not been quantified given the degree of investigation into the structural integrity of each facility. Preliminary investigations revealed the need to undertake further more expansive investigation.

Both velodromes accommodate local clubs with a relatively stable membership base. It is understood that Brunswick has approximately 312 members across a range of age groups whilst Coburg has a smaller and more targeted sports cycling membership. In this regard, it is considered appropriate the cost of renovating the velodromes be assessed against the level of demand, and having regard for the broader cycling context.

The term “sports cycling” can be applied against a number of cycling categories including track cycling, BMX and Mountain Bike riding. Neither BMX or mountain bike riding is accommodated within Moreland, however requests for both are regularly received and are likely to be identified as part of the Youth Facilities Feasibility currently being undertaken. In this regard, it is recommended that Council endorse the undertaking of a broader Sports Cycling Study to investigate the existing provision and current and future demand for a range of sports cycling facilities in Moreland including track, BMX and mountain bike riding.

It is further proposed that a project working group consisting of representatives from both cycling clubs, Council officers from Recreation, Open Space and Sustainable Transport lead the investigation and incorporate its findings and recommendations into the current review of the Moreland Bike Plan so that the needs of sports cycling can be assessed against the broader priorities of cycling in Moreland.

Synthetic Soccer Pitch

Richards Reserve was identified as a potential site for a Regional Football Facility as part of the North West Region – Football Venue Strategic review and Feasibility Study completed in July 2009. As a result of the draft study, Council allocated \$20,000 within the 2009/2010 operating projects budget to undertake a further investigation into the provision of a regional football complex in Moreland having regard to a number of sites identified in the initial study including Richards Reserve.

It is therefore recommended that Council defer any further investigation into the establishment of a synthetic pitch at this site until the completion of the regional facility site selection study, which will coincide with a national review of football facilities to be undertaken by Football Federation Australia. This is consistent with the adopted Football Facility Strategy of Council, which has determined the installation of additional synthetic pitches at Clifton Park Brunswick and Hosken Reserve Coburg for club use and training as higher priorities.

Multi-Use Sports Complex

The need for additional indoor court space has been identified through regular requests received from many local netball, basketball and futsal clubs seeking playing and training venues within Moreland. Moreland presently has 4 indoor venues consisting of 4 undersized courts at Coburg, 1 court at Oak Park and three quarter courts at Brunswick and Fawkner. No stadium is compliant with all competition, playing and run-off requirements.

The need for additional court provision has been identified through Council's 2009 Strategic Operational Plan which calls for the construction of two netball courts every year for the next three years. The Active Women's Strategy has also identified the need to determine a suitable location for the provision of additional indoor courts within Moreland to accommodate existing demand for netball and basketball as a means to increasing women's active participation in sport and exercise.

It is therefore proposed, that officers immediately undertake an investigation to quantify the demand and determine a suitable location for the construction of additional indoor courts within Moreland including Richards Reserve, Coburg and the Oak Park Sports Centre on Pascoe Vale Road.

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 Social Development, Cr Pryor, and Councillor Responsible For Leisure, Cr Kavanagh, have been consulted about this report.

The Recreation Unit has consulted with the Open Space Branch and Sustainable Transport Unit in the investigation of this report.

5. Financial and Resources Implications

All recommended actions are proposed to be completed within available resources by extending the scope of existing operating and capital works projects in addition to further work being undertaken by Council officers.

The sports cycling study will be completed primarily by Council officers under the auspice of the Bike Plan review currently being undertaken and through additional resources available in the open space planning budget.

A \$20,000 operating grant exists for the completion of a Regional Football Facility investigation, which is scheduled to commence in the second half of the 2009/2010 financial year.

An indoor court and stadium usage review will be completed within existing resources and as part of the current Oak Park Aquatic Facility Feasibility, and could be incorporated into the findings of the study.

DSD39 REQUEST FOR A COMMUNITY GRANT - SPECTRUM MIGRANT RESOURCE CENTRE (D09/143410)

Director Social Development

Community Development and Social Policy

Executive Summary

This report is in response to a request, at Attachment 1, for a grant from the Spectrum Migrant Resource Centre (SMRC). The SMRC is seeking funding from all northern region Councils towards the cost of a publication, which will showcase the achievements of the Centre since its inception in 1984. The publication will also be used to inform the wider community about SMRC's role and services.

The SMRC will launch this booklet at their 25th anniversary event to be held in September this year.

This project should be supported by the Council for the following reasons:

1. The SMRC is a leading multicultural organisation, which plays a significant role in providing a wide range of services to assist new migrants and refugees to settle in the northern region.
2. The SMRC is one of Council's key partners and plays an important role in supporting our engagement with diverse communities and in advocating on behalf of the communities. Recent examples of this include:
 - a) The SMRC was involved in preparing a submission in partnership with Council and other service providers to the Department of Immigration and Citizenship on the Integrated Humanitarian Settlement Services Review; and
 - b) The SMRC participated in the recent round table discussion with the Federation of Indian Students, and the SMRC will continue to play a role in Council's work in assisting international students and other new arrivals.

Recommendation

Council resolve to provide \$2,000 to the Spectrum Migrant Resource Centre to support the publication of a booklet showcasing the SMRC's achievements since their inception in 1984.

1. Policy Context

The Spectrum Migrant Resource Centre (SMRC) plays a significant role in championing the interests and aspirations of the CALD communities. This makes them a vital link for Council's engagement with diverse communities.

For example, the relationship with the SMRC is critical for implementing the objectives in the Multicultural Policy and Action Plan (2006-2010) which include:

- Community engagement and community capacity building opportunities with CALD communities, including new and emerging communities;
- Improving access to services by CALD communities including new and emerging communities;
- Improving Council's capacity to respond appropriately to the needs of CALD communities; and
- Improve information and communication between Council and CALD communities.

Many of Council's community consultations with CALD communities are organised with the assistance and in partnership with the SMRC.

2. Background

Migrant Resource Centres were funded in Australia after a review of Post Arrival Programs and Services to Migrants by then Prime Minister, Malcolm Fraser, on 31 August 1977. MRC's were established in order to ensure that the changing needs of migrants were met.

Council has enjoyed a long-standing relationship with the SMRC, working in partnership to improve the lives of migrants and refugee communities. The SMRC is a lead agency in the multicultural sector in Moreland, providing 21 re-settlement and integration services and programs. SMRC has staff from a range of cultural backgrounds who are fluent in more than 20 relevant community languages.

3. Issues

Social Implications

SMRC will continue to make significant contributions to the improvement of social conditions in Moreland. Council's contribution in supporting the SMRC will result in greater social inclusion.

Economic Implications:

The economic implications and benefits include:

1. The SMRC's work in building pathways for many migrants to integrate and settle in to a new life;
2. Work to reduce alienation of those who are at risk of disengaging with the community for example, more vulnerable groups such as young refugees;
3. Preventing family violence and breakdown; and
4. Job matching and vocational training service which have direct implications providing individuals with employment and economic participation.

Human Rights Consideration

Council has made commitments to undertake measures to promote human rights in accordance with the Charter of Human Rights and Responsibilities, these include the rights of multicultural communities. Support for the SMRC is in line with such a measure and will assist Council in advancing equity and human rights, including cultural and religious rights.

4. Consultation

SMRC has met with Jenny Merkus, Director Social Development regarding this request.

The Portfolio Councillor for Social Development, Cr Alice Pryor, has been consulted in preparation of this report.

5. Financial and Resources Implications

This \$2000 grant will be met from the grants budget, which has a provision of \$20,000 for strategic partnering projects.

**DSD40 EAST TIMOR PARTNERSHIP PROJECT - REPORT ON
PLANNING WORKSHOP AND VISIT TO TIMOR-LESTE, 4-18
JULY 2009 (D09/139547)**

Director Social Development

Social Development

Executive Summary

In July 2009 Cr Alice Pryor, as the Chair of the Friends of Aileu Community Committee, and Richard Brown, East Timor Partnership Project Officer, at the invitation of the Aileu District Administrator attended a two-day Planning Workshop in Timor-Leste, Aileu. The workshop developed a draft vision for the future development of the friendship relationship and some priority goals. The workshop outcomes are intended to be an input into the review of the Friends of Aileu Strategic Plan 2005-2010, which is due in early 2010. The visit also enabled discussion of existing projects funded by Friends of Aileu and its partners and identification of possible future initiatives. It also enabled participation by the Project Officer at a conference on 'nation-building' and meetings with representatives of the Timor-Leste government and other NGOs.

Recommendation

Council resolve:

1. To accept the report of the Visit to Timor-Leste
2. To endorse the proposed timetable for the development of the Friends of Aileu Strategic Plan for 2010-2015 and the new Friendship Agreement, and Cr Alice Pryor's role in leading the process in Moreland.

1. Policy Context

The Mayor's Speech 2008 highlights Council's policy commitment to community building, and in particular to 'continue to support the Friends of Aileu and the Aileu-Moreland intergovernmental agreement'. The Friends of Aileu Strategic Plan 2005-2010 has as three of its goals: '...to provide long-term, sustainable assistance to the people of Aileu' (Goal 1), '...to develop programs and projects to meet the needs of young people in Aileu...' (Goal 2) and '...to strengthen the relationships with the Timor-Leste leadership, the Aileu Commission and the community of Aileu.' (Goal 3).

2. Background

In April 2009, the District Administrator of Aileu District, Sr Martinho Matos, invited the Chair of Friends of Aileu, Cr Alice Pryor, the Friends of Aileu Project Coordinator, Richard Brown, and other members of the Friends of Aileu Community Committee, to visit Aileu and participate in a two-day planning workshop to be conducted by the Aileu Friendship Commission in July 2009. The invitation was accepted and Cr Pryor, Richard Brown and Committee member Kate Jeffery, arranged to attend the workshop.

Richard Brown visited Timor-Leste from 4-18 July and Cr Alice Pryor visited from 11-18 July. A representative of a partner organisation Merri Community Health Services, Kate Jeffery, also visited Aileu and attended the workshop.

The visit also provided an opportunity to meet with representatives of organisations in Aileu to review the progress of projects funded by Friends of Aileu and its partners and to plan future initiatives.

The visit coincided with three international conferences being held in Dili. Richard Brown attended the third conference, 'Nation-Building Across Urban Rural Timor-Leste', which had a particular focus on local development. He was also able to meet with representatives of other Timor-Leste Friendship groups who attended the conference.

Richard Brown also held meetings with representatives of the Timor-Leste Government and NGOs while in Dili.

A report on the visit is at **Attachment 1**.

3. Issues

The Aileu Planning Workshop marks an important milestone in the development of the Friendship Relationship between Moreland and Hume City Councils and the District of Aileu, and in particular of the Aileu Friendship Commission as the body responsible for managing the friendship relationship in Aileu and overseeing the implementation of projects funded by Friends of Aileu and its partners. It provides a model for other Districts and friendship groups and has been acknowledged by the Timor-Leste Government as being the most developed of any of the over forty friendship relationships with Timor-Leste.

The Workshop also took place in the context of the planned decentralisation of government in Timor-Leste and the establishment of elected municipal government over the next two years. It is planned to hold elections in Aileu for the new municipal assembly in November-December 2010. District officials indicated that they will be looking to the friendship relationship, and in particular to Moreland and Hume City Councils to provide advice and support during this challenging process. During the visit, Richard Brown was also able to have discussions with a representative of the Ministry of State Administration, which is responsible for the decentralisation process, about a proposed plan for providing training for elected representatives and local officials in the new municipal structure, which he has been involved with developing through the VLGA Timor-Leste Working Group.

The Aileu Planning Workshop participants developed a draft vision for the development of the Friendship Relationship over the next five years and a set of priority goals for the next two years, as follows:

Vision:

Developing a stronger and more sustainable international relationship between Aileu and Australia will increase the number of friends and constructive partnerships; these partnerships will help the community of Aileu District to grow in a prosperous and peaceful environment

Key objectives for the next two years:

1. *Develop quality human resources (including women's development)*
2. *Develop quality health services*
3. *Improve local production and access to markets*
4. *Improve infrastructure, including water, electricity and communication*

The Workshop facilitators will prepare a report of the workshop outcomes for the Aileu Friendship Commission, which will prepare report for the Friends of Aileu Community Committee, as an input into its review of the Friends of Aileu Strategic Plan 2005-2010, which is due to for in early 2010, and would include input from friends off Aileu's partners. It is proposed that five-year strategy plan for 2010-2015, jointly agreed between Moreland and Hume Councils and the Aileu District Administration, is signed off in time for the 10th anniversary of the partnership on 4 May 2010, when a renewed Friendship Agreement could also be signed at a suitable ceremony.

In order to achieve this objective, a process, led by the Chair of the Friends of Aileu Community Committee, Cr Alice Pryor in Melbourne and Sr Albel de Conceicao in Aileu, will need to be agreed to by both Moreland and Hume Council. A suggested timetable for this process is as follows:

September 2009	Aileu Friendship Commission considers report from the Workshop
October 2009	Aileu Commission completes draft five-year plan
November 2009	Aileu Commission publishes draft plan and seeks comment – copy of draft plan sent to Friends of Aileu
December 2009-March 2010	Friends of Aileu develops Strategic Plan 2010-2015 (including consultation with partners) & new Friendship agreement
April 2009	Moreland & Hume City Councils and Aileu Friendship Commission agree to new plan and new Friendship Agreement

May 2010

Representatives of Moreland and Hume City Councils and Aileu District Administration sign new Friendship Agreement publish new Strategic Plan

The visit provided an opportunity to further develop and discuss a range of social, environmental and economic projects described at **Attachment 2**.

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 have been consulted in the preparation of this report: the Councillor Responsible For Timor-Leste, Cr Alice Pryor, Friends of Aileu-AVI Volunteer Project Officer, Chris Adams, and Kate Jeffery, Timor-Leste Project Officer at Merri Community Health Services.

5. Financial and Resources Implications

The cost of the visit to Timor-Leste was met from within the Project Budget.

Any costs associated with new projects or other activities in Timor-Leste, which arise from the visit, will be met from publicly raised funds.

**DSD41 NOMINATION OF TIMOR-LESTE (EAST TIMOR) FOR THE
AWARD OF COMPANION OF THE ORDER OF AUSTRALIA
(HONORARY) (D09/139879)**

Director Social Development

Social Development

Executive Summary

This report recommends that Council submits a letter of support for a petition Mary MacKillop East Timor Mission proposes to submit to the House of Representatives in support of the nomination of Timor-Leste for the Award of Companion of the Order of Australia (Honorary).

Recommendation

Council resolve to submit a letter of support to the petition by the Mary MacKillop East Timor Mission to the House of Representatives seeking nomination of Timor-Leste (East Timor) for the Award of Companion of the Order of Australia (Honorary).

1. Policy Context

Council's commitment to supporting the development of Timor-Leste, and to social justice in that country, is highlighted in the Mayors Speech 2008, in its endorsement of the Friends of Aileu Strategic Plan 2005-2010, and its record of active assistance to the re-building of Timor-Leste since 1999.

2. Background

In July 2009, the Mary MacKillop East Timor Mission wrote to the Mayor, with a request that Council support a petition it proposes to submit to the House of Representatives for the nomination of Timor-Leste (East Timor) for the Award of Companion of the Order of Australia (Honorary), together with a briefing paper on the background to the proposal.

In 1941, as part of its war effort against Japan, Australia sent almost 400 members of the Australian 2/2 Independent Company to East Timor. They were later reinforced by members of the 2/4 Company to a total of about 700. Following a Japanese invasion, against whom the Australian troops exacted heavy casualties, the Australians were largely kept alive by the loyal support of East Timorese civilians. When the Australians left, between late 1942 and early 1943, an estimated 40-60,000 East Timorese were killed in reprisal by the Japanese.

The Companion of the Order of Australia (Honorary) is given for 'extraordinary service', which well describes the support given to the Australians by the East Timorese. This initiative by the Mary MacKillop East Timor Mission is an attempt to partly redress the debt which Australia owes the East Timorese. By August 2009, the Mission had collected 14,500 signatures on a petition in support of the nomination, to be presented to Federal Parliament in September.

3. Issues

Very few of the Australians involved in East Timor and a dwindling number of the East Timorese who supported them, still survive. However, the memory of that time lives on among their descendants in both countries and has laid the basis for the unique friendship relationships which have developed between the individuals and communities of the two countries.

There has, as yet, been no official recognition of the role of the East Timorese who supported the Australians at that time. Nor has there been an official acknowledgement of the sacrifice of so many East Timorese lives as a result of the assistance they gave to Australia, at a time when this country was in grave danger of invasion from Japan.

It is consistent with Council's commitment to social justice and its long-standing support for the development of Timor-Leste, to support this petition, in the form of a letter – see [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

There has been consultation with the Portfolio Councillor Social Development, Cr Pryor, in the preparation of this report.

5. Financial and Resources Implications

The recommended action has no financial resource implications for Council.