

Moreland City Council

COUNCIL AGENDA

WEDNESDAY 10 SEPTEMBER 2008

COMMENCING 7.00PM

COUNCIL CHAMBER, MORELAND CIVIC CENTRE
90 BELL STREET, COBURG

Language Link

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

這是市政會會議的議程。您若在理解議程中有需
要協助的地方，請打電話給“語言連接 (Language
Link)”翻譯服務，號碼9280 1910。

Questo è l'ordine del giorno per la Riunione del
consiglio Comunale. Se hai bisogno di aiuto sugli
argomenti in discussione, sei pregato di telefonare al
Language Link al numero 9280 1911.

Αυτή είναι η Ημερήσια Διάταξη για τη Συνεδρίαση
του Συμβουλίου (Council Meeting). Για βοήθεια με
οποιοδήποτε από τα θέματα της ημερήσιας διάταξης,
παρακαλείστε να τηλεφωνήσετε στο Γλωσσικό
Σύνδεσμο (Language Link), στο 9280 1912.

هذا هو جدول أعمال اجتماع المجلس البلدي. للمساعدة
بأي بند من بنود جدول الأعمال الرجاء الاتصال بخط
Language Link على الرقم 9280 1913.

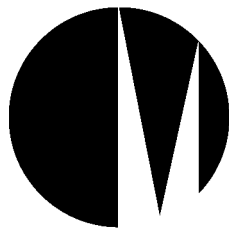
Belediye Meclisi Toplantısının gündem maddeleri
burada verilmiştir. Bu gündem maddeleri ile ilgili
yardıma ihtiyacınız olursa, 9280 1914 numaralı
telefondan Language Link tercüme hattını arayınız.

Đây là Nghị Trình cuộc họp của Ủy Ban Quy Hoạch
Đô Thị. Nếu muốn biết thêm chi tiết về đề tài thảo
luận, xin gọi điện thoại cho Language Link qua số
9280 1915.

Este es el Orden del Día para la reunión de la
Municipalidad. Si tiene dificultades para entender
algunos de los puntos listados en el Orden, sírvase
llamar a Language Link al teléfono 9280 1916

Ovo je dnevni red sastanka Općinskog vijeća. Ako
trebate pomoć glede bilo koje točke dnevnog reda,
nazovite Language Link na broj 9280 1917.

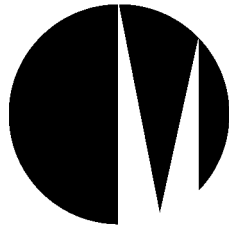
यह कौंसिल की बैठक का कार्यक्रम है। कार्यक्रम के किसी
भी विषय के बारे में सहायता के लिए कृपया 9280 1918
पर फोन कीजिए ।



INFORMATION ABOUT COUNCIL MEETINGS

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

1. **WELCOME** The Mayor, who chairs the meeting, formally opens the meeting, delivers an acknowledgement of country and welcomes all present.
2. **APOLOGIES** Where a Councillor is not present, his/her absence is noted in the Minutes of the meeting.
3. **CONFIRMATION OF MINUTES** The minutes of the previous meeting are placed before Council to confirm the accuracy and completeness of the record.
4. **DECLARATION OF INTERESTS AND/OR CONFLICT OF INTERESTS** Under the *Local Government Act 1989*, a Councillor has a duty to disclose any direct or indirect pecuniary (financial) interest, s/he may have in any matter to be considered by Council that evening.
5. **PETITIONS** Council receives petitions from citizens on various issues. Any petitions received since the previous Council meeting are tabled at the meeting and the matter referred to the appropriate Council Director for consideration.
6. **MAYOR & COUNCILLORS CORRESPONDENCE** A list of correspondence received since the last meeting is considered by Councillors.
7. **REPORTS FROM COMMITTEE TO COUNCIL** Council considers reports from Committees that Councillors represent Council on.
8. **QUESTION TIME** This is an opportunity (30 minutes), for citizens of Moreland to raise questions with Councillors.
9. **"ON NOTICE" ITEMS FROM PREVIOUS COUNCIL MEETING** Items raised during Question Time at the previous Council meeting that were not able to be answered are responded to.
10. **COUNCILLORS ITEMS** Councillors may raise issues or matters of interest that are not listed on the meeting Agenda.
11. **COUNCIL REPORTS** Detailed reports prepared by Council's Administration are considered by Councillors and a Council position is adopted on the matters considered. The Mayor can invite firstly Councillors, secondly Officers, and then citizens in attendance to identify Council reports which should be given priority by the meeting and considered in the early part of the meeting.
12. **LATE REPORTS** Reports have not been submitted by such time that the Council Agenda is photocopied. These reports are identified in the Table of Contents and have been distributed separately. Copies of Late Reports are available at the Council Meeting.
13. **URGENT BUSINESS** The Chief Executive Officer or Councillors, with the approval of the meeting, may submit items of Urgent Business (being a matter not listed on the agenda) but requiring a prompt decision by Council.
14. **CONFIDENTIAL BUSINESS** Whilst all Council and Committee meetings of Council are open to its citizens, Council has the power under the *Local Government Act* to close its meeting to the general public in certain circumstances which are noted where appropriate on the Council Agenda. Where this occurs, members of the public leave the Council Chamber or Meeting room while the matter is being discussed.
15. **CLOSE OF MEETING** The Mayor will formally close the meeting and thank all present.
16. **NEXT MEETING DATE** The next Council meeting will be held on Wednesday 8 October 2008 commencing at 7pm, in the Brunswick Town Hall, Cnr Sydney Road and Dawson Street, Brunswick.



1. WELCOME

2. APOLOGIES

3. CONFIRMATION OF MINUTES

The minutes of the Council meeting held on 13 August 2008 be confirmed.

4. DECLARATION OF INTERESTS AND/OR CONFLICT OF INTERESTS

5. PETITIONS

(D08/106601) O’HEA STREET, COBURG

A petition has been received containing 7 signatures requesting Council to give consideration to making the proposed car parking larger.

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

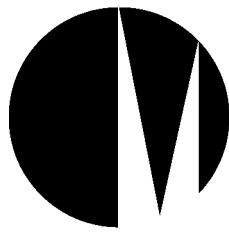
7. REPORTS FROM COMMITTEE TO COUNCIL

Nil.

8. QUESTION TIME

9. “ON NOTICE” ITEMS FROM PREVIOUS COUNCIL MEETING

Nil.



10. COUNCILLORS' ITEMS

11. COUNCIL REPORTS

CHIEF EXECUTIVE OFFICER

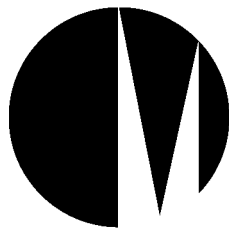
CEO8	ANNUAL BUSINESS PLAN PERFORMANCE REPORT - 2007-2008 FINANCIAL YEAR (D08/102759)	1
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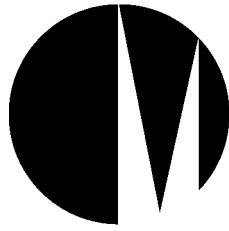
12. LATE REPORTS

13. URGENT BUSINESS REPORTS

14. CONFIDENTIAL REPORTS

CEO9 STAFFING MATTER (D08/110567)

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



**CEO10 THE COBURG INITIATIVE - STRATEGIC PARTNERING AGREEMENT
(D08/108393)**

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

**DCI47 COMMUNITY FACILITY FUNDING PROGRAM – BRUNSWICK
SECONDARY COLLEGE HOCKEY FIELD (D08/111667)**

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

DCI48 SALE OF LAND (D08/109729)

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

DCI49 JC DECAUX BUS SHELTER CONTRACT (D08/114234)

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



**Moreland City Council
Mayor and Councillors report**

Page 1
Date 2/09/2008
Time 8:22:24 AM

Moreland City Council

Mayor & Councillors Correspondence Report - Date Registered is between 05/08/2008 to 02/09/2008

D08/97345 Scanned Document Date Registered 5/08/2008 at 10:06 AM

Invitation to St Matthews School Solemn Blessing & Official Opening of the Multipurpose Classroom on 14/08/08 from 2 15pm

Author

ST MATTHEWS PRIMARY SCHOOL

D08/98310 Scanned Document Date Registered 6/08/2008 at 11:12 AM

Hobsons Bay Community Fund Charity Dinner On 10/10/08 at the Williamstown Town Hall Ferguson Street Williamstown from 7:00pm

Author

HOBSONS BAY COMMUNITY FUND

D08/98326 Scanned Document Date Registered 6/08/2008 at 11:18 AM

The opening mass of the Saidet Zgharta Association on 10/08/08 at Our Lady of Lebanon Maronite Catholic Parish 230 Normanby Avenue Thornbury

Author

SAIDET ZGHARTA ASSOCIATION AUSTRALIA

D08/99561 Scanned Document Date Registered 7/08/2008 at 11:58 AM

Merri Creek Management Committee - Agenda for Meeting No120 on 21/08/08 at Whittlesea City Council Ferres Boulevard South Morang

Author

MERRI CREEK MANAGEMENT COMMITTEE

D08/99976 Scanned Document Date Registered 7/08/2008 at 12:59 PM

Shriving Adult Day Centre's 20th Anniversary Celebration on 8/08/08 at 351 Barkly Street Brunswick from 12:00 Midday

Author

SHRIVING ADULT DAY CENTRE

D08/101826 Scanned Document Date Registered 12/08/2008 at 12:54 PM

Enclosed for information copy of Developing a Men's Health Policy for Australia

Author

THOMSON, KELVIN

D08/101830 Scanned Document Date Registered 12/08/2008 at 12:59 PM

Seeking support to reject planning application at Northern Golf Club

Author

WOODS, GEOFFREY NORMAN

D08/101835 Scanned Document Date Registered 12/08/2008 at 1:01 PM

Concerning local governments response to alcohol and other drug related problems copy of submission also enclosed

Author

NATIONAL LOCAL GOVERNMENT DRUG & ALCOHOL ADVISORY

D08/102739 Scanned Document Date Registered 13/08/2008 at 1:33 PM

Response to concerns relating to VCAT and construction of more than one dwelling without appropriate approval also enclosed copy of letter to Minister for Planning

Author

MANNINGHAM CITY COUNCIL



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Mayor and Councillors report**

Page 2
Date 2/09/2008
Time 8:22:24 AM

Moreland City Council

Mayor & Councillors Correspondence Report - Date Registered is between 05/08/2008 to 02/09/2008

D08/103459 Scanned Document Date Registered 14/08/2008 at 12:14 PM

Letter concerning proposed application at the Northern Golf Club

Author

THOMSON, KELVIN

D08/104129 Scanned Document Date Registered 15/08/2008 at 11:54 AM

End of season Presentation Night on 12/9/08 at Vizzini Social Club Sydney Road Coburg from 6:30pm also attached background information on Brunswick Zebras Football Club

Author

BRUNSWICK ZEBRAS JUNIOR SOCCER CLUB

D08/104138 Scanned Document Date Registered 15/08/2008 at 12:04 PM

St Moura Day Annual Ball on 13/9/08 at Greenville Reception 13-15 Green Street Thomastown from 8:30pm

Author

BAKARZALA CHARITABLE & SOCIAL ASSOCIATION

D08/104141 Scanned Document Date Registered 15/08/2008 at 12:10 PM

Memorial Service in the Board Room at John Fawkner Private Hospital 275 Moreland Road Coburg on 5/9/08 from 2:00pm

Author

JOHN FAWKNER MORELAND PRIVATE HOSPITAL

D08/105007 Scanned Document Date Registered 18/08/2008 at 12:31 PM

Dr Frank Gorman and Medical Board of New South Wales the 2008 saga brochure also enclosed

Author

GORMAN, FRANK

D08/105014 Scanned Document Date Registered 18/08/2008 at 12:34 PM

Issue concerning requirement to pay full differential rate for property in Brunswick

Author

RIPARI, LUIGI GINO

D08/105044 Scanned Document Date Registered 18/08/2008 at 12:49 PM

RMIT Young Essentials Project Launch on 2/9/08 from 6:00pm at Peninsula C Shed 14 - 161 Harbour Esplanade Central Pier Docklands

Author

RMIT UNIVERSITY

D08/105759 Scanned Document Date Registered 19/08/2008 at 12:14 PM

Invitation to a Development Assessment Committees Information Session on 28/8/08 at 9:45am Telstra Conference Centre 1/242 Exhibition Street Melbourne

Author

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT



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Date 2/09/2008
Time 8:22:25 AM

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Mayor & Councillors Correspondence Report - Date Registered is between 05/08/2008 to 02/09/2008

D08/105765

Scanned Document

Date Registered 19/08/2008 at 12:18 PM

Invitation to a lunch celebrating 20th Anniversary of Glenroy Polish Elderly Club at 11 Cromwell Street Glenroy on 19/9/08 from 11:00am

Author

GLENROY POLISH ELDERLY CITIZEN CLUB INC

D08/105772

Scanned Document

Date Registered 19/08/2008 at 12:23 PM

Further to previous concerns raised over application at 63 Rainer Street Pascoe Vale

Author

DEAN, BRIAN

D08/106630

Scanned Document

Date Registered 20/08/2008 at 12:49 PM

Concerning the National Plastic Bag Campaign also attached education kit

Author

ARE YOU READY

D08/106635

Scanned Document

Date Registered 20/08/2008 at 12:56 PM

Briefing request regarding the role of green carbon for reducing climate change

Author

WILDERNESS SOCIETY VICTORIA INC

D08/106639

Scanned Document

Date Registered 20/08/2008 at 12:59 PM

Invitation to 41st Anniversary of the Abruzzo Club at 377 Lygon Street East Brunswick on 27/9/08 from 7:00pm calendar of events also attached

Author

ABRUZZO CLUB

D08/106646

Scanned Document

Date Registered 20/08/2008 at 1:02 PM

Enclosed copies of the City of Melbourne's Connecting Our Mob booklet information for Indigenous cultural awareness

Author

MELBOURNE CITY COUNCIL

D08/107205

Scanned Document

Date Registered 21/08/2008 at 11:39 AM

Concerning disturbing and threatening behaviour from unsecured clients at respite house 49 Park Street Pascoe Vale

Author

WILSON, MAURICETTE JUDITH

D08/107260

Scanned Document

Date Registered 21/08/2008 at 12:18 PM

Concerning infringement notice number 2346131 for \$57

Author

JOHANSON, GRAEME

D08/109508

Scanned Document

Date Registered 22/08/2008 at 1:03 PM

Concerning objections to proposed development at 10 Arndt Road Pascoe Vale

Author

THOMSON, KELVIN



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Moreland City Council

Mayor & Councillors Correspondence Report - Date Registered is between 05/08/2008 to 02/09/2008

D08/109565 Scanned Document Date Registered 22/08/2008 at 2:06 PM

Invitation to the Brunswick and Richmond Transport Forum on 29/8/08 at Fitzroy High School Falconer Street North Fitzroy from 10:30am

Author
CARLI, CARLO

D08/109569 Scanned Document Date Registered 22/08/2008 at 2:09 PM

Western Region Football League Luncheon on 6/9/08 from 12 noon at Bartercard Oval Werribee Sports Club Chirnside Park Watton Street Werribee

Author
WESTERN REGION FOOTBALL LEAGUE

D08/109576 Scanned Document Date Registered 22/08/2008 at 2:11 PM

Cocktail Party to celebrate 2008 Victorian Local Government Women's Charter Awards on 4/9/08 from 5:00pm at Richmond Town Hall Bridge Road Richmond

Author
VICTORIAN LOCAL GOVERNANCE ASSOC

D08/109578 Scanned Document Date Registered 22/08/2008 at 2:18 PM

Concerning options for accessibility at Local Government elections

D08/109583 Scanned Document Date Registered 22/08/2008 at 2:21 PM

Enclosed report on the Northern Try A Trade which was held on 20/5/08

Author
KANGAN BATMAN TAFE BUSINESS ENTERPRISE CENTRE

D08/109937 Scanned Document Date Registered 25/08/2008 at 11:34 AM

On behalf of constituents regarding their council rates

Author
THOMSON, KELVIN

D08/109940 Scanned Document Date Registered 25/08/2008 at 11:37 AM

Various issues concerning how money from rates are spent at Moreland

Author
PEARCE, VALDA

D08/109945 Scanned Document Date Registered 25/08/2008 at 11:40 AM

Petition enclosed requesting council lobby State Government to bring back the GM canola moratorium

Author
FRANCIS, JULIE ANNE

D08/109952 Scanned Document Date Registered 25/08/2008 at 11:44 AM

Request feedback on enclosed documents on cultural diversity in the arts

Author
BRITISH COUNCIL AUSTRALIA

D08/110012 Scanned Document Date Registered 25/08/2008 at 12:52 PM

Further to previous notice on Local Government elections accessibility



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Mayor & Councillors Correspondence Report - Date Registered is between 05/08/2008 to 02/09/2008

D08/110647

Scanned Document

Date Registered 26/08/2008 at 12:09 PM

Advise adopted and approved Amendment C72 the rezoning of land previously reserved for City Link project

Author

MINISTER FOR PLANNING

D08/110652

Scanned Document

Date Registered 26/08/2008 at 12:16 PM

Illegally parked vehicles in Bakers Road, Headley and Ida Streets Coburg

Author

THOMSON, KELVIN

D08/110657

Scanned Document

Date Registered 26/08/2008 at 12:19 PM

Acknowledge receipt of letter and document titled Moreland City Council Budget 2008/2009 dated 6/8/08

Author

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

D08/110662

Scanned Document

Date Registered 26/08/2008 at 12:22 PM

Express appreciation for supporting Italian Institute of Culture also enclosed brochures for upcoming events

Author

ITALIAN INSTITUTE OF CULTURE

D08/111122

Scanned Document

Date Registered 27/08/2008 at 10:30 AM

On behalf of constituent concerning the Meals on Wheels proposal

Author

THOMSON, KELVIN

D08/111171

Scanned Document

Date Registered 27/08/2008 at 10:52 AM

Menzies 200 Club Fundraising Dinner with guest Hon Dr Brendan Nelson MP on 30/9/08 from 7:00pm at Monte Carlo Receptions 5 Mitchell Street East Doncaster

Author

MENZIES 200 CLUB

D08/111337

Scanned Document

Date Registered 27/08/2008 at 11:59 AM

Seeking support for DebRa Victoria also enclosed pamphlet and DVD

Author

GREATER DANDENONG CITY COUNCIL

D08/111338

Scanned Document

Date Registered 27/08/2008 at 12:11 PM

Enclosed copy of Victorian Opera 2009 subscription season brochure

Author

VICTORIAN OPERA

D08/111340

Scanned Document

Date Registered 27/08/2008 at 12:13 PM

Enclosed details on the Pure Magic Water Purifiers

Author

PURE MAGIC



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Moreland City Council

Mayor & Councillors Correspondence Report - Date Registered is between 05/08/2008 to 02/09/2008

D08/112165 Scanned Document Date Registered 28/08/2008 at 11:49 AM

An exhibition of photography about the journey of pregnancy launched on 2/9/08 from 6:00pm at 680 High Street Thornbury

Author

WOMENS HEALTH IN THE NORTH

D08/112187 Scanned Document Date Registered 28/08/2008 at 12:06 PM

Councils letter on solar feed-in tariff has been referred to the Minister at Department of Primary Industries for consideration

Author

OFFICE OF THE PREMIER OF VICTORIA

D08/112199 Scanned Document Date Registered 28/08/2008 at 12:15 PM

Announcing the inaugural MAV Victorian Councillor Service Awards

Author

MUNICIPAL ASSOCIATION OF VICTORIA

D08/112202 Scanned Document Date Registered 28/08/2008 at 12:16 PM

Concerning changes to the eligibility criteria for councils Community Development Grants Program

Author

FAWKNER COMMUNITY HOUSE

D08/112206 Scanned Document Date Registered 28/08/2008 at 12:18 PM

Further to councils request to participate in Following The Krait - Treasure Chest Time Capsule project

Author

OPERATION PILGRIMAGE GROUP

D08/113085 Scanned Document Date Registered 29/08/2008 at 12:39 PM

Response to councils letter of 24/6/08 concerning police resources in Moreland

Author

MINISTER FOR POLICE & EMERGENCY SERVICES

D08/113098 Scanned Document Date Registered 29/08/2008 at 12:43 PM

Concerned about future plans for Gillon Oval, Clifton and Gilpin Parks under the Brunswick Structure Plan

Author

CARLI, CARLO

D08/113188 Scanned Document Date Registered 29/08/2008 at 2:13 PM

Complaint in relation to broken glass from cricket balls

Author

GRECO, FRANCESCA

D08/113212 Scanned Document Date Registered 29/08/2008 at 2:20 PM

Disappointed at Brumby Government final stance on solar feed in tariffs

Author

GIBBINS, JACQUELINE



Moreland City Council

Moreland City Council Mayor and Councillors report

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Mayor & Councillors Correspondence Report - Date Registered is between 05/08/2008 to 02/09/2008

D08/113219

Scanned Document

Date Registered 29/08/2008 at 2:27 PM

Objection to proposed development at 284-294 Albert Street Brunswick MPS/2008/504

Author

HORSFALL, LEAH KIM

D08/113226

Scanned Document

Date Registered 29/08/2008 at 2:29 PM

Regarding current staffing arrangements within the Moreland Police Service Area

Author

VICTORIA POLICE

D08/113713

Scanned Document

Date Registered 1/09/2008 at 10:49 AM

Concerns raised on behalf of local residents over lack of public toilets in the Coburg shopping centre

Author

CARLI, CARLO

D08/113717

Scanned Document

Date Registered 1/09/2008 at 10:51 AM

St Margaret Mary's North Brunswick celebrates the Moon Festival at 6:00pm on 14/9/08 in the hall at 51 Mitchell Street Brunswick

Author

ST MARGARET MARYS PRIMARY SCHOOL

CEO8 ANNUAL BUSINESS PLAN PERFORMANCE REPORT - 2007-2008 FINANCIAL YEAR (D08/102759)

Chief Executive Officer

Corporate Performance & Improvement

Executive Summary

The Annual Business Plan Performance Report July 2007 to June 2008 provides a snapshot of Council's progress towards meeting agreed target measures. There is an on-going review and development of the reporting process in order to provide a sound quantitative performance report to Council.

Recommendation

Council resolve to receive the Annual Business Plan Performance Report for the period July 2007 to June 2008.

REPORT

1. Policy Context

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

2. Background

A summary of the Annual Business Plan Performance Report July 2007 to June 2008 (Under Separate Cover **Attachments 1 – 5**) provides performance results on Council's achievements in relation to its strategic objectives in the Council Plan and Council Priorities as detailed in the Council Plan and, where appropriate, Best Value continuous improvement program. Commentary has been provided and has been incorporated within under separate cover **Attachment 1-5**.

3. Issues

Measures for the 2007-2008 financial year were generally on target. Each branch has had its strategic objectives and priorities separated to allow a greater understanding of the position of each branch.

4. Consultation

The Chief Executive Officer has been consulted regarding the preparation of this report.

5. Financial and Resources Implications

The Annual Business Plan Performance Report July 2007 to June 2008 does not indicate any financial or resource issues.

DCS34 DRAFT STANDARD, FINANCIAL AND PERFORMANCE STATEMENTS 2007/2008 (D08/108785)

Director Corporate Services

Finance

Executive Summary

The Moreland City Council Standard Statements, Financial Statements and Performance Statement for the 2007/2008 financial year have been prepared by Council and reviewed by the Auditor General's agent, DFK Collins Chartered Accountants. They have also been examined by Council's Audit Committee.

These 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 2007/2008, Council gives its approval in principle to the statements and authorises the Mayor, Cr Caputo and Cr O'Brien, 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 Caputo and Cr O'Brien 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 2007/2008 (**Attachment 1**)
- Financial Statements 2007/2008 (**Attachment 2**)
- Performance Statement 2007/2008 (**Attachment 3**)
- Draft Minutes of the Audit Committee held 26 August 2008 (**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 Wednesday 26 August 2008.

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 2007/2008 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 2007/2008 Standard Statements.
 - b) The draft 2007/2008 Financial Statements present fairly the financial transactions of the Moreland City Council for year ended 30 June 2008, and the financial position as at that date, and therefore recommend that Council "approve in principle" the 2007/2008 Financial Statements.

- c) The draft Performance Statement for 2007/2008 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 2007/2008 Performance Statement.
2. The Audit Committee recommend that Mayor, Cr Caputo and Cr O’Brien 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 2007/2008 Standard, Financial and Performance Statements on behalf of Council.

4. Consultation

The financial statements have been examined by Council's Audit Committee.

5. Financial and Resources Implications

The attached 2007/2008 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.

DCS35 COUNCILLOR EQUIPMENT POLICY (D08/90833)

Director Corporate Services

Governance

Executive Summary

Councillors are issued with equipment, meeting Council's IT standards, in order to facilitate Council-related communications between the community, Council staff and Councillors during their Council term.

Council at its meeting held on 13 April 2004 (DCS42) adopted the Councillor Telephone, Mobile, Computer, Fax Machine & Internet Policy. This policy is being reviewed in the lead up to the next Council election in November 2008.

Recommendation

Council resolve to adopt the Councillor Equipment Policy.

1. Policy Context

The revised policy (**Attachment 1**) accords with Council's accountability and transparency objectives and the achievement of its statutory obligations as detailed in the Council Plan 2007-2011. It also aims to provide a well-structured and comprehensive approach to the identification and processing of eligible expenditure incurred by Councillors.

2. Background

Council at its meeting held on 13 April 2004 (DCS42) adopted the Councillor Telephone, Mobile, Computer, Fax Machine & Internet Policy.

This policy is being reviewed in the lead up to the next Council election in November 2008. It is also suggested that the policy be renamed the 'Councillor Equipment Policy' to reflect the changing equipment provided to Councillors throughout their term.

3. Issues

Council will make standard equipment available to Councillors that assists Councillors to undertake their duties as Councillors. This policy outlines the equipment issued and reimbursement provisions.

Councillors are issued with equipment, meeting Council's IT standards, in order to facilitate Council-related communications between the community, Council staff and Councillors. Councillors may choose to be supplied with the standard equipment or elect to purchase their own units (non-standard) and be reimbursed up to the same value of the equivalent standard unit.

This policy is complementary to the revised Councillor Expenses Entitlement Policy, which establishes the entitlements for a Councillor to have necessary out of pocket expenses incurred while performing duties as a Councillor either reimbursed or paid by 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

The Portfolio Councillor Corporate Services, Cr O'Brien, and the Councillor Responsible For IT, Cr Pryor, have been consulted in the preparation of this report.

5. Financial and Resources Implications

The purchase, initial installation, maintenance costs, connection fees, rental charges and the operating costs of that equipment incurred by Councillors in the undertaking of their Councillor duties including all Council business call charges is budgeted annually in the Council budget. The adoption and implementation of the revised policy will have minimal impact on current budgetary provisions.

DCS36 PURCHASE OF COUNCIL COMMUNICATIONS EQUIPMENT BY RETIRING COUNCILLORS POLICY (D08/90835)

Director Corporate Services

Governance

Executive Summary

Council policy is to provide communications equipment to support Councillors in their governance function. Following elections, Council is prepared to sell this communications equipment to retiring Councillors at a cost based on the current valuation of the equipment.

Council has an existing policy covering the purchase of Council Communications by Retiring Councillors, adopted by Council on 14 June 2006 (DCS27). This policy is being reviewed in the lead up to the next Council election in November 2008 (Attachment 1).

Recommendation

Council resolve that the Purchase of Council Communications Equipment by Retiring Councillors Policy be adopted.

1. Policy Context

Council's support to ensure a strong sense of democracy in Moreland by nurturing a democratic and participatory culture at the first level of government is a key strategic objective in the Council Plan 2007 - 2011. Council is an elected and administrative body committed to fostering open, responsive governance.

2. Background

Council has an existing policy covering the purchase of Council Communications by Retiring Councillors, adopted by Council on 14 June 2006 (DCS27). This policy is being reviewed in the lead up to the next Council election in November (see [Attachment 1](#)).

3. Issues

Councillors have been provided with communications equipment to support them in their roles as Councillors.

At the conclusion of the electoral term, this equipment becomes secondhand and it is reasonable to consider making the equipment available to retiring Councillors at an appropriate price.

With regard to the equipment itself, constant innovation means the equipment can become outdated quickly. Accordingly, this policy states that retiring Councillors should be able to purchase all or any of the communications equipment at its current value at the time of their retirement. This will bring forward the need for Council to meet the cost of replacement, which will be offset by the sale.

Some of the guiding principles state that: -

- Retiring Councillors who wish to retain the communications equipment provided by Council will have the opportunity to do so.
- Equipment will be sold to retiring Councillors on the basis of the value of the equipment.

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 Corporate Services, Cr O'Brien, and the Councillor Responsible for IT, Cr Pryor have been consulted in the preparation of this report.

5. Financial and Resources Implications

There are no financial implications associated with this report. The funds collected through the sale of equipment will go into the IT budget and used for ongoing IT equipment purchases.

DCS37 COMPUTER COUNT VENUE FOR COUNCIL ELECTION 2008 (D08/110117)

Director Corporate Services

Governance

Executive Summary

On 11 June 2008 (DCS15) Council resolved to award the tender for the conduct of the 2008-2012 Council Election Services (Contract 1504) to the Victorian Electoral Commission (VEC).

The VEC have advised that the computer count will be conducted outside the municipality. In accordance with section 93(2) of the *Local Government (Electoral) Regulations 2005* Council must pass a resolution agreeing to this prior to entitlement date on Friday 3 October 2008.

Recommendation

Council resolves to authorise the Victorian Electoral Commission to conduct the computer count outside of the municipality.

1. Policy Context

In accordance with the *Local Government Act 1989*, Council must hold its General Election on 29 November 2008.

Council's commitment to democratic governance, representation and participation as detailed in the Mayor's Speech 2008 and the Council Plan 2007-2011 will guide the approach to conducting the election.

2. Background

The VEC have advised that the computer count will be conducted outside the municipality. In accordance with section 93(2) of the *Local Government (Electoral) Regulations 2005* Council must pass a resolution agreeing to this prior to entitlement date on Friday 3 October 2008.

3. Issues

The VEC has recognised that the management of computer counts across a number of sites involves specialised support, and the allocation of additional resources. The VEC currently plan to establish 8 metropolitan count venues. The VEC have advised that Moreland's count will be conducted at Northern Melbourne Institute of TAFE, Preston Campus, St Georges Road, Preston in association with the counts for Hume, Moonee Valley and Darebin Councils. The estimated times for the count will be provided to Council after the close of nominations.

If Council does not agree to count outside the municipality, the VEC can arrange for a manual count to be conducted. It should be noted however that a manual count would add considerably to the overall time taken for the count.

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 tender was awarded based on this provision. Councillors were made aware of this provision on 11 June 2008 as part of report DCS15.

5. Financial and Resources Implications

Provision for expenditure associated with the Council Election Services 2008 – 2012 has been made in the 2008-2009 Council budget.

DCD57 MORELAND ENERGY FOUNDATION LTD - BOARD MEMBERSHIP (D08/112570)

Director City Development

City Development

Executive Summary

This report proposes to modify the structure of the Moreland Energy Foundation Ltd (MEFL) and seeks to extend the nomination of Roger Collins, Director City Development as the Council officer nominee to the Moreland Energy Foundation Ltd (MEFL) Board.

Recommendation

Council resolves:

1. To write to the Moreland Energy Foundation Limited advising that Roger Collins, Director City Development, nomination as a Council appointment to the MEFL Board has been extended for a two year period and that Council will advise its Councillor nominee to the MEFL Board of Directors as soon as the newly elected Council decides its portfolio allocations and nominations.
2. To advise the Moreland Energy Foundation Limited that it supports the proposal to amend its Company Constitution and establish a nine-person Board comprising:
 - a) 1 Councillor;
 - b) 1 senior Council officer;
 - c) 1 MEFL member elected by the community membership;
 - d) 5 people appointed by the outgoing Board; and
 - e) 1 CEO (voting).

1. Policy Context

The Council Plan 2007-2011 includes a range of commitments to fostering a sustainable and liveable city and enhancing the environment. This includes a number of specific actions contained in the Council Plan Environment Objective, targeted at energy efficiency and reducing greenhouse gas emissions. The Plan also provides for a commitment to fostering open, responsive and consultative governance.

2. Background

Moreland Council created MEFL in 2001 as a public company limited by guarantee to focus on community based programs to reduce greenhouse gas emissions and to act with a degree of separation from Council itself in order to provide it with the flexibility of a smaller organisation. It was envisaged that MEFL would act collaboratively with Council, on behalf of Council and quite independently of Council depending on the particular occasion. A Board of Directors structure was required that provided Council with a degree of control over annual service contract funds that Council provides to MEFL for it to remain accountable to the Moreland community. Section 63 of the Company Constitution provides that MEFL can only increase or decrease the size of its Board of Directors with the prior consent of Council. Council approved the current MEFL Board structure of 8 directors in August 2004 (DCD98).

The minimum number of directors on incorporation of the Company is one and the maximum number is 12 with the board of directors being those appointed under clauses 62 and 63 of the Company Constitution.

MEFL currently has provision for 8 voting Board members, plus the Secretary, and comprises the following:

- 1 Councillor;
- 1 senior Council officer;
- 1 MEFL member elected by the community membership;
- 4 people appointed by the Board and recruited out of an expression-of-interest process to provide for remaining skill requirements identified by the Board; and
- 1 CEO (voting).

Currently the Council representatives on the MEFL Board are Cr Mark Higginbotham and the Director City Development, Roger Collins. The community member elected by membership vote at the 2006 Annual General meeting is Jeremy Romanes. The four other Board members are Mike Hill, Paula Gibson Roy, Peter Flanagan and Rosemary Bissett. The MEFL CEO, Paul Murfitt is a voting member of the Board. All current Board members (with the exception of the CEO) retire from office at the 2008 Annual General Meeting to be held on 7 October 2008.

3. Issues

MEFL has been an extremely successful business and has recorded operational surpluses for the last five years. Its annual budget has grown from \$0.3M in its first year of operation to over \$2.5M for 2008/2009. Staff numbers have increased from four to 20 in that time. The recent success in gaining Federal funding for the Coburg Solar Cities project has meant that MEFL is now an enterprise of substantial size and reputation. To provide for good governance and to allow appropriate Board oversight of the expanding range of services and projects that MEFL undertakes, the current MEFL Board is seeking Council approval to expand its Board numbers from 8 to 9.

It is proposed that a nine-person Board be established comprising:

- 1 Councillor;
- 1 senior Council officer;
- 1 MEFL member elected by the community membership;
- 5 people appointed by the outgoing Board; and
- 1 CEO (voting).

Plus the Company Secretary, non voting position.

All Board appointments (including the MEFL community member) would continue to be appointed for a two-year term.

In order to achieve the changes proposed by the current MEFL board, appropriate changes will be required to the MEFL constitution. This would be achieved by a Special Resolution of the Board (as described in Section 63 of the Company Constitution) after it has received Council consent. The Special Resolution would be listed for consideration at the 7 October 2008 Board meeting. A Special Resolution from the Board is required as the changed Board structure will need to be advised to the Australian Securities and Investments Commission (ASIC).

The MEFL Company Constitution requires one of the Moreland Council nominees to be present (either in person or by proxy) at each MEFL Board meeting for the Board to have a quorum.

Under the MEFL Constitution, all directors of the Board retire from office at the Annual General Meeting. The current Council nominees (Cr Mark Higginbotham and Roger Collins, Director City Development) therefore go out of office at the 7 October 2008 MEFL AGM.

Normally Council would write to MEFL, before the AGM, advising them of the Council nominees to the Board to take office after the AGM. Given the Council elections in late November 2008, the present Council is not in a position to nominate the Councillor Board member to participate in the Board meeting that MEFL has planned for November and early December 2008. In any event, the current Council would not wish to intrude on the prerogative of the new Council to nominate its own portfolio allocations at its first Ceremonial Meeting. The issue is that the November and December MEFL board meetings cannot proceed without a Council nominee being present.

To resolve the potential impasse, it will be recommended that MEFL be advised that Roger Collins, Director City Development, will continue as a director for a two year period from the 2008 AGM. At the time that the newly elected Council decides its portfolio allocations (in December 2008) then the Councillor nominee will take his or her position on the MEFL Board.

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 Chief Executive Officer and the Councillors Responsible For Sustainability and Climate Change, Cr Connellan and Cr Higginbotham, have been consulted in the preparation of this report.

5. Financial and Resources Implications

There are no financial or resource implications arising from the proposal.

DCD58 MELBOURNE'S FUTURE WATER SUPPLY (D08/104091)

Director City Development

Sustainable Development Branch / ESD Unit

Executive Summary

This report has been prepared in response to the letter received from Parliament Victoria, Environment and Natural Resources Committee 16 July 2008 seeking submissions to the 'Inquiry into Melbourne's Future Water Supply.' Moreland City Council's submission to the Inquiry into Melbourne's Future Water Supply forms Attachment 1 to this report.

Council's submission acknowledges that the Victorian Government must secure Melbourne's future water supply. However, Council's submission also questions the current methodology of the State Government focusing on major infrastructure projects aimed at securing water supply over the next five years including the planned greenhouse gas intensive desalination plant at Wonthaggi.

Council's submission supports the adoption of a holistic approach that encourages the exploration of all water supply and demand alternatives including: demand management (water conservation); rainwater, stormwater and greywater harvesting; groundwater use and blackwater and recycled water treatment.

Council's submission encourages the State Government to investigate and implement a range of water conservation and efficiency measures including:

- Adopting best practice planning policies and rating tools to improve water conservation and stormwater capture and re-use.
- Developing a fair and equitable pricing regime as well as ensuring the health of the overall water catchment system.
- Ensuring that stormwater capture is seen as a priority for both water resource issues and water quality issues.
- Developing and implementing a program to roll out the installation of rainwater tanks in Melbourne households.
- Adopting world's best practice standards, which necessitates that if the State Government proceeds with desalination plant infrastructure projects (despite environmental and economic concerns) that they be delivered using "on demand" technology and not on "always on" systems. "Always on" systems are energy intensive, inflexible and a costly approach.
- Investigating and implementing demand side reduction mechanisms to assist Victoria to achieve demand side water reduction. The mechanism proposed to the State Government (as detailed in Attachment 1) is a 'Water Efficiency Target (WET) Victoria Scheme', which mirrors a similar State Government project that will start on 1 January 2009 to deal with energy consumption. This complementary measure is seen as a potentially innovative, low cost, low greenhouse emission solution to water supply and demand issues in Victoria.

Recommendation

Council resolves to endorse and forward the Moreland City Council submission to the Inquiry into Melbourne's Future Water Supply to the Executive Officer, Environment and Natural Resources Committee, Parliament of Victoria.

1. Policy Context

Addressing both greenhouse emissions and water conservation are key priorities outlined in both the Council Plan 2005 – 2009 and the Mayor's speech 2006 - 2007.

The Council Plan 2007-2011 and Mayor's Speech 2008 include a range of commitments to foster a sustainable and liveable city and enhance the environment. Detailed commitments to address environmental issues include the Integrated Environment Plan and the Watershed Strategy endorsed in October 2005, which states that Council "aims to reduce Council water consumption 25 per cent by 2011 and 50 per cent by 2021 from baseline consumption in 2001".

The Stormwater Management Plan addresses a range of stormwater quality issues for Moreland's creeks. Council has also completed Water Conservation Plans as part of State Government requirements to the current staged water restrictions.

2. Background

At the Council meeting of 12 September 2007 adopted a position through report DCD58 Melbourne's Future Water Supply, objecting to the Victorian Government's proposed desalination plant as a single solution to secure Melbourne's future water supply.

In mid-July the State Government sent out a request for submissions to its Inquiry into Melbourne's Future Water Supply. The key actions that the State Government listed as being investigated or implemented include:

- conservation efforts;
- stormwater collection;
- waste-water treatment and re-use;
- groundwater use;
- small community based desalination plants; and
- other water sources as appropriate.

A key component of the State Government's approach to water management in the State includes the proposed desalination plant at Wonthaggi. This plant is projected to provide an additional 150 billion litres of water per year by the end of 2011 and cost Victoria \$3 billion in construction and \$140 million a year to operate. Council through the report DCD58 Melbourne's Future Water Supply (11 July 2007) raised its concerns to this approach.

With the effects of climate change exacerbating a prolonged drought Melbourne's current water storage's remain at an all time low of approximately 32%. State and Local Governments as well as industry need to investigate a range of complimentary options to address this critical issue.

The Central Region Water Strategy, Metropolitan Melbourne Water Supply and Demand Strategy and Our Water Our Future strategies have identified that a range of initiatives need to be implemented to ensure the community has a secure water supply in the future.

3. Issues

Environmental Implications

Victoria is experiencing the effects of climate change and a prolonged drought. Securing a variety of responses to this challenge should be the focus of all levels of Government. The Victorian State Government is investigating a number of options to secure Victoria's future water supply. However, it has invested significant resources in the proposed desalination plant that has local and regional environmental impacts.

Social Implications

The delivery of water projects and strategies in Victoria will impact on Victorian communities through prices and various environmental impacts (e.g. the coastal desalination plant). The cost of the proposed desalination plant is expected to be at least \$3 billion and cost upwards of \$140 million a year to operate. The cost of this operation will be borne by all residents of Melbourne with those on the lowest incomes hardest hit. Integrated approaches such as large-scale rainwater tank rollouts can be better targeted to assist all community members irrespective of financial status.

Economic Implications

The ongoing cost of the desalination plant at Wonthaggi will be significant for Victoria and cost approximately \$140 million per year to operate. Climate change is already having financial impacts through increased cost of utilities and food and the ongoing cost of a desalination plant will continue to place a significant cost on the community. Council proposes to the State Government that there needs to be an increase in the support and funding for demand side reductions to achieve State water targets and minimise the cost of securing Victoria's future water supply.

Regional / Strategic Implications

All Council's have been encouraged to submit to the Inquiry.

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

Portfolio Councillor City Development and Councillor Responsible For Sustainability and Climate Change, Cr Connellan and shared Sustainability and Climate Change, Cr Higginbotham, have been advised of the preparation and content of this report.

5. Financial and Resources Implications

There are no financial implications associated with Council's preparation of its submission to the inquiry.

DCD59 VICTORIAN CLIMATE SUMMIT PAPER RESPONSE (D08/103747)

Director City Development

Sustainable Development / ESD Unit

Executive Summary

In April 2008, the Victorian Government hosted a Climate Change Summit to ensure Victoria is in a strong position to address the challenges of climate change and take full advantage of the opportunities that will arise in the move towards a low-carbon economy. The Summit was intended to start a process to capture the best ideas from across the community and feed them into Victoria's new climate change policy and a landmark climate change bill.

In preparation for the Summit, the Premier John Brumby, released a Summit Paper, to engage the community in a conversation about future strategies for Victoria. The Summit Paper provides an overview of climate change policy and action in Victoria, what the role of the Victorian Government should be and how Victoria can move its policy forward.

This report is to note the submission (Attachment 1) from the Northern Alliance for Greenhouse Action (NAGA) to the Victorian Government.

Recommendation

Council resolve to note and approve the Northern Alliance for Greenhouse Action submission to the Victorian Climate Change Summit Paper.

1. Policy Context

The Council Plan 2007-2011 and Mayor's Speech 2008 include a range of commitments to foster a sustainable and liveable city and enhance the environment. Detailed commitments to address environmental issues and carry forward key environment policies include the Integrated Environment Plan and the Moreland Integrated Transport Strategy. In particular the Climate Action Plan 2007 – 2012 outlines the importance of advocacy on key issues relating to climate change at a global and local level.

2. Background

The Northern Alliance for Greenhouse Action was established in 2002 and is an alliance between the Moreland Energy Foundation Ltd and nine Councils spanning the northern region. Over the last two years, NAGA has attracted more than \$1,000,000 in cash and in-kind contributions to implement climate action projects in the NAGA region, demonstrating significant emission reduction innovation at the local government and regional level.

NAGA has an Advocacy Committee who develop responses to key State and Federal Climate and environmental papers. The Advocacy Committee also develops capacity building sessions for Council staff regarding key topics such as carbon pollution reduction, adaptation and risk management.

Key issues identified by NAGA in its submission (**Attachment 1**) include:

- Support for local action on climate change;
- Strong emphasis on energy efficiency;
- Assistance in energy efficient public lighting; and
- Increase in mandatory requirements for the built environment.

3. Issues

Environmental Implications

Victoria has the highest greenhouse gas emissions per capita in Australia due to our use of brown coal and dependence on vehicular transport. It is imperative that the State Government drives investment in renewable energy generation and public transport infrastructure as well as stimulate energy efficiency across the State. Without these long term measures, Victoria's emissions will continue to grow, contributing to the destruction of local biodiversity, agriculture and increase extreme weather events.

Social Implications

NAGA emphasised the social impacts of climate change and encouraged the State Government to invest in and stimulate energy efficiency in both the residential and business sector to reduce the impact on communities across the State.

Economic Implications

Climate change is already having financial impacts through increased cost of utilities and food. These impacts place an enormous cost on the community.

Regional / Strategic Implications

By preparing submissions at a regional level, via NAGA, Council draws on a broader pool of knowledge and resources to address climate change issues and represent a broader percentage of the community.

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

Portfolio Councillor City Development and Councillor Responsible For Sustainability and Climate Change, Cr Connellan and shared Sustainability and Climate Change, Cr Higginbotham, have been advised of the preparation and content of this report.

5. Financial and Resources Implications

There are no financial or resource implications associated with the submission of this paper, however Council contribute financial support to employ the NAGA Coordinator who administers the group, manages key projects and applies for funding to assist in project delivery.

DCD60 PROTECTION OF SIGNIFICANT TREES (D08/105447)

Director City Development

Sustainable Development Branch / Strategic Planning Unit

Executive Summary

Council resolved at its meeting on 9 April 2008 that a report be prepared *'that develops options for the most effective method for the protection of significant trees in the municipality'*. The Council Plan 2007-2011 also includes a priority action to *'Prepare an amendment to the Moreland Planning Scheme to incorporate the remnant vegetation assessment study.'* This report addresses both items.

The Moreland Planning Scheme currently includes tree protection controls covering selected areas of public and private land within the City. Council also has a Street Landscape Strategy to guide the management of trees on public land. In particular, the Tree Removal Policy within the strategy protects significant street trees. Trees on public land are afforded additional protection by Council's General Local Law 2007.

The 'gap' that appears within Council's tree protection methods relates to trees on private land which are not affected by a relevant vegetation protection Overlay in the Moreland Planning Scheme. A number of alternative methods of tree protection are available to Council ranging from a Local Law to additional Overlays such as a Vegetation Protection Overlay. Not all options are considered to be appropriate for the City of Moreland as different measures (particularly Overlay types) protect vegetation in different ways, from specific trees to broader landscape environments.

Following review of the various options, it is considered that the most appropriate method for Council to consider is an amendment to Council's General Local Law to include protection for significant trees on private land.

Recommendation

Council resolves:

1. To prepare an operating budget bid for 2009/2010 to prepare a Local Law which protects significant trees on a municipal wide basis, this will include:
 - a) Consideration of an amendment to Council's existing General Local Laws to include protection for significant trees on private properties that fall outside the scope of the tree protection controls within the Moreland Planning Scheme.
 - b) Protection for remnant vegetation where it applies to private land as part of the Local Law amendment as defined in the 'Moreland Remnant Vegetation Assessment' 1998.
 - c) Development of an education program to accompany the development of the Local Law, which targets tree-logging companies/businesses as a way of 'spreading the word' about the controls of the Local Law.

1. Policy Context

The State Planning Policy Framework includes objectives that seek to conserve native flora and fauna. One key objective of Clause 15.09 of the Moreland Planning Scheme is:

To assist the protection and conservation of biodiversity, including native vegetation retention and provision of habitats for native plants and animals and control of pest plants and animals.

The Municipal Strategic Statement (MSS) recognises the importance of the City's vegetation and includes two key objectives at Clauses and 21.05-5 and 21.05-6:

To develop street landscapes which provide more shade, more greenery and natural habitat throughout the city.

To protect and manage remnant vegetation communities and establish a network of habitat landscapes for native flora and fauna.

It is noted that the Moreland Planning Scheme also addresses the issue of vegetation protection through:

- Clause 22.09 - Vehicle Crossings and Clause 22.10 – Neighbourhood Character.
- Clause 42.01 - Environmental Significance Overlay.
- Clause 43.01 - Heritage Overlay (where tree controls apply).
- Clause 52.17 - Native Vegetation Provisions.
- Clause 54, 55 and 56 (ResCode), which include relevant objectives relating to neighbourhood character, landscaping and open space.

Further to these Planning Scheme controls, Council has a Street Landscape Strategy that is used to administer applications made to Council for removal or lopping of trees on Council owned land, including street trees. Council's Open Space Branch administers this policy.

Trees on public land are afforded additional protection by Council's General Local Law 2007. Specifically Clause 29(1)(e) of the General Local Law provides for *'the protection and enhancement of municipal buildings, public assets and assets of Council within the municipal district'*. By definition 'public assets' include trees.

2. Background

Council resolved at its meeting on 9 April 2008 that a report be prepared *'that develops options for the most effective method for the protection of significant trees in the municipality'*.

It is noted that the request was made following a recent review of Heritage Overlays to the Moreland Planning Scheme (as part of Amendment C78 considered by Council on 9 April 2008). Amendment 78 investigated the possibility of including an avenue of street trees in Melbourne Avenue, Glenroy within a Heritage Overlay. Council's Heritage Advisor reviewed the heritage significance of the trees and determined that they were not of a status that could or should be protected by inclusion in a Heritage Overlay.

Council currently considers the issue of tree removal in 3 ways:

- As part of a planning permit application, with consideration of appropriate State and Local Planning Policies, Overlay requirements and Particular Provisions to the Moreland Planning Scheme. A property owner or relevant authority may specifically seek a planning permit to remove or lop a tree where tree controls

apply. Alternately, Council can consider the issue of tree removal or lopping of trees on private property and Council land (including street trees and 'mature vegetation') where the trees are affected by a development proposal.

- An application to Council's Open Space Branch in relation to removal, lopping or pruning of street trees or other 'significant trees' on Council owned land. The Moreland Street Landscape Strategy provides the relevant framework that includes a Tree Removal Policy, requiring that all applications for removal be assessed on a case-by-case basis.

It is noted that street trees such as those in Melbourne Avenue, Glenroy, are effectively protected through this process. In cases of smaller street trees, an amenity value is assigned to the tree and applicants are required to contribute that value towards a replacement (e.g. where a proposed driveway/crossover conflicts with a less significant street tree).

- Council's General Local Law, at Clause 29(1)(e), protects trees on publicly owned land by giving Council the ability to penalise anyone found to be responsible for destroying, damaging or interfering with a public asset (including trees).

For the purpose of this report, the terms 'mature vegetation' and 'significant trees' are taken to mean the same thing.

3. Issues

Trees on Public Land

Significant Trees on public land are currently protected through the following controls:

- The Moreland Planning Scheme protects significant trees that are located either within an Environmental Significance Overlay or in a Heritage Overlay (where tree controls apply). Native Vegetation Controls contained in Clause 52.17 also relate to public land, requiring a planning permit to remove, destroy or lop native vegetation. It is noted that these Clauses of the Planning Scheme all include certain exemptions.
- Council's General Local Law, at Clause 29(1)(e) states that '*A person must not, while on or in a public place...destroy, damage, deface, write upon or interfere with any public place or any public asset*'. By definition 'public assets' include trees.
- Council's Street Landscape Strategy guides the management of trees on public land. In particular, the Tree Removal Policy within the Strategy protects significant street trees.

Trees on Private Land

Under the current provisions of the Moreland Planning Scheme, significant trees can be removed on private property without requiring Council approval where the tree:

- Is not located within an Environmental Significance Overlay or within a Heritage Overlay where tree controls apply;
- Is exempt under the provisions of the relevant Overlay (e.g. if the tree presents and immediate risk of personal injury or damage to property or any action to keep the tree clear of an electric line).
- Is exempt from the Native Vegetation requirements of Clause 52.17 of the Moreland Planning Scheme. (It is noted that most, if not all, residential allotments within the City are exempt from this Clause, as it does not apply to lots less than 4000m²).

Council does not currently have a local law protecting significant trees on private property.

The current Planning Scheme includes controls relating to the protection of significant trees on selected private and publicly owned land. These controls are generally considered to be effective, however a 'gap' has been identified in relation to the protection of significant trees on private land where the land is outside an Environmentally Significant Overlay or Heritage Overlay (with tree controls) and where the Native Vegetation controls of Clause 52.17 of the Moreland Planning Scheme do not apply.

Council's Urban Planning Branch gives consideration to the retention of mature vegetation as part of the assessment of Planning Permit applications and can include conditions to ensure that it can be retained where appropriate, regardless of whether the land is within an Overlay. Discussions with Council's Urban Planning Branch revealed that the existing internal process of considering mature vegetation in the assessment of planning permit applications (with referral to Council's arborists in the Open Space Branch) is achieving good results in retaining mature vegetation. It is acknowledged that mature trees are occasionally lost through the development process.

Most Effective Options

Council can consider a number of methods to protect significant trees on private property. Following consultation with a number of other metropolitan Councils, it appears that the two methods that are most worthy of consideration are additional Overlays within the Moreland Planning Scheme or a Local Law.

Overlays

Different Planning Scheme Overlays are intended to suit different types of circumstances pertaining to vegetation protection. In turn, the application of these Overlays to Planning Schemes varies depending on the natural landscape disposition of a municipality and environmental qualities intended to be protected. The Overlays currently applicable to the Moreland Planning Scheme are the Environmental Significance Overlay and the Heritage Overlay.

Council could consider the inclusion of additional Overlays such as a Vegetation Protection Overlay, Significant Landscape Overlay or additional Schedules to the Environmental Significance Overlay.

Overlays apply to both public and private land and therefore have the potential to trigger planning permit applications to lop/prune or remove significant trees on both public and private land.

The preparation of a planning scheme amendment to introduce an Overlay is a resource intensive process, with significant cost implications for Council. Once implemented, additional Overlay controls would have wide-ranging implications in respect to the number of applications generated and the cost of administration to Council.

The features of the different Overlays are summarised in the table presented in **Attachment 1**.

Local Law

Several Councils have a Local Law that require Council approval for pruning, lopping or removal of significant trees on private property, distinct from Moreland's Open Space Branch requirements for trees on public land.

Essentially, the Local Law could be drafted to include a definition of a 'significant tree', and require Council approval to lop, prune or remove any tree that meets this classification.

How Council defines a 'significant tree' would be need to be determined as part of further investigation in developing a Local Law requirement regarding trees on private land.

An amendment to Council's General Local Law would ideally target significant trees on privately owned land. As trees on public land are already protected by the General Local Law and Moreland Street Landscape Strategy, this option is likely to generate fewer additional applications than an Overlay, which would potentially apply to both public and private land.

Comparison of Overlays and Local Laws

Table 1 provides a comparison of the Overlay and Local Law options, including the features of both options and their implications from preparation through to implementation:

Table 1 – Comparison of Overlay and Local Law Option

Overlay	Local Law
<p><u>How it functions</u></p> <ul style="list-style-type: none"> • Area to which the schedule applies must be identified geographically. The Schedule would then trigger the requirement for a planning permit (with associated fee) to remove/lop/prune a tree within these identified areas. • Includes exemptions, such as clearing for electric lines, lopping and clearing for emergency access. It was noted in discussions with other Councils that as a direct result of these exemptions some significant trees have been lost, causing frustration. 	<p><u>How it functions</u></p> <ul style="list-style-type: none"> • Council can establish its own definition of a 'significant tree' relevant to its local circumstances and apply it as an over-arching control. • Any property owner/affected party proposing to lop or remove a 'significant tree' would be required to make an application to Council with associated fee and written justification for the proposal in order to gain Council approval.
<p><u>Preparation</u></p> <ul style="list-style-type: none"> • Likely time frame of up to 2 years from conception to gazettal (approval). • Would require extensive background research/mapping to identify specific areas of significant vegetation to include in a Schedule/Overlay Map. • Requires Minister's authorisation to prepare an amendment (based on initial discussions with the DPCD, an Overlay is not considered to be their preferred option for protecting trees on a municipal wide basis). • Estimated cost of an amendment ranges from \$150,000-\$200,000 including (but not limited to): <ul style="list-style-type: none"> - Expert advice - Updated mapping/background research - Legal and other consultant fees for Panel hearing - Officer time to prepare the amendment 	<p><u>Preparation</u></p> <ul style="list-style-type: none"> • Likely timeframe of 3-6 months from conception to adoption by Council. • As it becomes an over-arching control based on the definition 'significant tree', mapping of specific vegetation is not required. • Can be authorised within Council at an administrative level to prepare. • Estimated cost of amending the existing General Local Law to suit, approximately \$30,000 (excluding Council officer time).

Overlay	Local Law
<p><u>Implementation</u></p> <ul style="list-style-type: none"> • Would result in additional planning permit applications. Application time frames generally range from 1-3 months (depending on workloads and information provided) but can be longer. • Applications subject to VCAT appeals process, which can add 6-9 months to the process. • Would require resourcing to ensure enforcement. 	<p><u>Implementation</u></p> <ul style="list-style-type: none"> • Applications are made to Council and would be separate of a planning permit. Subject to adequate resources being available, an application made under the Local Law is likely to be decided within a 1-2 week timeframe. • Allows the Council to issue on-the-spot fines for property owners and tree loppers. • Is not subject to the VCAT appeal process, unlike in planning permit process where conditions can be overturned. • Would require additional resourcing to ensure enforcement.

Remnant Vegetation Study

It is noted that a Remnant Vegetation Study was prepared in 1998, identifying areas of remnant vegetation within the City of Moreland. 'Remnant Vegetation' is defined within the Study as *'The original indigenous vegetation that has remained as a site has developed'*.

The Study concluded that a great deal of the remnant vegetation is located within Moreland's waterways, along railway line easements and on some of the large tracts of privately owned open space.

The Council Plan 2007-2011 included a Council priority to *'Prepare an amendment to the Moreland Planning Scheme to incorporate the remnant vegetation assessment study.'*

It is noted that the Study is approximately 10 years old at the time of this report. If Council were to consider including the Study as a Reference Document in the Planning Scheme, it would need to be mindful of the fact that the Study would need to be updated to reflect the current situation and then maintained to be considered as a complete list of remnant vegetation. A quote was obtained by Council's Open Space Branch to update this Study in March 2007 at a cost of approximately \$60,000. It is considered that the Study could potentially be reviewed as part of the current Planning Scheme Review, which is due by 2010.

Clause 52.17 of the Planning Scheme (Native Vegetation) includes a number of exemptions to requiring a planning permit, which means that some remnant vegetation (if not protected by other means, such as the ESO or HO) may be lost over time.

If Council were to consider a Local Law aimed at protecting significant trees, the definition of a 'significant tree' could include remnant vegetation, thereby providing additional protection particularly on private property in cases where it is outside the planning current controls. Further, this protection could potentially be provided without requiring updated mapping of remnant vegetation, as its definition could be included within the parameters of the significant tree definition.

Education and Resourcing

Any method of tree protection is likely to be significantly more effective when accompanied by an education program that targets tree companies/tree loppers and a 'short assessment' process where Council can give quick feedback on health/significance of a tree.

Consultation with other Councils revealed that when these companies are well informed of the laws regarding 'significant trees' that they pass this knowledge on to their clients (potential applicants). Further, it was noted that when tree companies can get quick feedback from Council regarding a specific tree, a positive working relationship has been established and tree companies are more unlikely to lop or remove a tree without first checking with Council. In some Council's this has been reinforced through a system of fines that apply to property owners and the company/person found to have illegally lopped/removed the tree.

The introduction of additional planning scheme controls in the form of a VPO (or other Overlay) would require extensive ground survey/mapping work to identify a complete database of significant vegetation requiring additional funding and resources, including expert input and representation (e.g. arboricultural/landscape architect advice). In addition, Council would need to consider the costs of drafting the amendment, public exhibition and Panel hearings.

The Planning Scheme Amendment process is time consuming and is likely to take somewhere in the vicinity of 2 years from conception through to gazettal (approval). Administrative costs associated with facilitating the amendment and officer resourcing would need to be met by the Strategic Planning Unit's operating budget for planning scheme amendments additional to that currently approved for 2008/2009. Once gazetted, a VPO or other Overlay would trigger additional planning permit applications, therefore having resource implications for Councils Urban Planning Branch.

The introduction of a Local Law would also have resource implications in respect of its drafting and in terms of the staff required to administer the applications it would generate. Significantly, the process of creating or amending a local law is far less intensive and time consuming than a Planning Scheme Amendment, and would likely take in the vicinity of 3-6 months.

Consultation with Council's Civic Safety and Amenity Branch revealed a possible opportunity for Council to amend an existing local law to include protection for significant trees on private land. This option is considered to be worthy of further consideration, as it would result in significantly less cost to Council compared to a planning scheme amendment, whilst providing effective protection for significant trees. A Local Law may also serve to provide a revenue stream for Council with application fees and fines.

Conclusion

In general terms, vegetation protection related Overlays are considered to be more appropriate when a Council is considering targeting specific geographical areas of vegetation or specific trees for protection. While there are several Overlays that offer effective protection to significant trees, it is considered that they are not a 'best-fit' for the City of Moreland. Given the 'gap' identified in relation to significant trees on private property, it may be more appropriate to afford protection to trees of a certain size for the contribution they make to the character of an area.

Of the alternative methods, it is considered that a Local Law may offer the most efficient, effective and appropriate means of protecting significant trees in Moreland. A Local Law appears to offer several advantages in protecting significant trees on a municipal wide basis and allows for more efficient application and enforcement. It also would provide Council with the opportunity to ensure greater protection for remnant vegetation, consistent with the Council Plan 2007-2011.

Having regard to the above, it is suggested that if Council were consider it necessary to add to its existing tree protection controls, that a Local Law be investigated as the most appropriate method.

Human Rights Consideration

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

4. Consultation

Councillors

Portfolio Councillor City Development and Councillor Responsible For Sustainability and Climate Change, Cr Connellan and shared Sustainability and Climate Change, Cr Higginbotham, have been advised of the preparation and content of this report.

Other Council Departments

Advice was sought from officers across Council involved in the assessment of development applications (i.e. Council's Urban Planning Branch and, by referral, the Open Space Branch). Advice was also sought from Council's Civic Safety and Amenity Branch regarding Local Laws.

Other Councils

Advice was sought from a number of other Council's in Metropolitan Melbourne as to the effectiveness of different types of Tree Protection measures. These measures varied from Council to Council but included implementation of various Overlays and in some cases Local Laws.

Department of Planning and Community Development (DPCD)

Council officers contacted the DPCD to gauge its view of the most appropriate method of tree protection for the City of Moreland. Through these discussions it was concluded that a Local Law would be the most appropriate tool for achieving a broad municipal wide control to protect individual significant trees, particularly as it relates to privately owned land.

5. Financial and Resource Implications

Any costs associated with an amendment to the Moreland Planning Scheme will require a specific operating project budget bid additional to the approved Strategic Planning Unit budget for 2008-2009. The estimated cost of such an amendment would be approximately \$150,000 to \$200,000.

Any costs associated with an amendment to Council's existing General Local Law will require a specific operating project budget bid additional to the approved Civic Safety and Amenity Branch and Open Space Branch budgets for 2008-2009. The estimated cost of preparing an amendment to the Local Law is approximately \$30,000.

DCD61 AMENDMENT C82 TO THE MORELAND PLANNING SCHEME - REMOVING, ADDING AND VARYING THE EXTENT OF AFFECTED PROPERTIES TO THE PUBLIC ACQUISITION OVERLAY - SCHEDULE 1 (PAO1) - BELL STREET AND SYDNEY ROAD COBURG (D08/111096)

Director City Development

Sustainable Development Branch / Strategic Planning Unit

Executive Summary

The proposed amendment affects approximately 100 properties on parts of Bell Street between Elm Grove to the east and Sutherland Street to the west, including McDonald Reserve on Bell Street and a section of Sydney Road, Coburg. The amendment proposes to:

- Add land to the PAO1 in accordance with Moreland City Council's strategic requirements (Central Coburg 2020 Structure Plan) to provide improved public and transport accessibility to and through the Coburg Activity Centre as well as VicRoads future road requirements.
- Realign the current PAO1 in the Moreland Planning Scheme.
- Remove a number of parcels of land from the existing PAO1, (informally known as the 'Urquhart Street Bypass'), as this no longer aligns with VicRoads future strategy.

The amendment was exhibited between 26 June 2008 and 1 August 2008. A total of 14 submissions have been received; 7 submissions received made no objection to the amendment, 6 submissions were received from affected owners/occupiers who objected to the amendment and 1 other submission was received from a Brunswick West resident who also objected to Amendment C82.

Following exhibition of the amendment, all submitters were invited to an information session held on the 12 August 2008 to discuss issues raised in their submissions. Four (4) submitters attended the meeting with VicRoads and Council Officers present to respond to questions. As not all issues raised in submissions can be resolved, an Independent Panel is required to consider submissions and to allow Council, VicRoads and submitters the opportunity to present their views to the Panel. The recommendations of the Panel will then be reported back to Council at which point Council will be asked to adopt the amendment (with or without changes) or abandon the proposed amendment. This report therefore recommends that Council note the submissions to Amendment C82 and resolve to write to the Minister for Planning requesting the appointment of an Independent Panel to consider submissions.

Recommendation

Council resolve:

1. To note the submissions to Amendment C82.
2. To support Amendment C82 and adopt the response to submissions in Attachment 2 'Summary of Submissions Moreland Planning Scheme Amendment C82', dated August 2008.
3. To modify Amendment C82 and vary the alignment of PAO1 to remove it from the building at 551-553 Sydney Road, Coburg whilst providing an appropriate transition from the adjacent property to the south (549 Sydney Road, Coburg).
4. To request the Minister for Planning, under Part 8 of the *Planning and Environment Act 1987*, to appoint a Panel to consider Amendment C82 and associated submissions.
5. To notify all submitters of this resolution.

1. Policy Context

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

The proposal will support key features of the plan which are to improve access to public transport and improve pedestrian amenity, enhance movement systems around the centre, provide for new dwellings, provide new commercial and retail floor space and create new jobs for Moreland residents.

In addition the proposal will address a key issue highlighted in the Structure Plan in regard to Transport and Movement as follows:

“The Public Acquisition Overlay (PAO1), also referred to as the ‘Urquhart Street Bypass’ and located north of Bell Street, is no longer required for the purposes of construction of a bypass to the Bell Street–Sydney Road intersection. It has also restricted improvements to the area as evidenced by the CDA site. VicRoads has indicated that there is no objection to the removal of the PAO1, provided that the issues associated with turns into Sydney Road from Bell Street are resolved and the capacity of Bell Street between Sydney Road and Hudson Street is retained. Meeting this requirement for VicRoads involves placement of a Public Acquisition Overlay on parts of Bell Street between the railway line and the east side of the Bell Street and Sydney Road intersection.”

2. Background

Consultation (pre-Authorisation stage)

This proposed amendment was discussed at the Central Coburg Steering Committee meeting held August 2007, Councils Issues and Discussions workshop held on 20 August 2007 and was presented to a Council Meeting on 12 September 2007 seeking approval to prepare the amendment and seek Authorisation from the Minister for Planning under delegation.

Press articles in 2003, 2006 and 2007 referred to Council's road plans and more specifically to the Bell Street widening and the likelihood of properties west of Sydney Road being affected.

Two public consultation meetings were held by Council, with VicRoads in attendance on 25 and 27 September 2007 for affected owners and occupiers of land subject to the proposed amendment and other interested parties.

Authorisation

On 21 December 2007, the Director City Development resolved, under delegated authority, to write to the Minister for Planning to seek Authorisation to prepare and exhibit Amendment C82. Council received Authorisation (AO933) from the Minister for Planning on 10 April 2008.

Public Exhibition

The amendment was placed on public exhibition from 29 May 2008 and 30 June 2008. In addition to the normal exhibition requirements of the *Planning and Environment Act 1987*, the amendment documents were available for inspection at Council's Moreland and Brunswick Citizens Service Centres and libraries. Notice of the amendment was sent to affected property owners and occupiers and adjoining property owners and occupiers. Notice of preparation of the amendment also appeared on Council's and the Department of Planning and Community Development (DPCD) websites, in the *Moreland Leader* on 26 May 2008 and in the *Victorian Government Gazette* on 29 May 2008.

An information session (including display) was held at Council on 3 June 2008 with VicRoads and Council Officers in attendance to discuss issues of concern with affected parties who attended.

Due to an administrative error the original notice that appeared in the *Victorian Government Gazette* and Explanatory Report did not list all affected properties that were shown in the planning scheme maps. Consistent with advice received from DPCD, the amendment was therefore re-exhibited.

Public Re-exhibition

The re-exhibited amendment was placed on public exhibition from 26 June 2008 and 1 August 2008. Notice of the re-exhibited amendment was sent to affected property owners and occupiers and adjoining property owners and occupiers. Notice of preparation of the amendment also appeared on Council's and the DPCD websites, in the *Moreland Leader* on 23 June 2008 and in the *Victorian Government Gazette* on 26 June 2008. The exhibition period closed 1 August 2008 and a copy of the exhibited amendment is included as **Attachment 1**.

A second information session was held on 15 July 2008 with VicRoads and Council Officers in attendance to discuss issues of concern via individual appointments (seven affected property owners and/or occupiers attended).

Subsequent to both exhibition periods, a total of 14 submissions were received.

All submitters were invited to a further consultation meeting held on 12 August 2008 with VicRoads and Council Officers (including 1 ward Councillor) in attendance to discuss issues of concern. Four (4) submitters attended this consultation meeting. The consultative meeting provided an opportunity for objectors to elaborate on their concerns. Although the consultative meeting provided constructive discussion and generally clarified most issues of concern, no submissions have been formally withdrawn. As not all issues raised in submissions can be resolved, an Independent Panel is required to consider submissions and to allow Council, VicRoads and submitters the opportunity to present their views to the Panel.

3. Issues

Submissions

Fourteen submissions were received in total (a response to the submissions is included as **Attachment 2**):

- Seven (7) submissions are from Referral Authorities (both statutory and non statutory) that have no objection to the amendment.
- Six (6) submissions are from affected owners and occupiers of residential and commercial land subject to the proposed amendment who objected to the amendment.
- One (1) submission is from a Moreland City Council resident living in Brunswick West, who objected to the amendment.

Key concerns raised in the submissions and a detailed response to each submission is provided at [Attachment 2](#). The response has been prepared with advice from VicRoads and relevant Council officers.

At the consultative meeting on 14 August 2008, issues have been generally clarified or addressed. However, no submissions have been formally withdrawn. Therefore, Amendment C82 must be referred to an independent Panel for consideration.

It is specifically noted that at the consultative meeting it was queried by the property owner of 551-553 Sydney Road, Coburg as to whether the PAO1 could be removed given that it only marginally encroached onto their land. Upon review of the proposed PAO1 mapping with VicRoads and Council's consultant engineer, Council officers can confirm that it is feasible to remove PAO1 from its impact on the building at 551-553 Sydney Road, Coburg without compromising future road widening engineering requirements. The PAO will be required to be realigned and provide an appropriate transition from the adjacent property to the south (549 Sydney Road), likely to only affect the existing driveway of 551-553 Sydney Road. Although this modification will not result in the total removal of the PAO1 from 551-553 Sydney Road as requested, it is considered that it makes a significant contribution towards specifically addressing the submission of this affected property owner. The realignment of PAO1 has been supported as Recommendation 3 of this report.

Environmental Implications

The amendment will have positive environmental implications, as it will facilitate the provision of two additional bus lanes and a widened footpath. This will allow for the improvement of pedestrian movement to and through Coburg and enhanced public transport accessibility.

Social Implications

The amendment will have a positive social effect by facilitating improved public transport as set out in the Central Coburg 2020 Structure Plan. The amendment will facilitate the improvement of the urban environment and street network to ensure safe, comfortable and efficient pedestrian and vehicle routes, which will benefit the Moreland community as a whole.

Economic Implications

The amendment will present the opportunity to redevelop sites being removed from the existing PAO1. In addition new development sites will also be created by land remaining from the acquisition of land within the PAO1. This will allow for the development of further retail, commercial, office floor space, and new dwellings, which will have a positive economic effect within the Coburg Activity Centre. The amendment will also allow for the opportunity to improve accessibility to the Coburg Activity Centre, which in turn will improve its economic viability.

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 the *Planning and Environment Act 1987* and public consultation meetings were conducted as detailed in Section 2 of this report.

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

5. Financial and Resources Implications

Administrative costs associated with processing Amendment C82 and representation at Panel are to be met by both the Strategic Planning Unit and the Coburg Initiative Branch budget. VicRoads have and will continue to contribute towards preparation road engineering advice and plans.

DCI45 NORTHERN SEWERAGE PROJECT - STAGE 1 AMENDED COMPLIANCE DOCUMENTS FOR BASS STREET AIR TREATMENT FACILITY (D08/111505)

Director City Infrastructure

Asset Planning

Executive Summary

The Northern Sewerage Project involves the construction of new sewer tunnels incorporating the construction of six shaft sites within the City of Moreland. The project has been implemented via a Ministerial Amendment to the Moreland Planning Scheme.

Council has resolved to support the project and the Amendment at prior Council Meetings.

Council considered the then draft Compliance Documents for Stage 1 of the project at its meeting of 31 January 2007 (DCD01). Council resolved to adopted the draft Compliance Documents with conditions and in particular in relation to the Bass Street Air Treatment Facility (ATF), Council resolved

“Unless with the further consent of Council the location and design of the Bass Street Air Treatment Facility must be finalised in liaison with the proponent and approved by Council or delegated officers before the end of the current Councils term, being November 2008.”

Melbourne Water have now completed an Options Report, TBL Assessment, Architectural Design Report and modified the Compliance Documents in accordance with these reports.

This report recommends Council support the Compliance Documents.

Council deferred this report at its August 2008 meeting pending information on the Community Benefits Project listing.

Recommendation

Council resolve:

1. To support the Northern Sewerage Project Stage 1 Compliance Documents (version 10 – May 2007) incorporating amendments of July 2008.
2. To write to the Minister of Planning and the Managing Director of Melbourne Water and inform them of this decision.

1. Policy Context

Council's resolution of 12 December 2005 to support the Ministerial planning scheme amendment process and the project as a whole was based upon significant policy support for the project and its environmental benefits.

- There is significant State and Local Planning Policy support in the Moreland Planning Scheme relevant to the merits of the project.
- The provision of essential infrastructure services, such as sewerage, is the responsibility of organisations such as Melbourne Water and Yarra Valley Water. These organisations must maintain existing systems to reduce the environmental impacts of these systems. It is considered that the project is consistent with the objectives of clause 12 – Metropolitan Development (Melbourne 2030) contained in the Moreland Planning Scheme, as the project aims to support new development in the northern suburbs through providing sewerage infrastructure able to cope with the anticipated population growth in Melbourne's north.
- The provision of new sewerage infrastructure will address the current problems experienced during heavy rainfall and the proposed increased infrastructure capacity will also ensure compliance with the State Environmental Protection Policy (Waters of Victoria) to contain flows created by 1 in 5 year rainstorms.
- The project supports Moreland's Local Planning Policy Framework through providing for more efficient use of infrastructure and through improving the health and amenity of the Merri and Moonee Ponds Creeks.

2. Background

The Northern Sewerage Project is considered to be of metropolitan and Statewide significance as it aims to improve the water quality in the Merri, Moonee Ponds and Darebin Creeks and ultimately the Yarra River and Port Phillip Bay. The Northern Sewerage Project is part of the Northern Suburbs Sewerage Strategy (NSSS), which is a joint strategy between Melbourne Water and Yarra Valley Water that aims to rectify the current situation with Melbourne's northern region sewerage infrastructure. The Northern Sewerage Project is provided in two stages, with Stage 1 being delivered by Melbourne Water and Stage 2 by Yarra Valley Water. The overall completion date of the project is 2011.

Council considered the then draft Compliance Documents for Stage 1 of the project at its meeting of 31 January 2007 (DCD01). In resolving to support the then draft Compliance Documents (with conditions) in relation to the Bass Street Air Treatment Facility (ATF), Council resolved

“Unless with the further consent of Council the location and design of the Bass Street Air Treatment Facility must be finalised in liaison with the proponent and approved by Council or delegated officers before the end of the current Councils term, being November 2008.”

This condition was then reflected in the Minister's approval of the Northern Sewerage Project Stage 1 Compliance Document as follows

“The location and details of the Bass Street Air Treatment Facility will be subject to an additional submission once Melbourne Water has completed a review and further consultation. Consequently the location and details of the Air treatment Facility must not be construed as being finalised until the additional submission has been made and approved by me.”

Following this approval by the Minister, Melbourne Water has undertaken further assessment of the Bass Street ATF. Melbourne Water has engaged with the local residents, Council, Moonee Valley Council and other users of the area to undertake this assessment.

Melbourne Water has prepared a number of additional reports in assessing the Bass Street ATF. These reports are

- NSP Air Treatment Facility – Options Report
- NSP Air Treatment Facility – ATF Options TBL (Triple Bottom Line) Assessment Report
- NSP Air Treatment Facility – Architectural Design Report
- NSP Air Treatment Facility – Acoustic Assessment for the Bass Street Air Treatment Facility (internal memo)

Following preparation of the above reports, Melbourne Water has then altered the Northern Sewerage Project Stage 1 Compliance Documents (version 10, 10 May 2007) to include amendments dated July 2008.

3. Issues

The Need for an Air Treatment Facility (ATF)

A primary objective of the NSP is that there will be 'no odour complaints arising from operation of the assets, during their design life, in line with Melbourne Water's Environment Policy to ensure no offensive odours from its operations'. In order to meet this objective an odour and corrosion strategy was developed for NSP.

Odorous substances are formed during the transport of sewage and can escape from the sewer. Odorous sewer air needs to be treated and the treated air dispersed at controlled release points. At the same time, accumulation of these substances exacerbates corrosion of the sewer and increases the risk of operational failure. Studies undertaken during NSP1 in relation to odour and corrosion control identified the critical need for corrosion protection of the sewers and a purpose built Air Treatment Facility (ATF) to manage odours.

In order to comply with Melbourne Water's Environment Policy SKM studies recommended that a ventilation point with an ATF be located at the Bass Street shaft site. This ATF would remove odours from the extracted air drawn from both the existing Pascoe Vale Main branch sewer and from the NSP by maintaining a slight vacuum or negative pressure in the sewer.

Placement of an ATF at Bass Street represents the most effective option for managing the potential odours both locally near Bass Street and in the NSP Stage 1 sewers.

Selecting the Bass Street Site

In reviewing the Bass Street ATF a number of possible locations and building forms were considered by Melbourne Water. In undertaking this process Melbourne Water have undertaken a 'value engineering' process to develop appropriate ATF building forms that can be practically built at various locations within the Bass Street area and which provided the best opportunities to minimise TBL impacts.

In developing options for the location of the ATF the original (base case) location for the ATF within the Bass Street area was proposed to be immediately southeast of the shaft. A range of alternative locations were considered by Melbourne Water, which are summarised below and as shown on Under Separate Cover **Attachment 1**.

ATF Location	Location Description	Reason for consideration	Feasible Location
Base Case (Location 0)	Immediately south-east of the Bass Street Shaft	Adjacent to original concept location of the NSP ATF (location 0 has been shifted east of the "base case" location to ensure the building is placed out of the drip line of existing trees which are to be retained.). Close proximity to the Bass St Shaft and next to the creek bank to reduce visual impact and to maximise the use of open space in the Bass St Reserve.	Yes
Location 1	Immediately north of the Bass St Shaft	Close proximity to the Bass St Shaft and next to the creek bank to reduce visual impact and to maximize the use of open space in the Bass St Reserve and minimise the weekly maintenance activity footprint	
Location 2	In property 509 Pascoe Vale Rd – Adjacent to Bass St Reserve	Location suggested by a local resident. This removes the ATF from the Bass St Reserve and helps blend the ATF into the residential environment.	Yes (subject to availability of private land purchase)
Location 3	North of Bass St adjacent to Moonee Ponds Creek	Removes the ATF from the main Bass St Reserve area and locates it as far north as possible to maximise use of open space in this small section of reserve	
Location 4	North of Bass St adjacent to Moonee Ponds Creek	Removes the ATF from the main Bass St Reserve area and locates it as far north as possible to maximise use of open space in this small section of reserve. This location was identified specifically for Form C of the ATF within the creek bank and is closer to the creek than Location 3	
Location 5	West of the Bass St cul-de-sac	Removes the ATF from the main Bass St Reserve area and locates it at the end of the cul-de-sac	Not feasible due to proximity to floodplain and impact on Moonee Ponds creek
Location 6	Immediately north of the Bass St cul-de-sac	Removes the ATF from the main Bass St Reserve area and locates it in the less used north area of the reserve	Not feasible due to lack of off street parking for routine maintenance

ATF Building Forms

The original (Base Case) form of the ATF was proposed in the original ATF design and was to be fully above ground.

Fully Above Ground (Form A)

A fully above ground form of the ATF offers considerable advantages including reduced risk of failure in the event of a flood, lower capital and operating costs, easier to build and safety in access and maintenance. The main disadvantages are social as the building will be highly visible and interrupt views as well as interrupt open space depending on the location.

Partially Buried (Form B)

A partially buried form (Form B) was developed with internal components organised around the long axis. The design allowed for adequate room for safe operations and efficient maintenance activities, whilst at the same time reducing the overall height of the structure above ground to reduce visual impact. However, with the further development of another alternative partially buried layout (Form C), Form B was considered to be inferior in its design intent to reduce visual impact. The advantages of Form B over Form C are a small reduction in cost of construction because less of the building is constructed underground also making access easier. However, given there are no significant advantages over Form C at any site, Form B of the ATF was removed from further assessment.

Partially Buried (Form C)

This enhanced partially buried form of the ATF, Form C, reduces the above ground height of the building greater than Form B and is considered to be the superior partially buried option as it achieves the design intent to reduce visual impact more effectively.

Below Ground (Form D)

A below ground option poses considerable challenges for Melbourne Water in terms of flood risk, health and safety (Melbourne Water staff and the public), period and impact of maintenance, high capital cost and very high operating cost, constructability in situ, safety and effective operations and management.

The table below summaries the Building Forms

Design Label	Description	Feasible Form?
Form A	Building is totally above ground	Yes
Form B	Building is partially buried along its long axis to minimise building height	Yes, but considered inferior to partially buried Form C
Form C	Building is partially buried along its short axis to minimise building height	Yes
Form D	The treatment equipment is below ground to eliminate visual impact. A small access enclosure is required above ground.	Yes, but only with an above ground access enclosure

Each of the building forms was then developed to further reduce their overall footprint (external dimensions, i.e. height, width and length) and to help mitigate visual impact. For each of these alternative forms, the external dimensions have been reduced as much as practicably possible without affecting the functional performance of the ATF.

Form Label	Form	Description	#Above Ground External Dimensions (metres)		
			Length	Width	Height
Original ATF Building Form Design					
'Base Case'	Above Ground	The original dimensions of the above ground option	20.4	12.0	##6.9
Current ATF Building Form Options					
A	Above Ground	Building is totally above ground. Internal layout of components has been optimised to reduce building footprint.	22.0	10.0	7.2
B	Partly buried lengthways	Building is partially buried along its long axis to minimise building height. Internal layout of components has been optimised to reduce building footprint.	19.9	10.0	5.8
C	Partly buried widthways	Building is partially buried along its short axis to minimise building height. Internal layout of components has been optimised to reduce building footprint.	18.9	12.2	3.5
D	Below ground ATF with above ground access	Building Form C above is below ground to reduce building footprint. An above ground access enclosure is required	5.0	3.0	3.0

#Note: These dimensions are based on conceptual design and maybe subject to minor variations.

Note: The "base case" design of the ATF had an in-situ vent stack 8m tall (an extra 1.1m above the building)

Further to the location and design of the ATF the design, operation and maintenance, constructability, environmental, archaeological, heritage and planning risks were assessed for each option. Issues considered as part of this process included

- Noise mitigation
- Constructability
- Archaeological and Heritage issues
- Ductwork to and from ATF
- Architectural layout
- Flooding risk
- Structural design
- Site security

- Planning requirements
- Maintenance activities
 - Ground protection and stabilisation
 - Crane requirements for ATF and Bass Street Shaft
 - Removable roof and access

In regard to maintenance activities, the frequency and the vehicle required for the ATF and the Bass Street Shaft operations and maintenance are detailed below

ATF Maintenance Activity	Frequency	Vehicle
Routine inspection and maintenance	1 per week	1 no. light rigid truck
Test standby generator	1 per month	1 no. light rigid truck
Refuel generator	1 per 6 months	Up to 1 no. 2000 L tanker
Replenish nutrient	1 per 6 months	Up to 1 no. 5000 L tanker
Replace activated carbon (load new carbon through the roof)	Between 1 – 2 years	1 no. 10000 L vacuum tanker; then Up to a 50 T crane for carbon loading through roof
Asset removal or replacement with temporary roof panel removal. Bio-trickling media replacement	1 per 5-10 years	1 no. 50 T crane (130T crane for below ground building form); and 1 no. heavy rigid truck
Bass St Shaft Maintenance Activity	Frequency	Vehicle
Access to the shaft for inspection/maintenance (normally a planned activity).	Minimum once every 10 years (unless emergency)	Up to a 130 tonne crane to remove all of the top slab components

Following the assessment of all the locations, building form and operation and maintenance issues the following 12 options were short listed and assessed in the Triple Bottom Line (TBL) Assessment.

Option	Location	ATF Building Form
0A	0	A
1A	1	A
2A	2	A
3A	3	A
0C	0	C
1C	1	C
2C	2	C
3C	3	C
4C	4	C
0D	0	D
1D	1	D
3D	3	D

Triple Bottom Line Assessment

Local and state policies, resident concerns, industry standards, Moreland City Council's strategic objectives and Melbourne Water's overall objectives have been used to develop several specific objectives to frame the TBL process

Category	Objective
Social	Optimise access to social recreational and support services & opportunities
	Facilitate safe public environments
	Optimise community health and wellbeing
	Support a strong sense of place
Environmental	Minimise environmental impacts
Economic	Minimise financial impacts on Melbourne Water

The above TBL framework was further expanded to include the following criteria for TBL assessment.

Social Impacts

- Access to recreational and play opportunities
- Cycling and pedestrian access
- Safe design of public environments compliance
- Private Space Impact
- Visual Impact
- Existence Value
- Impacts of constructing ATF (during construction)

Environmental Impacts

- Risk to planted vegetation
- Residual construction related environmental risk
- Potential for contamination

Economic Impacts

- Total project cost

In undertaking the TBL assessment the following scoring system was used

Performance of the option for that criteria	Score
The best possible outcome	5
	4
	3
	2
The worst possible outcome	1

The weightings applied to the criteria were as follows

- Social impacts – 40%
- Financial impacts – 40%
- Environmental impacts – 20%

The ATF Options TBL Assessment Report summarises the TBL assessment, which included a sensitivity analysis through the use of various weight sets, with the following conclusions

- From the social impact assessment scores (regardless of criteria weightings), the options at location 2 (option A2 and C2) are generally the best scoring in each criteria, therefore indicating the communities preference of reducing the impact in the Reserve either north or south of Bass St. Location 3 and 4 (option A3, C3 and C4) are the next most preferred locations from the social impact assessment. Location 0 and 1 (regardless of form) are significantly lower scoring given their location within the main used area of the Bass St Reserve.
- Results from the environmental criteria indicate that location 3 (option A3 and C3) scores the best given there is no planted vegetation to be removed and land contamination is considered to be less extensive north of Bass St. It is however closer to the creek and therefore residual environmental risk is considered higher than for location 2 (where only a partially buried or above ground option can be sited).
- A below ground building form also scores poorly in the environmental assessment given depth of construction, especially at locations where land contamination exists and the proximity of the options to the creek.
- Location 2 cannot accommodate a below ground building form given the physical space constraints. A below ground building form would also result in a significant change to the urban landscape and a look completely different to adjacent residential properties (i.e. a small bungalow rather than the bulk of a house). Therefore a partially buried or above ground option would be preferred from a social and visual aspect in this location.
- The below ground building form is least preferable in all of the TBL weight sets. This is mainly due to the relatively higher total project cost in comparison to the above ground and partially buried options. The total project cost of a below ground option is over \$4M more than the cost of an above ground option. The three below ground options are the three worst ranked options in the TBL and only when the finance category is reduced to 20% and social category is increased to 60% (enhanced social weight set – W3) does option D3 become a mid-range option (given its rating in social and environmental criteria).
- The sensitivity analysis indicates option A2 as the preferred option as it is top ranked in all four weight sets. This is largely based on the social impact assessment results at location 2 (A2 and C2) having the highest aggregate scores for the social category and the above ground option being cheaper than the partially buried at this location. Option C2 is the next preferred option in three of the four weight sets, whereas option A3 is the next ranked option following option C2. When the finance category is reduced and the social category is increased in weighting (as per enhanced social weight set – W3), options A2 and C2 are still ranked higher than option A3. This further reinforces the view that location 2 is the most preferred location from a social point of view when the cost category is reduced. The sensitivity analysis also reinforces from a social impact point of view that locations 0 and 1 are least preferred.
- The cost effectiveness analysis further illustrated that options A2 and C2 were the most beneficial at reducing the social and environmental impacts compared to the cost of doing so. The options at location 3 (A3, C3 and D3) were the next ranked after options A2 and C2, although these would result in significant cost increases over options A2 and C2.
- The sensitivity analysis considering the deletion of the cost for green space offset and easement acquisition did not significantly change the overall TBL results. Options A2 and C2 were still the two highest ranked options considering each weight set.
- Options A2 and C2 are predominantly the highest rank in both the TBL and the associated cost benefit analysis.

The ATF Options TBL Assessment Report recommends that location A2 (509 Pascoe Vale Road) with an above ground building form as the preferred option.

Following the adoption of the recommended location and building form Melbourne Water engaged in establishing the design objectives for the architectural design of the ATF.

There are a number of documents that guide the development of the architectural design of the ATF to be located at 509 Pascoe Vale Road. These documents include

- Clause 55 Moreland Planning Scheme
- Moreland Neighbourhood Character Guidelines
- Policy Context – Urban Design Assessment (BECA)
- Community feedback

The following design constraints for the ATF located at 509 Pascoe Vale Road have been identified

- Adjacent private open space
- Existing views
- Existing mature trees in the front yard of the subject site
- Site on a primary arterial road
- Limiting noise emitted from the facility
- Building scale
- Existing YVW sewer easement
- Access and maintenance constraints from Pascoe Vale Road

The following design objectives for the ATF located at 509 Pascoe Vale Road have been identified

- Reduce visual impact / bulk
- Functionality and environmental performance
- Optimise safety and security
- Complement neighbourhood character
- Maintain landscape character
- ESD opportunities

Melbourne Water has developed two options for the architectural design of the ATF. Both designs comply with Clause 55 of the Moreland Planning Scheme. The Statutory Planning branch has assessed the designs and they have provided the following comments.

The design of the Air Treatment Facility is considered appropriate for the following reasons:

- *The surrounding context can be described as containing a robust character, due to the aerial road location and the mix of residential and commercial buildings (i.e. Mobil petrol station opposite the site). This robust character means that the 'industrial' appearance of the building is complementary.*
- *The 9.0 front setback is comparable to the abutting and nearby buildings and provides good landscaping opportunities to Pascoe Vale Road.*
- *The 5.5 metre overall height is comparable to the abutting and nearby buildings.*

- *The 2.3 metre north boundary setback and 5.14 metre west boundary enables a landscaping buffer and reduces the visual impact of the proposed building when viewed from 511 Pascoe Vale Road. It is important to note that these setbacks exceed the minimums applied to a multi dwelling development.*
- *The 3.056 metres south boundary setback, reduces the visual impact from 507 Pascoe Vale Road. It is also significant to note that the common driveway and on boundary construction associated with the adjoining building mitigates any adverse overshadowing impacts.*
- *The varied materials and colours creates an articulated and interesting looking 'industrial' building.*

In developing these designs Melbourne Water have undertaken four community workshops and met with Moreland Urban Planners, and Moreland Councillors (I&D Workshops). Option 1 received the support of the community and was the preferred option following the consultation with Councillors.

Under Separate Cover **Attachment 2** details the proposed Option 1.

Throughout the process of the review of the Bass Street ATF Melbourne Water have engaged with a number of stakeholders including, local members of Parliament (Federal and State), Moreland City Council, Moonee Valley City Council, residents in Bass Street, residents in Pascoe Vale Road, residents in Mascoma Street, Mark Street, Peck Avenue and Lebanon Street, community groups including the football club, bicycle user group, Moonee Ponds Creek Coordinating Committee and the wider community.

This consultation has been in the form of workshops, presentations, fact sheets, door knocks and the mail.

A number of changes have been made to the Compliance Documents which were presented to Council in January 2007. Amendments have been made to Conditions 1, 2, 4, 6, 8, 13, 15, 18, 21, 24, 25, 30, 31, 32 and attachments A, D, E, F, G, H, I, K, L, M, N, P and Q. These amendments relate to finalising the recommended site for the Bass Street ATF (509 Pascoe Vale Road) and are supported by Council Officers.

4. Consultation

Councillors have been consulted during this process at the Issues and Discussion Workshops held on 11 February 2008 and 10 June 2008.

Melbourne Water have undertaken consultation with stakeholders as outlined above.

5. Financial and Resources Implications

Issues of financial and resource implications of this project have been considered at previous Council meetings. Council as the land manager will receive payment for the rental of Council land and benefits from the Community Benefits Program associated with the project.

DCI46 WARM MIXED ASPHALT (D08/106902)

Director City Infrastructure

Engineering Operations

Executive Summary

Council at its meeting of 9 July 2008 (CRM07) resolved as follows:

That officers prepare a report assessing the costs and benefits of changing Council's bitumen supply to the new "Greenpave" bitumen, which can reportedly deliver considerable cost and greenhouse savings.

The goal of the Warm Mix Asphalt (WMA) process is to reduce the high temperatures at which traditional asphalt mixes are produced and placed without affecting the physical properties of the asphalt. This would then reduce greenhouse gas emissions.

Recommendation

Council resolve:

1. That officers continue to trial warm mixed asphalt as part of the capital works program.
2. That officers monitor industry research programs and product durability development with a view to expanding use of the product.

1. Policy Context

Council is committed to a range of actions aimed at reducing greenhouse gas emissions.

The use of warm mixed asphalt has the potential to reduce greenhouse gas emissions during mixing and laying of the asphalt.

2. Background

The goal of the Warm Mix Asphalt (WMA) process is to reduce the high temperatures at which traditional asphalt mixes are produced and placed without affecting the physical properties of the asphalt that would then reduce greenhouse gas emissions.

The primary technologies that have been investigated in this report are Sasobit Wax and WAM Foam. These are the most commonly used agents in Australia.

Sasobit Wax

The addition of a Fischer-Tropsch Wax during mixing at the plant to decrease the viscosity of the bitumen, and enable the asphalt to be manufactured and laid at reduced temperatures. Unlike conventional cutters and fluxes the wax remains within the asphalt mix enhancing its resistance to rutting and fatigue cracking. This process is being used by Asphaltech (Vic) Pty Ltd and Boral Asphalt with most of the mix being placed in NSW, Qld and WA.

WAM Foam (Warm Mixed Asphalt Mixes with Foam)

A two component binder system that introduces a soft and hard binder which is foamed at different stages during the mixing process. The foaming occurs at different stages during the mixing process. The foaming increases the volume of binder and aids in the coating of cooler aggregate. This method is being employed by Citywide under a licence with Shell. Investigations reveal that Pioneer Road Services will introduce this product in approximately 12 months. During this period they intend to carry out intensive research to prove the product under Australian conditions.

3. Issues

Advantages

The major advantage of warm mixed asphalt is a reduction of Carbon emission from the mixing plant of up to 30%. This reduction is as a result of the reduction in energy required to heat the aggregate to a lower temperature.

The lower temperature reduces the amount of fuming at the paving site.

There is an Occupational Health and Safety benefit in the placing the mix at lower temperatures and the reduction in the exposure to asphalt contaminants due to the lower fuming.

Limitations

Research shows that the European experience with WMA should be tempered as the raw materials vary from those available in Victoria.

The European stone, in general is a very dense, fine grained material which is less prone to water absorption; the Victorian aggregates are very vesicular and more likely to retain moisture.

VicRoads specification and the Australian Standard call for the moisture content of normal asphalt not to exceed 0.5%, an aim which is sometimes difficult to meet.

An issue is that asphalt mixed at lower temperatures may have a higher moisture content and may be prone to 'stripping' of the binder from the stone. This type of failure can take some years to show up.

It is understood that Pioneer Road Services in conjunction with Shell are to embark on a research program into this problem.

Quality

There is little doubt that the future of the asphalt industry lays with Warm Mixed Asphalt. However, it would be advantageous for Council to delay the wholesale use of Warm Mixed Asphalt for at least 12 months so all the facts on quality durability are known. The added advantage is the delay will give time for all companies to commence the production of Warm Mixed Asphalt and the competition will moderate the price.

During the next 12 months Council's Roads Unit will continue to trial the various types of Warm Mixed Asphalt both with their own teams and with contractors both on roads and footpaths.

There is some concern that in winter's colder months the mix is harder to lay by hand which may lower the quality road and footpath works.

Council will trial the use of Warm Mixed Asphalt with our day labour crews to evaluate its workability.

The resurfacing program will trial various Warm Mixed Asphalts from our suppliers.

Cost

Based on the 2008/2009 supply contract usage, the increase in cost using the WAM FOAM product would be \$248,000 and by using the Sasobit Wax product would be \$37,000.

4. Consultation

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

5. Financial and Resources Implications

Moreland City Council's annual expenditure on Asphalt can be summarised in two main areas.

Asphalt picked up by Council's day labour crews for the maintenance of footpaths and roadways, for the re-instatement of utility services and the capital improvement of asphalt pavements

These purchases last financial year were 5550 tonnes at a cost of \$493,000.

The second area is the capital works program which is carried out by contractors for the improvement of footpaths and road pavements. These purchases last financial year were 6880 tonnes at a cost of \$951,000.

Total purchases 12,350 tonnes at a cost of \$1,444,000.

The two preferred supplies of asphalt based on price, plant location and technical ability are CityWide for the pick up of asphalt. Asphaltech (Vic) Pty Ltd and CityWide for the asphalt re-surfacing program. Both these contractors hold supply agreements with Council.

Should Council introduce a policy of using Warm Mixed Asphalt for its works, the following price comparison are provided.

CityWide	
Normal asphalt Ex Bin \$100.00 per tonne	Warm Mix Asphalt Ex Bin \$115.00 per tonne
Based on last years purchasers 5550 t x \$100 = \$555,000	5550 t x \$115 = \$638,250
Normal asphalt supplied & Laid \$162.00 per tonne	W M A supplied and laid \$168.30 per tonne
Based on last years purchasers 6800 t x \$162 = \$1,101,600	6800 t x \$186.30 = \$1,266,840
<i>Total: \$1,656,600</i>	<i>Total: \$1,905,090</i>
Asphaltech	
Normal Asphalt Ex Bin \$113.00 per tonne	Warm mix Asphalt Ex bin
Based on last years purchasers 5550 t x \$113 = \$627,150	5550 t x \$116 = \$643,800
Normal Asphalt Supplied & Laid \$147.00 per tonne	WMA supplied and laid \$150 per tonne
Based on last years purchasers 6800 t x \$147 = \$999,600	6800 t x \$150 = \$1,020,000
<i>Total: \$1,626,750</i>	<i>Total: \$1,663,800</i>

The prices have been adjusted to reflect 2008/2009 supply contracts.

In addition Asphaltech provide the following information, "The Green Credentials of the Asphaltech Group using calculation from the Men of Trees web site to have the operation Carbon Neutral, taking into account electricity usage, wastage, air travel, asphalt production and laying for both operations in Western Australia and Victoria we need to plant 14,076 trees per annum".

The Asphaltech Group have currently planted and maintain 87 Ha of Blue Gum plantation near Albany WA. This equates to some 80,000 trees. Asphaltech intend to continue to support the plantation.

DSD48 COMMUNITY FACILITY FUNDING PROGRAM 2009-2010 (D08/109096)

Director Social Development

Youth and Leisure

Executive Summary

The Community Facility Funding Program 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. Details on the 2009/10 funding round were recently received from Sport and Recreation Victoria inviting Council to submit applications under a number of categories.

The Community Facility Funding Program for 2009/2010 comprises two categories - Planning and Building Community Infrastructure.

The Planning category enables Council to make one application under either Recreation Planning or Feasibility Planning. The maximum grant available under this category is \$30,000 based on a \$1:\$1 ratio. Planning applications are due by 3 November 2008.

The Building and Community Infrastructure category enables Council to make a total of four applications under two sub-categories – Major Facilities and Aquatics Access/Better Pools. The maximum grant available under Major Facilities is \$500,000 based on a \$1:\$3 funding ratio and \$2.5 million for Aquatic Access/Better Pools based on a \$1:\$3 funding ratio. In this regard, a maximum grant under Major Facilities would require Council to contribute \$1.5 million and \$7.5 million under Better Pools. Applications for Major Facilities and Aquatic Access/Better Pools are due by 18 September 2008.

The Building and Community Infrastructure category also enables Council to make three applications under the Minor Facilities sub-category. Total project costs cannot exceed \$200,000 for two applications and a third with a total project cost not greater than \$60,000. All applications are based on a \$1:\$1 ratio. Applications are due by 3 November 2008.

Council's endorsement of an application to the Aquatic Access/Better Pools category is being sought to enable a Council endorsed application to be made before the applicable timeline.

Recommendation

Council resolve:

1. To endorse an application in funding from Sport and Recreation Victoria, Community Facility Funding Program 2009/2010 for \$2.5 million in funding for the redevelopment of the Brunswick Baths.
2. To receive a further report at its October Meeting to consider and endorse funding applications for the Planning and Minor Facilities funding categories.
3. To receive a further report to consider the final concept design and cost plan of the Brunswick Baths redevelopment by March 2009.

1. Policy Context

The report is consistent with the implementation of a range of Council policies including the Moreland Leisure Plan, Moreland Strategic Aquatic Framework, Disability Access Policy and Action Plan and the Moreland Health Plan. The report is also consistent with Council's key commitment of improving social conditions and the physical environment as outlined in the 2008 Mayor's Speech.

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 2009/10 funding round were recently received from Sport and Recreation Victoria inviting Council to submit applications under a number of categories.

Only local government is eligible to apply for funding under the above categories. The closing date for Minor Facilities and Planning applications is 3 November 2008 and 18 September 2008 for the Major Facilities/Better Pools funding category.

Last year Council received a total of \$120,000 in funding under the minor facilities funding category for the Hadfield Tennis Club, court replacement project and Sewell Reserve pavilion upgrade. An application to the Better Pools category for the Brunswick Baths and Feasibility/Planning category for Jackson Reserve were both unsuccessful.

3. Issues

Building Community Infrastructure Category - Major Facilities or Better Pools Funding

Only one project can be submitted for consideration under these two funding categories. As applications close on 18 September 2008, an application for the redevelopment of the Brunswick Baths needs to be endorsed by Council and submitted earlier than all other categories.

An application to this program will also prevent any further application being made under the Major Facilities Funding category where up to \$500,000 can be obtained for major infrastructure projects.

Previous Unsuccessful Application

As a result of being unsuccessful in the 2008/2009 funding round, Council officers were required to review the initial project scope and concept design of the Brunswick Baths redevelopment used in the 2007 application. A revised functional brief is therefore being prepared and will be based on the recent findings of further consultation, demographic analysis, feasibility planning and trend analysis. A final functional brief will be used to inform a revised concept design and provide the basis of a new funding application to SRV. It is proposed that a revised concept design and cost plan will be presented for final Council endorsement in March 2009 to enable full detailed design to proceed.

Building Community Infrastructure Category - Minor Facilities

Minor Facilities funding assists Council, 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 to SRV, which must be funded on a \$1:\$1 ratio up to a maximum of \$60,000 from SRV.

Two applications may seek up to \$60,000 in funding for projects with a total cost of \$200,000 or less. One application must be for a project with a total cost of \$60,000 or less.

Community groups have been invited to make application to Council by 1 October 2008 to enable all potential applications to be reviewed and presented to Council for selection and final endorsement.

Recreation Planning or Facility Feasibility Planning Category

The Planning category enables Council to make one application under either Recreation Planning or Feasibility Planning. The maximum grant available under this category is \$30,000 based on a \$1:\$1 ratio.

4. Consultation

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

Local clubs and associations have been invited to submit applications to Council for consideration under the minor facilities category in accordance with the funding guidelines and suggested process for community facilities program funding. The closing date for club applications to Council is 1 October 2008 and a further report will be presented to Council at its October meeting to enable applications to be selected and submitted to SRV by 3 November 2008.

5. Financial and Resources Implications

A \$2.5 million funding application to Sport and Recreation Victoria, Community Facility Funding Program 2009/2010 for the redevelopment of the Brunswick Baths requires a \$7.5 million commitment from Council. Council has included \$300,000 within the 2008/2009 capital works budget to complete the detailed design of the Brunswick Baths project and provision for an additional \$11.5 million in Council funding from the provision forward capital works program. The total project cost is expected to cost \$14 million.

Funding announcements for applications under the minor facilities category are expected to be made by March 2009 to enable any required matching funds from Council to be included within the 2009/2010 capital works program.

DSD49 2008 - 2009 SUMMER GROUND ALLOCATIONS (D08/109748)

Director Social Development

Youth and Leisure Services

Executive Summary

Applications were received from clubs requesting a summer ground and pavilion allocation within Moreland. Each club wishing to utilise Council grounds and pavilions must apply under the terms and conditions in the Moreland City Council Sports Ground User Guide, and provide specific documentation such as public liability insurance.

This report seeks to endorse ground and pavilion allocations for the 2008/2009 summer season as shown in Attachment 1. This report also seeks to restrict the use of Council facilities by any club with an outstanding debt from a previous season as detailed in Confidential Attachment 2.

Recommendation

Council resolve:

1. That the allocations for the summer season, as shown in Attachment 1 of the report be adopted.
2. To notify any club owing ground and pavilion fees from previous seasons as shown in Confidential Attachment 2, that they will not receive an allocation until payment is made or an approved payment plan is put in place with Council.
3. To notify any club who has failed to meet a previous instalment plan, as shown in Confidential Attachment 2, that they will not be eligible for any new instalment plan/s and must pay their outstanding fees in full to be able to receive an allocation.
4. To take appropriate action to prevent further use of Council facilities by any club that remains unfinancial as at 1 October 2008.

1. Policy Context

This report is consistent with the Moreland City Council Sports Ground User Guide, which outlines the terms and conditions, including charges with respect to the allocation of Council's sporting facilities.

2. Background

Each season sporting clubs wishing to utilise Council grounds and pavilions must apply in writing and provide specific documentation such as current public liability insurance. The Leisure Unit coordinates the assessment of applications in consultation with staff from the Open Space and Building Maintenance Units. A recommendation is then made to Council consistent with the established criteria and having regard to ground/pavilion conditions and club requirements.

3. Issues

Drought

It is likely that ongoing water restrictions will significantly impact on Council's ability to cater for all sports ground training and competition requests. Cricket is generally less affected by drought conditions and watering restrictions than contact sports. In this regard, summer allocations to cricket clubs are largely unaffected, however ground conditions are expected to deteriorate significantly.

Annual Allocations

Annual allocations to some clubs have previously occurred at the time summer allocations are completed. To assist in club administration and fixturing, it is proposed to re-align the annual allocation to the winter season. In this regard, soccer clubs seeking an annual allocation will only receive a summer allocation this season and will be required to re-apply for an annual allocation in winter.

4. Consultation

The Leisure Unit has consulted the relevant peak sporting bodies in the area including the Jika Cricket Association, Moreland Moonee Valley Cricket Association, North West Cricket Association, Cricket Victoria and Football Federation Victoria. Internal consultation has been undertaken between the Leisure and Open Space Units.

5. Financial and Resources Implications

Allocation of grounds to clubs listed in **Attachment 1** is proposed on the assumption that issues relating to the non-payment of fees will be resolved.

Some clubs continue to have outstanding fees from the last season as detailed in Confidential **Attachment 2**. Additionally, there are a number of clubs who previously agreed to pay their fees on an instalment plan and have subsequently defaulted on their plan. It is proposed to prevent further access to Council facilities by any Club that fails to enter into a repayment plan or immediately repay its outstanding fees in full where it has failed to meet a previous repayment plan.

DSD50 PARTNERSHIP GRANTS PROGRAM 2008/2009 (D08/108947)

Director Social Development

Youth and Leisure

Executive Summary

The Partnership Grants program provides financial support to locally based not-for-profit groups and organisations to develop and implement initiatives, which enrich the social fabric of Moreland and promote active community participation. Specifically, the program aims to encourage community organisations to develop sustainable facilities in a co-ordinated approach with Council.

This report considers the following requests for funding from the 2008/2009 program:

- Brunswick Cricket Club – Cricket Practice Net Installation, Gillon Oval
- Dal-Alawada Community Centre – Floor Replacement
- St Francis De Sales Junior Football Club – Lighting Construction, Oak Park

Recommendation

Council resolve:

1. To contribute a total of \$65,000 as a one off payment from the 2008/2009 Partnership Funding Program for the following projects:
 - a) Brunswick Cricket Club – Cricket Practice Net Installation, Gillon Oval - \$25,000
 - b) Dal-Alawda Community Centre – Floor Replacement - \$15,000
 - c) St Francis De Sales Junior Football Club – Lighting Construction, Oak Park - \$25,000

1. Policy Context

This report is consistent with the Council Plan 2007-2011 and addresses the following key priorities of the 2008 Mayor's Speech:

- Maintain the value of the general community grants, sustainability grants and cultural grants programs run by Council.
- Improve sport and recreation opportunities for young people and women of all ages.
- Consider opportunities to increase the utilisation of sporting facilities.

2. Background

Grants of up to \$40,000 are available under the Partnership Program. Groups and organisations are required to contribute at least 25% of the total project cost including any documented in-kind support. Application can be submitted at any time during financial year until funds are expended.

Eligibility Criteria – Partnership Grants

The following eligibility criteria is specific to the Partnership grant category, however applications must also meet the overall Moreland Community Development Grants Program requirements.

What will be funded?

- Program and meeting space.
- Disability access.
- Facilities for junior or female use.
- Sports facilities development.
- Projects promoting efficient and sustainable use of natural resources.
- Projects promoting active physical participation.
- Projects encouraging interaction of all age groups including joint use facilities, associated facilities for families and carers e.g., shade, seating, toilets and change facilities.

What won't be funded?

- Applications which do not meet the Moreland Community Development Grants Program requirements.
- Projects or groups which have previously received a Partnership grant.
- Projects which require ongoing support or funding.
- Applications which do not include a financial statement or evidence of an ability to maintain new infrastructure.
- Requests for retrospective funding where projects have commenced or are completed prior to receiving funding approval.
- Facilities where little or no public access is available.
- Applications where the recipient organisation/s promote or benefit directly from electronic gaming machines.
- Purchase of land.
- Routine or cyclical maintenance works to existing facilities.
- Repair of facilities damaged by vandalism, fire or other natural disasters where the act should be covered by insurance.
- Requests for ongoing operational costs including the replacement of sporting equipment.
- The cost associated with the purchase of community transport or any other vehicle.

3. Issues

Brunswick Cricket Club – Cricket Practice Net Installation, Gillon Oval

This is a current project listed within the 2008/2009 capital works program. The existing nets are not suitable for ongoing use. The club has requested a standard of facility beyond Council's standard practice net and subsequently agreed to contribute \$20,000 to the project. Delays in project approval and commencement have resulted in the cost of the project being extended beyond the current scope of the budget. Given the nature of the project, access to the community and club's significant contribution to the proposal, the project was deemed eligible for a partnership grant.

A funding contribution of \$25,000 has been requested from the program in addition to existing capital works funding of \$45,000. The club will contribute \$20,000 toward a total project cost of \$90,000.

Dal-Alawda Community Centre – Floor Replacement

This project involves the replacement of the Dal-Alawda community centre flooring. Council sold the properties at 98 Henkel Street and 1 Wendal Street to the Dal-Alawda Community Centre in 2003. The sale included the provision that the land be used for recreation purposes and made available to the public. The group has received \$13,000 in funding from the Victorian Multicultural Commission toward the project and is seeking \$15,000 from Council toward a total project cost of \$42,000. The club's contribution will include \$14,000 in cash and in-kind support.

St Francis De Sales Junior Football Club – Lighting Construction, Oak Park

This project involves the installation of four new light towers at Oak Park Sports Reserve. The St Francis De Sales Junior Football Club uses both ovals at the reserve for its junior training and matches however; neither ground has suitable flood lighting. A full lighting design and planning permit has been obtained and installation is ready to proceed. Council's 2008/2009 capital works provides partial funding for the project, however additional funds from the Club and Council's Partnership program are required to complete the project.

A funding contribution of \$25,000 has been requested from the program in addition to existing capital works funding of \$71,000. The club will contribute \$10,000 toward a total project cost of \$106,000.

4. Consultation

The Portfolio Councillor Social Development, Cr Pryor, and Councillor Responsible For Recreation and Leisure, Cr De Lorenzis and Cr Kavanagh, have been consulted in the preparation of this report. Council's Open Space and Property Services Units have been included in the assessment of all project applications.

5. Financial and Resources Implications

Council allocated \$170,000 to the 2008/2009 Partnership Grant Program. Applications for projects outlined in this report amount to a total of \$65,000.

Project	Amount Requested	Club Contribution	Other Contribution	Total Project Cost
Cricket Nets, Gillon Oval	\$25,000	\$20,000	\$45,000	\$90,000
Floor Replacement	\$15,000	\$14,000	\$13,000	\$42,000
Lighting Construction, Oak Park	\$25,000	\$10,000	\$71,000	\$106,000
Total	\$65,000	\$44,000	\$129,000	\$238,000

A decision to fully fund all project requests will leave a balance of \$105,000 available in the 2008/2009 program.

DSD51 YOUTH PARTICIPATION AND ACCESS GRANT FUNDING PROGRAM 2009-2011 - MORELAND YOUTH FACILITY PARTICIPATION AND ENGAGEMENT PROJECT (D08/110968)

Director Social Development

Youth and Leisure

Executive Summary

This report seeks Council endorsement for a funding application made to the Department of Planning and Community Development (DPCD), Youth Participation and Access Grant Funding Program 2009-2011.

The grant funding application is seeking \$50,000 per annum over three years to enable Council to undertake the Moreland Youth Facility Participation and Engagement Project (YFPE). The YFPE will be facilitated by Council's Youth Participation program and will consider the establishment of a Youth Facility in Moreland.

The project has been developed in direct response to community need and frequent requests made to Council through formal and informal community consultation including the Youth Strategy, Council Plan, Mayor's Speech and Youth Summit.

Recommendation

Council resolve:

1. To endorse a \$150,000 funding application made to the Youth Participation and Access Grant Funding Program 2009-2011 for the Moreland Youth Facility Participation and Engagement Project to consider the establishment of a Youth Facility in Moreland.
2. To refer a capital works allocation to the forward capital works planning program to enable future project feasibility, concept design and detailed design work to be undertaken in 2009/2010 and 2010/2011.

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 a youth entertainment / recreation centre as a way to ensure young peoples access to spaces and places.

The Moreland Council Plan 2007-2011 makes specific commitment to undertake a feasibility study into the establishment of a youth entertainment centre. 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 space and/or centre as a major recommendation made by young people.

2. Background

The Youth Participation and Access (YPA) Program provides funding to Local Government and community organisations to engage with, and provide early support activities for vulnerable young people to participate in their community. If Council's application is successful, the YPA funding will provide \$50,000 per annum over three years between 2009 and 2011.

Previous funding has been used to establish and facilitate the operations of the Young Persons Advisory Committee as part of Council's Youth Participation and Access Program. The YFPE project will look to build on the outcomes of previous funding by extending the contribution of young people involved in the Young Persons Advisory Committee by providing an opportunity to participate in a project that may deliver significant results and service to the community through a staged process.

3. Issues

The YFPE will be undertaken over three years and will include the following stages.

Stage 1 – 2009

- Undertake a needs analysis and determine the service needs across Moreland.

Stage 2 – 2010

- Determine suitable locations for any required service or facility.
- Document business case for implementation of required service or facility.
- Document detailed scope of works for required service or facility.

Stage 3 – 2011

- Complete detail design, documentation and planning approval as required.

Young Persons Participation

It is anticipated that over the next 3 years the Young Persons Advisory Committee will oversee the research, consultation, design and development of a youth facility in Moreland in accordance with the above stages of the project. The project will provide young people with the opportunity to have direct input into a major community decision and ultimately serve to determine the direction and delivery of services and facilities for young people across Moreland both now and into the future.

Young Persons Capacity Building

The project will build the capacity of young people to advocate for their needs and enable them with the opportunity to influence decision making with regard to the allocation of resources in order to achieve improved outcomes for themselves and future young people.

The project will increase the skills, knowledge and confidence of the young members represented on the Young Persons Advisory Committee. The project will provide these young people (and other young people involved in the project, for example through involvement in working groups and / or community consultation processes) to actively engage in their local community and work toward a community outcome that will serve to benefit current and future groups of young people.

The project facilitates young peoples connection to their local area, and in particular local government, thus promoting civic engagement. This exposure and contact will assist them to increase their understanding of local government processes as well raise their understanding of other local services in their community.

The project will also provide opportunities to strengthen and enhance young peoples relationships with peers, adults and community (through contact with local Council, local schools, agencies and business etc) It is expected that these links will help to strengthen young peoples sense of community connectedness.

Young people will inform the process and shall be supported in their learning through training and mentoring in order to support the development of skills required to undertake various components of the project. Council will work with the Young Persons Advisory Committee to engage other young people to be involved at various stages of the project. Council will seek to reduce barriers to participation by undertaking extensive consultation with a wide group of young people from a range of backgrounds through contact with local schools, agencies and other youth service providers in order to ensure their needs are included and considered throughout the process. This may include for example a combination of small group discussions (focus groups), public forums, visits to local schools and agencies, using different forms of communication such as local media, mail, email and sms and through the provision of transport support, translated material and ensuring disability access etc.

The project will operate from a shared decision making approach between young people and Council and promote the meaningful participation of young people in the delivery of all project activities.

Applications for the 2009-2011 funding program closed on 5 September 2008.

4. Consultation

Community consultation for each stage of the project will be extensive and inclusive of a wide group of young people in order to ensure final options presented to Council reflect the diverse needs of young people and are suitably matched up with the needs and aspirations of young people going forward into the future.

The Portfolio Councillor Social Development and Councillor Responsible For Youth, Cr Pryor, has been consulted on this report and funding proposal.

5. Financial and Resources Implications

Council currently funded a Youth Participation officer within its current Youth and Leisure operating budget. Grant funding of up to \$50,000 per annum will be used to assist the officer complete the necessary stages of the project and will assist in the preparation of future capital bids to design and construct any subsequent youth facility or facilities. Whilst matching grant funding is not required, it is likely that additional capital funding up to \$50,000 to \$100,000 will be required in the 2009/2010 and 2010/2011 forward capital works program to enable stages 2 and 3 of the project to be completed.

DSD52 VICTORIA UNIVERSAL HOUSING ALLIANCE (D08/104615)

Director Social Development

Community Development and Social Policy

Executive Summary

This report proposes that Council joins the Victorian Universal Housing Alliance (VUHA). The Alliance was formed by the Victorian Council of Social Services (VCOSS) in 2008 and is committed to increasing the levels of accessible and adaptable housing in Victoria. Membership of the Alliance comprises a range of organisations from the disability, community welfare and local government sectors

In July 2008 the VUHA launched a campaign calling on the Victorian Government to implement regulations to increase levels of accessible housing in Victoria. This campaign was accompanied by a detailed discussion paper, which highlights the need and benefits of pursuing a regulatory approach. The policy platform and discussion paper are contained in Attachments 1 and 2 of this report.

Recommendation

Council resolve to join the Victorian Universal Housing Alliance and formalise its membership by writing to the VUHA.

1. Policy Context

This report is consistent with the objectives of the 2007 – 2011 Council Plan and with the objective to increase levels of accessible housing contained in the Affordable Housing Strategy (2006), Coburg, Glenroy and Brunswick Structure Plans, Later Years Strategy and the Disability Policy and Action Plan. Accessible Housing is also a key objective of the Northern Regional Housing Statement (2006), prepared by the Northern Regional Housing Working Group (which includes representatives from the municipalities of Banyule, Darebin, Hume, Moreland, Nillumbik and Whittlesea, the Office of Housing and the Department of Sustainability and Environment).

2. Background

Moreland City Council has long supported and campaigned for increased levels of accessible housing and has articulated this position in various Council policies and strategies as stated above. The range of work aimed at increasing the level of accessible housing was also recently highlighted in two reports presented to Council on 11 June 2008 (DSD33 and DCD35), which summarised progress on the implementation of affordable housing strategies and Council Plan 2007 - 2011 commitments (D08/56192).

Several Councils including Moonee Valley, Yarra and Melbourne have attempted to increase the level of accessible housing through proposed amendments to their planning schemes. To date these attempts have been unsuccessful, with proposed provisions being either removed or approval of the amendments being delayed.

Manningham is the only Council to receive approval to amend their Local Planning Scheme to include the requirement for an access audit statement, which evaluates how design of the built form conforms to Australian Standards (for accessibility) including AS1428 Part 2 in the Doncaster Hill Activity Centre. It should be noted that approval for this amendment was given in February 2004, prior to when authorisation was required from the Minister for Planning to exhibit an amendment to the planning scheme. Since that time the Department of Sustainability and Environment (now known as the Department of Planning and Community Development) has informed Councils that amendments to planning schemes addressing accessibility are not required, as legislative provisions are set via the Building Code of Australia.

On the 29 July 2008, VCOSS launched a campaign, calling on the Victorian Government to implement measures to increase the levels of accessible and adaptable housing within Victoria.

3. Issues

VUHA have invited Local Governments and other organisations committed to increasing levels of accessible housing in Victoria to join the Alliance. Joining commits Council to the objectives of the Alliance Platform and gives consent for its logo to be included on any material promoting the campaign. VUHA have identified that the minimum low cost, or no cost measures necessary for housing to be liveable, visitable and adaptable by people of all ages are:

- A clear pathway to a step-free, well-lit entry with access to on street parking.
- Appropriate lighting evenly distributed throughout the house.
- Identifiable light switches, controls and handles in easy-to-reach places for
- Someone sitting or standing.
- Reinforced walls in the bathroom, shower and toilet.
- Wide doorways and corridors.

- A straight staircase adjacent to a load-bearing wall.
- Slip-resistant flooring.
- Open-plan kitchen, lounge and bathroom with step-free shower.
- Open-plan room on entry level that can be used as a bedroom.
- Accessible toilet and bathroom on entry level.

The VUHA have called on the Victorian Government to ensure that at least one quarter of all Victoria's housing will meet a universal standard by 2031 through:

- Developing a Universal Housing Standard which includes the above features as a minimum.
- Immediately implementing regulatory measures applying the standard to all new housing.
- Progressively implementing regulatory measures applying the appropriate elements of the Standard to major home renovations.

Through joining the Alliance Council would be continuing in its role of advocacy to increase the levels of accessible housing.

Human Rights Consideration

The recommendation of this report is consistent with promoting the specific rights mentioned in section s.12 of the Victorian Charter of Human Rights and Responsibilities Charter, which states that "Freedom of Movement - people who are in Victoria lawfully have the right to enter and leave Victoria, to move around freely within Victoria and to choose where to live".

4. Consultation

This report has been prepared in consultation with the Strategic Planning Unit and Aged and Disability services.

The Portfolio Councillor Social Development, Cr Pryor, and Cr Matthews-Ward and Cr Sharam and have been consulted in the preparation of this report.

5. Financial and Resources Implications

There are no direct financial or resource implications as a result of this report.

DSD53 COBURG FESTIVAL (D08/104716)

Director Social Development

Cultural Development

Executive Summary

Council resolved on 14 May 2008 that a report be presented to a future Council meeting exploring the option of holding a Coburg Festival (CRME4).

Council presents a number of annual community festivals and events including the Brunswick Music Festival, Sydney Road Street Party, Carols by the Lake, Pascoe Vale Festival, Fawkner Festival and Twilight Movies in the Park. In 2008 Council presented an additional festival in Glenroy.

To fit in with programming and work plans related to existing festivals, it is proposed that a community event be presented in Coburg in the last quarter of 2008/2009.

Recommendation

Council resolve that a community event be presented in Coburg in the last quarter of 2008/2009.

1. Policy Context

This report relates to Council's key strategic activity of supporting important community festivals as outlined in the Council Plan 2007-2011.

2. Background

Council presents a number of annual community festivals and events including the Brunswick Music Festival, Sydney Road Street Party, Carols by the Lake, Pascoe Vale Festival, Fawkner Festival and Twilight Movies in the Park. In 2008 Council presented an additional festival in Glenroy.

3. Issues

Council resolved on 14 May 2008 that a report be presented to a future Council meeting exploring the option of holding a Coburg Festival (CRME4).

The presentation of festivals and events typically require a lead-up time of a minimum of 26 weeks to allow for planning, community consultation, consultation with other stakeholders, programming, risk management, and to secure the required infrastructure, etc.

To fit in with programming and work plans related to existing festivals and events, the proposed community event in Coburg will need to be presented in the last quarter of 2008/2009. In planning the community event in Coburg, Council's Arts and Culture Unit will consult with The Coburg Initiative Team and with other relevant Council Units in the first instance.

In order to avoid the significant costs involved in closing Sydney Road to traffic and to link the event to The Coburg Initiative, it is proposed that the event be held in the Victoria Street Mall and the adjacent car park area.

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, has been consulted in the development of this report.

5. Financial and Resources Implications

An amount of \$20,000 has been allocated in the 2008/2009 Budget for the presentation of a new community event in Coburg.

DSD54 PERFORMING ARTS MORELAND - SECTION 193 RISK ASSESSMENT REPORT (D08/109170)

Director Social Development

Arts and Culture

Executive Summary

One of the key recommendations of a report on a review of the Brunswick Music Festival was that Council should explore mechanisms for establishing a Not for Profit entity to manage the Brunswick Music Festival. Legal advice subsequently recommended a Company Limited by Guarantee as the most appropriate model of management for Council's performing arts functions.

In setting up a Company Limited by Guarantee, Council is required to conduct a Risk Assessment Report in order to meet the requirements of Section 193 of the *Local Government Act 1989*.

WHK Horwath, a financial services company, was engaged to conduct the required risk assessment. Their report advises that no matter was identified that would indicate that the proposal to transfer the management of the Mechanics Institute Performing Arts Centre, Sydney Road Street Party and Brunswick Music Festival to a company structure would expose Council to any additional or undue risk.

Recommendation

Council resolve to accept the risk assessment advice by WHK Horwath that no matter has been identified that would indicate that the proposal to transfer the management of the Mechanics Institute Performing Arts Centre, the Sydney Road Street Party and the Brunswick Music Festival to a company structure would expose Council to any additional or undue risk.

1. Policy Context

This report is consistent with the priority stated in the Moreland Arts Strategy 2006-2010 'to oversee the process of transferring the management of the Brunswick Music Festival and Sydney Road Street Party to a Company Limited by Guarantee, with Council's role changing from being the presenter of these events to that of a major sponsor.'

2. Background

One of the key recommendations of a report on a review of the Brunswick Music Festival was that Council should explore mechanisms for establishing a Not for Profit entity to manage the Brunswick Music Festival. Legal advice has subsequently recommended a Company Limited by Guarantee as the most appropriate model of management for Council's performing arts functions.

On 11 April 2007 Council resolved to appoint five residents to a Steering Committee to oversee the process of moving the management of the Brunswick Music Festival, Sydney Road Street Party and Mechanics Institute Performing Arts Centre over to a Company Limited by Guarantee. Council also resolved to appoint two Councillor representatives, Cr Pryor and Cr Caputo, and the Director Social Development or her nominee to represent Council on the Steering Committee (DSD21). The Steering Committee has been involved in the development of a constitution for Performing Arts Moreland and is currently involved in negotiating the terms of an Agreement with Council.

Legal advice was sought to advise the Steering Committee and Council in regard to all legal issues relevant to setting up a Company Limited by Guarantee. The Council Steering Committee was advised that, in order to meet the requirements of Section 193 of the *Local Government Act 1989*, a Risk Assessment Report must be completed for any venture where the value of the enterprise exceeds \$100,000 or 1% of Council's revenue from rates in the preceding year. The risk assessment analyses the financial and commercial risks to Council and must also be completed by an appropriate person.

3. Issues

WHK Horwath (formerly WHK Day Neilson), a financial services company authorised to conduct risk assessments, was engaged by Council to prepare a report to meet the requirements of Section 193 of the *Local Government Act 1989*.

Mr Martin Thompson, Principal with WHK Horwath Melbourne, conducted the required research for the report. This research involved reviewing financial records, the business plan, compliance with legislation, governance arrangements, etc. Based on the review of the relevant documents, WHK Horwath concluded that Moreland City Council has taken appropriate steps to minimise any risks associated with the transfer the management of the Mechanics Institute Performing Arts Centre, the Sydney Road Street Party and the Brunswick Music Festival to a Company Limited by Guarantee. WHK Horwath's report to Council states that no matter had been identified that would indicate that the proposal to move the management of the identified services over to a company would expose Council to any additional or undue risk.

WHK Horwath's report is attached as a **Confidential Attachment 1** to this report.

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, has been consulted in the development of this report. The Performing Arts Moreland Steering Committee has been briefed about the report.

5. Financial and Resources Implications

There are no financial implications associated with this report.

DSD55 NOMINATION OF COUNCILLORS TO SERVE AS DIRECTORS ON THE PERFORMING ARTS MORELAND BOARD (D08/112976)

Director Social Development

Cultural Development

Executive Summary

On 11 April 2007 Council resolved to appoint five residents to a steering committee to oversee the process of moving the management of the Brunswick Music Festival, Sydney Road Street Party and Mechanics Institute Performing Arts Centre over to a not-for-profit Company Limited by Guarantee. Council also resolved to appoint two Councillor representatives, Cr Pryor and Cr Caputo, to represent Council on the steering committee (DSD21).

The steering committee has met regularly since June 2007 to develop a constitution and vision for Performing Arts Moreland (PAM) and to plan the handover of management responsibilities for the Brunswick Music Festival, Sydney Road Street Party and Mechanics Institute Performing Arts Centre to PAM.

The proposed constitution of Performing Arts Moreland stipulates that the Board of Performing Arts Moreland will include two Directors who are Councillors and nominated by Council.

Recommendation

Council resolve to nominate Cr Pryor and Cr Caputo for appointment as Directors of the Performing Arts Moreland Board on an interim basis until the date of the Ceremonial Meeting of the newly elected Council to be held in December 2008.

1. Policy Context

This report is consistent with the priority stated in the Moreland Arts Strategy 2006-2010 'to oversee the process of transferring the management of the Brunswick Music Festival and Sydney Road Street Party to a Company Limited by Guarantee, with Council's role changing from being the presenter of these events to that of a major sponsor'.

2. Background

On 11 April 2007 Council resolved to appoint five residents to a steering committee to oversee the process of moving the management of the Brunswick Music Festival, Sydney Road Street Party and Mechanics Institute Performing Arts Centre over to a not-for-profit Company Limited by Guarantee. Council also resolved to appoint two Councillor representatives, Cr Pryor and Cr Caputo, to represent Council on the steering committee (DSD21).

The steering committee has met regularly since June 2007 to develop a constitution and vision for Performing Arts Moreland (PAM) and to plan the handover of management responsibilities for the Brunswick Music Festival, Sydney Road Street Party and Mechanics Institute Performing Arts Centre to PAM.

On 9 July 2007 Council resolved that the Chief Executive Officer be authorised to sign all documents necessary to enter into an agreement with Performing Arts Moreland once the Company Limited by Guarantee is in existence, and that such authorisation be withdrawn if no formal agreement between Council and the Performing Arts Moreland Board has been entered into by 30 September 2008 (DSD39).

3. Issues

The proposed constitution of Performing Arts Moreland stipulates that the Board of Performing Arts Moreland will include two Directors who are Councillors and nominated by Council.

It is proposed that Council nominate the two Councillors who have served on the Performing Arts Moreland Steering Committee, Cr Pryor and Cr Caputo, for appointment as Directors of the Performing Arts Moreland Board on an interim basis until the date of the Ceremonial Meeting of the newly elected Council to be held in December 2008.

4. Consultation

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

5. Financial and Resources Implications

There are no direct financial implications in relation to this report.