



Moreland City Council

COUNCIL AGENDA

WEDNESDAY 12 JUNE 2019

COMMENCING 7 PM

**COUNCIL CHAMBER, MORELAND CIVIC CENTRE,
90 BELL STREET, COBURG**

Language Link

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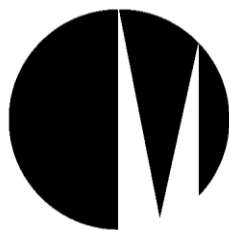
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INFORMATION ABOUT COUNCIL MEETINGS

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 Meeting Procedure Local Law 2018.

WELCOME The Mayor, who chairs the meeting, formally opens the meeting, delivers an acknowledgement of country and welcomes all present. This Council meeting will be recorded and webstreamed live to Council's website. This recording will also be available as Video on Demand. Although every care is taken to maintain privacy, gallery attendees are advised they may be recorded.

APOLOGIES Where a Councillor is not present, his/her absence is noted in the minutes of the meeting.

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.

CONFIRMATION OF MINUTES The minutes of the previous meeting are placed before Council to confirm the accuracy and completeness of the record.

MINUTES/REPORTS OF SPECIAL COMMITTEES Council considers reports from Special Committees that Councillors represent Council on.

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 Director for consideration.

PUBLIC QUESTION TIME This is an opportunity (30 minutes), for citizens of Moreland to raise questions with Councillors.

COUNCIL REPORTS Officers prepare detailed reports, which 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.

NOTICES OF MOTION A motion which has been submitted to the Chief Executive Officer no later than 12 pm (noon) ten days prior to the meeting which is intended to be included in the agenda. The motion should outline the policy, financial and resourcing implications.

NOTICE OF RESCISSION A Councillor may propose a motion to rescind a resolution of the Council, provided the previous resolution has not been acted on, and a notice is delivered to the authorised officer setting out the resolution to be rescinded and the meeting and date when the resolution was carried. For a decision of the Council to be rescinded, the motion for rescission must be carried by a majority of the votes cast. If a motion for rescission is lost, a similar motion may not be put before the Council for at least one month from the date it was last lost, unless the Council resolves that the notice of motion be re-listed at a future meeting. If a motion for rescission is not moved at the meeting for which it is listed, it lapses. A motion for rescission listed on a meeting agenda may be moved by any Councillor present but may not be amended.

FORESHADOWED ITEMS This is an opportunity for Councillors to raise items proposed to be submitted as Notices of Motion at future meetings.

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.

CONFIDENTIAL BUSINESS Whilst all Council and Committee meetings of Council are open to its citizens, Council has the power under the *Local Government Act 1989* 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.

CLOSE OF MEETING The Mayor will formally close the meeting and thank all present.

NEXT MEETING DATE The next Council meeting will be held on Monday 24 June 2019 commencing at 6 pm, in the Council Chamber, Moreland Civic Centre, 90 Bell Street, Coburg to adopt the 2019/20 Budget and the next ordinary Council meeting will be held on Wednesday 10 July 2019 at commencing at 7 pm, in the Council Chamber, Moreland Civic Centre, 90 Bell Street, Coburg.



1. WELCOME

2. APOLOGIES

Leave of absence has been requested from Cr Tapinos – 17 June 2019 – 30 July 2019.

Leave of absence has been granted to Cr Carli Hannan - 11 April 2019 to 12 August 2019.

3. DECLARATION OF INTERESTS AND/OR CONFLICT OF INTERESTS

4. CONFIRMATION OF MINUTES

The minutes of the Council meeting held on 8 May 2019 and the Special Council meeting held on 3 June 2019 be confirmed.

5. MINUTES / REPORTS OF SPECIAL COMMITTEE

Nil.

6. PETITIONS

Nil.

7. QUESTION TIME

8. COUNCIL REPORTS

| | | |
|----------|---|----|
| DCF37/19 | MORELAND INTEGRATED TRANSPORT STRATEGY (MITS) TEN YEAR CAPITAL WORKS PROGRAM FOR PEDESTRIANS AND CYCLISTS AND ADVOCACY PLAN - COUNCIL ACTION PLAN ITEM (D19/176008) | 7 |
| DCF38/19 | MORELAND INTEGRATED TRANSPORT STRATEGY (MITS) - PARKING IMPLEMENTATION APPROACH AND PRINCIPLES - COUNCIL ACTION PLAN ITEM (D19/176204) | 28 |
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| EMF20/19 | DISCONTINUANCE OF BERNARD STREET, OAK PARK (D19/168438) | 606 |
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| NOM24/19 | FINANCIAL SUPPORT FOR UNDRRESS RUNWAYS (D19/201585) – CR NATALIE ABBOUD | 696 |
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10. NOTICE OF RESCISSION

Nil.

11. FORESHADOWED ITEMS

Nil.

12. URGENT BUSINESS REPORTS

13. CONFIDENTIAL BUSINESS

DBT13/19 STAFFING MATTER (D19/210119)

Pursuant to sections 77(2)(c) and 89(2)(a) this report has been designated as confidential by the Chief Executive Officer because it relates to personnel matters.

DCF37/19 MORELAND INTEGRATED TRANSPORT STRATEGY (MITS) TEN YEAR CAPITAL WORKS PROGRAM FOR PEDESTRIANS AND CYCLISTS AND ADVOCACY PLAN - COUNCIL ACTION PLAN ITEM (D19/176008)

Director City Futures

City Change

Executive Summary

In March 2019, Council resolved to adopt the Moreland Integrated Transport Strategy (MITS) 2019 (DCF12/19). At this time, Council also resolved to develop a 10-year pedestrian and cyclist capital works program and Transport Advocacy Plan.

A draft 10-year capital works program for pedestrian and cyclist facilities has been developed by Council officers based on the principle of increasing walking and cycling by creating a network of low stress routes that are attractive to a broad range of users.

Consultation was undertaken on the draft capital works program, including 2 public meetings on 4 April and 1 May 2019, and inviting written submissions between 29 March and 10 May 2019. Council has received 30 written submissions and had 18 people attend the first meeting and 9 at the second meeting.

The pedestrian and cyclist capital works programs have been revised based on the feedback received (Attachment 1 and Attachment 2).

Council's Strategic Infrastructure Plan has allocated funding between 2019/20 and 2021/22 for pedestrian and cyclist infrastructure. The future years budgets have been accounted for in Council's longer-term capital works planning.

The Transport Advocacy Plan outlines how Council will work towards the priorities for transport identified in MITS 2019. It identifies concrete steps for Council to improve its engagement with state government and transport operator stakeholders, engage in information sharing and other enabling activities, and undertake decision making that supports state government investments and improvements in Moreland.

Officer Recommendation

That Council:

1. Adopts the 10-year capital works program for pedestrians at Attachment 1 to this report, with the increased funding from 2021/2022.
2. Adopts the 10-year capital works program for cyclists at Attachment 2 to this report, with the increased funding from 2022/2023.
3. Adopts the Transport Advocacy Plan at Attachment 3 to this report.

1. Policy Context

The Council Plan 2017-21 states that a key priority of Council is to:

- facilitate a demonstrable shift to more sustainable modes of transport that also targets a long-term reduction in car use.

The Moreland Integrated Transport Strategy (MITS) 2019 was adopted by Council in March 2019 and aims to deliver on this transport mode shift, including by prioritising access by walking, cycling and public transport over car-based travel and reallocating road space to these modes. MITS 2019 also specifies priorities for advocacy to state government.

The Council Action Plan (CAP) 2018-19 has three items relevant to this work, all to be developed by June 2019:

- CAP Item 38, Action 2 - an advocacy campaign and updated capital works program with respect to transport;
- CAP Item 77, Action 1 – a revised 10-year pedestrian capital works program; and
- CAP Item 78, Action 1 - a revised 10-year bicycle capital works program.

2. Background

As part of its decision on the Moreland Integrated Transport Strategy (MITS) 2019 in March 2019 (DCF12/19), Council resolved to:

- Adopt MITS 2019, which was informed by extensive consultation with the community and other stakeholders across 2017 and 2018.
- Acknowledge the existing Bicycle Strategy and Pedestrian Strategy as superseded, with a 10-year program of bicycle and pedestrian infrastructure to be developed for Council consideration at a later meeting.
- Conduct a public meeting to discuss the draft 10-year program involving key stakeholders and the broader community.
- Ensure that as part of the development of the new 10-year bicycle program, (to be reported to the May 2019 Council meeting) there is an annual allocation to progressively improve road marking/infrastructure for cyclists (and pedestrians) at existing roundabouts and work to replace the most dangerous existing roundabouts with more appropriate treatments.

Since 2011, Council's bicycle capital projects have typically been drawn from the short-term projects in the Bicycle Strategy 2011-2021. Halfway through the intended life of the Bicycle Strategy, Council officers undertook a progress review of the delivery of these projects. The review found that the short-term projects could not be delivered with the current resources due to increased construction costs and additional costs levied by external authorities such as Metro Trains Melbourne. In May 2017 (DCI22/17), officers provided an update to Council on implementation of the Bicycle Strategy including proposing a 'top 10' list of bicycle infrastructure projects, which included both some short-term projects from the Bicycle Strategy and projects identified as important after adoption of the strategy.

In November 2017 (DCI58/17), Council resolved to increase funding for implementation of bicycle projects in order to deliver the 'top 10' projects, as well as all remaining short-term projects. Additional funding was provided to complete these projects over a 4-year period from 2018/19 to 2021/22. Council officers are currently completing agreed works in the first of these four years.

The Transport Advocacy Plan outlines Council's approach to transport advocacy on issues not solely within Council's control, in line with the outcomes specified in MITS 2019. The scope of the plan includes public transport and road outcomes, the latter including pedestrian and cyclist improvements.

3. Issues

To date, officers have aimed to design and deliver projects in the same financial year. This has allowed projects to be delivered quickly however has meant cost estimates are less accurate, and projects are delivered in the second half of the financial year. Additionally, delays and cost over runs are more difficult to manage close to the end of the financial year.

The draft capital works program proposes to design each project one year and deliver it the next. Moving the delivery of projects to another financial year has a number of benefits including allowing better understanding of costs, likely resulting in lower costs through tendering at the beginning of the financial year, and better spreading workload for the Engineering Services team throughout the year.

In previous years, capital works construction costs have risen significantly, largely due to the major state government infrastructure agenda which has increased demand for labour and materials. The draft capital works program mitigates the risk of future budget overruns through making allowance for greater cost increases, as well as providing longer timeframes to design and scope projects before funding their implementation. There may be also be an opportunity to offset risks associated with construction cost increases through the growing role the state government is expected to take in delivering active travel (pedestrian and bicycle) infrastructure as part of major projects such as level crossing removals.

The programs were developed with the aim to provide a network of low stress routes across Moreland for users of all abilities. These routes were chosen based on location, existing infrastructure, and environmental barriers.

It is important that the programs are flexible to take advantage of external works and funding, change in priorities, and delays in approvals.

Pedestrian Capital Works Program

The aim of the pedestrian program is that more people in Moreland walk and use public transport.

MIT S 2019 states that Council will provide high quality pedestrian routes and places that are safe, comfortable and accessible for users of all abilities.

Footpaths are on almost all streets in Moreland and are renewed as a part of the asset management program. The pedestrian capital works program has only identified one footpath that needs to be constructed by Council (Stewart Street, Brunswick), with the remainder that have been identified to likely be delivered by developers.

The pedestrian program will continue to implement upgrades to the pedestrian network by installing crossing upgrades, refuge islands, pedestrian operated traffic signals, and threshold treatments. In addition, it is proposed to increase funding for roundabout removals/upgrades and signalised pedestrian crossings from 2021-22, consistent with the March 2019 Council resolution relating to roundabouts and community feedback relating to pedestrian crossings.

This program is in addition to work undertaken by other units within Council that also improves the pedestrian network, such as streetscape upgrades delivered by the Urban Design Unit, and street tree planting by the Open Space Branch, which provides shade to pedestrians.

Shared paths have their place in the network but can create conflict between cyclists and pedestrians particularly where pedestrian and cyclist volumes are higher. As such, most cycling projects south of Bell Street, where these volumes are higher, will look at separating cyclists and pedestrians. This provides a benefit to pedestrians as well as to cyclists.

Bicycle Capital Works Program

The aim of the bicycle program is to get more people cycling and to increase the safety of cycling.

MITs 2019 states Council will continue to improve the safety and accessibility of cycling routes, including through the provision of infrastructure.

Research supporting MITs confirmed that two out of three trips are less than 5 kilometres, however most people (60%) choose to use their car. As 5 kilometres is a realistic distance to ride a bicycle, there is great potential to get more people to cycle in Moreland.

The Victorian Cycling Strategy 2018-28 states that 60% of people are classified as 'interested but concerned' cyclists. These are people who would consider cycling as an option in some instances but are often afraid to do so if required to ride close to vehicles and pedestrians, especially on higher-speed, higher volume roads or where conflicts are more likely. Investment in cycling infrastructure which makes it safer and lower-stress is likely to encourage this significant cohort of people to cycle or, do so for more trips.

On this basis, the bicycle program was based on the principle of creating a network of 'low stress' routes across Moreland. Projects are prioritised based on their ability to link to existing low stress infrastructure to create a network throughout the municipality. This includes creating safer spaces for cyclists by separating from other forms of traffic where possible and providing safer crossing points.

Most off-road cycling infrastructure in Moreland is currently provided through shared paths which are also used by pedestrians. As stated previously, shared paths have their place in the network, but will only be installed in locations where pedestrian and cyclist volumes are expected to be lower.

On-road shimmy routes (well-signed bicycle routes through quiet backstreets) also have their place in the network. They are cheaper to install and can be supported with broader traffic calming measures also being delivered as a part of MITs 2019 such as speed humps, road closures, and the reallocation of road space.

Projects on VicRoads managed roads or on roads with a tram route have not been included in order to focus Council funding on Council managed roads. Council will continue to advocate for the state government to deliver cycling infrastructure on VicRoads managed roads. As most tram routes in Moreland are still to have accessible tram stops installed, it would be premature to design cycling infrastructure on those roads, as this should be delivered by state government integrated with new tram stops, where practicable.

Transport Advocacy Plan

Public transport (trains, trams and buses), while an important aspect of MITs 2019, is the responsibility of state government. In addition, Council requires consent from the State Government to modify speed limits and make improvements such as new crossings, even on roads managed by Council.

Advocacy is a vital part of MITs 2019 however outcomes are far less certain than aspects over which Council has complete control. The intention of the Transport Advocacy Plan is to achieve positive outcomes for the community rather than simply meeting output targets for specific advocacy activities.

The Transport Advocacy Plan aims to achieve this by focusing resources on outcomes that are more likely to be achieved and deliver benefit to the community, by actively partnering with state government agencies and transport operators.

The Transport Advocacy Plan identifies concrete steps for Council to improve its engagement with the state government and transport operator stakeholders, engage in information sharing and other enabling activities and undertake decision making that supports state government investments in Moreland.

MITs 2019 specifies Council's priority outcomes for advocacy to state government, informed by extensive consultation with the Moreland community and other stakeholders across 2017 and 2018. As the Transport Advocacy Plan simply provides further detail on how Council officers will deliver on these agreed outcomes, it is not proposed to undertake further consultation.

Human Rights Consideration

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

4. Consultation

A public drop-in session was held on Wednesday, 4 April 2019 from 4 pm to 7 pm at the Coburg Civic Centre. The drop-in session was held to discuss the bicycle and pedestrian capital works program through facilitated round table discussions with residents and external stakeholders. The session was promoted through invitations sent to key stakeholder groups as well as an advertisement in the *Moreland Leader* newspaper. There was a total of 18 people in attendance including residents, community groups and government organisations.

A second public meeting was held on Wednesday, 1 May 2019 from 6 pm to 8 pm at the Coburg Civic Centre where officers presented on the program and answered questions. There were 9 attendees at the second public meeting.

Council has received 30 submissions during the consultation period, including responses from the following groups:

- Brunswick Residents Network.
- Moreland Bicycle Users Group (BUG).
- Climate Action Moreland.
- Department of Transport (formally VicRoads).
- Royal Automobile Club of Victoria (RACV).
- CERES (Centre for Education and Research in Environmental Strategies).
- Neighbouring Councils (Melbourne, Darebin, Moonee Valley).

Feedback on the program has been mainly positive, with a range of smaller infrastructure projects that could be completed within annual general budget (refer to first line of the program in **Attachment 2**).

The main criticism was that the program was not doing enough to improve sustainable modes of travel throughout Moreland and that Council should increase funding to deliver the program more quickly. The proposed program has been developed based on the continuation of the current funding allocation to bicycle and pedestrian infrastructure. Any increase in funding to expediate the works needs to be carefully considered to ensure that the works are still able to be constructed in time given the need for design development, consultation and approvals and the current competing demands of the construction industry.

There were requests for pedestrian crossings at specific locations. These requests were forward to the Transport Engineering team for review and prioritisation against other potential locations.

Some feedback called for the inclusion of projects on arterial roads managed by the state government or along tram routes, which are not recommended for inclusion in Council's capital works program as detailed previously. However, these routes are included within Council's Transport Advocacy Plan.

A Councillor Briefing occurred on 6 May 2019. At this briefing, recommendations were made to include more bicycle connections in Fawkner including improving connections to the Upfield shared path, Bonwick Street shops, secondary schools and other neighbourhood facilities.

Officers reviewed all feedback received and updated the program. Except for the inclusion of an additional line item to investigate Jukes Road and William Street linkages to improve access to the Bonwick Street shopping centre in Fawkner, no major changes were warranted to the program. This acknowledges that the projects were based on the principle of providing high quality active travel infrastructure throughout Moreland within available resources (recognising constraints such as approvals from external authorities).

Large scale projects will undergo consultation during their design and development to give the community opportunity to comment. The program will be reviewed annually with changes discussed with the Moreland Bicycle User Group (BUG) and the Moreland Transport Advisory Committee (MTAC) meetings.

The projects that are planned to be delivered next financial year will be reviewed publicly through the annual budget process.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The pedestrian program (**Attachment 1**) will utilise funding currently specified in Council's Strategic Resource Plan until 2020-21. From 2021-22 budget consideration will be given to additional funding for roundabout upgrades/removals and signalised crossings for pedestrians. Additional projects (such as the Stewart Street footpath construction) will be the subject of separate one-off budget bids for consideration in future years in addition to the below figures.

| Pedestrian Program Budget | | |
|----------------------------------|-------------|-------------------------------|
| No | Year | Budget (excluding GST) |
| 1 | 2019/2020 | \$320,000 |
| 2 | 2020/2021 | \$320,000 |
| 3 | 2021/2022 | \$466,400 |
| 4 | 2022/2023 | \$634,928 |
| 5 | 2023/2024 | \$484,427 |
| 6 | 2024/2025 | \$656,499 |
| 7 | 2025/2026 | \$503,165 |
| 8 | 2026/2027 | \$678,860 |
| 9 | 2027/2028 | \$522,644 |
| 10 | 2028/2029 | \$702,041 |

Funding levels for 2019-20 to 2021-22 of the cycling program (**Attachment 2**) are stated in Council's Strategic Resource Plan based on the additional funding commitment resolved by Council in November 2017 (DCI58/17).

\$5.00 per resident has historically been the guiding principle in the Moreland for cycling infrastructure spending. The below table shows funding commitments from 2019-20 to 2021-22, with indicative funding in future years based on a spend of at least \$5.00 per resident, accommodated within the five year capital works program.

| Bicycle Program Budget | | |
|------------------------|-----------|------------------------|
| No | Year | Budget (excluding GST) |
| 1 | 2019/2020 | \$1,247,000 |
| 2 | 2020/2021 | \$1,613,000 |
| 3 | 2021/2022 | \$1,620,000 |
| 4 | 2022/2023 | \$1,040,257 |
| 5 | 2023/2024 | \$1,077,267 |
| 6 | 2024/2025 | \$1,111,764 |
| 7 | 2025/2026 | \$1,146,545 |
| 8 | 2026/2027 | \$1,179,815 |
| 9 | 2027/2028 | \$1,213,722 |
| 10 | 2028/2029 | \$1,248,053 |

It is expected that the capital works program can be delivered within the above funding envelope together with some external contributions for projects on state-managed roads, on Strategic Cycling Corridors or those crossing municipal boundaries. Officer level discussion with state agencies and neighbouring municipalities has indicated in-principle support for such contributions. Officers will continue to engage with these organisations prior to commencing relevant projects to agree funding contributions.

Implementation of the Transport Advocacy Plan will occur within existing resources. The proposed Council Budget 2019/20 includes funding for a staff resource to coordinate the implementation of MITS 2019. If funded, this position would support existing staff resources to deliver on the Transport Advocacy Plan.

7. Implementation

The funding for 2019/20 is currently being confirmed through Council's budget process. Once the capital works program is adopted, Council officers will develop the approved works as per the program.

The Transport Advocacy Plan will be implemented on an ongoing basis beginning in the short term and is flexible to respond to emerging challenges and opportunities.

Reporting on the capital works program and advocacy outcomes will be included in the annual MITS report to Council.

Attachment/s

| | | |
|--------------------------|--|------------|
| <u>1</u> | 10 Year Capital Works Program for Pedestrians - 2019/20 to 2028/29 | D19/187480 |
| <u>2</u> | 10 Year Capital Works Program for Cyclists - 2019/20 to 2028/29 | D19/187476 |
| <u>3</u> | Transport Advocacy Plan | D19/109684 |

DCF38/19 MORELAND INTEGRATED TRANSPORT STRATEGY (MITS) - PARKING IMPLEMENTATION APPROACH AND PRINCIPLES - COUNCIL ACTION PLAN ITEM (D19/176204)

Director City Futures

City Change

Executive Summary

Council adopted the Moreland Integrated Transport Strategy (MITS) on 13 March 2019 (DCF12/19) to deliver on the Council Plan priority of achieving a demonstrable shift towards walking, cycling and public transport away from car use.

One of the significant changes adopted as part of MITS 2019 is the expansion of parking restrictions within Neighbourhood Centres and in the vicinity of Activity Centres. This is designed to ensure residents of new developments in Activity Centres carefully consider their car ownership needs and access to an off-street parking space if they own a car, as they will not be eligible for on-street resident parking permits, and existing residents will be prioritised.

It is recognised that this represents a change to the current conditions for some parts of the Moreland community. To enable a smoother and fairer implementation of MITS, a transitional implementation approach is proposed which would temporarily provide greater flexibility to assist the community to adjust to these changes. This approach would address a range of anticipated impacts on both residents and non-residents, as well as providing flexibility to apply discretion in dealing with unanticipated impacts.

Decision making principles and a suite of temporary measures have been developed to ensure the implementation of MITS 2019 is achieved while assisting those experiencing major transition. These principles and measures have been developed based on a human-centred approach.

Officer Recommendation

That Council:

1. Notes that a transitional approach to implementing the expansion of parking restrictions specified in the Moreland Integrated Transport Strategy (MITS) 2019 would assist in adjusting to these significant changes.
2. Endorses the following principles guiding the implementation approach including the exercise of any discretion:
 - a) Ultimately meeting the objectives of MITS 2019.
 - b) Providing time to transition to significant changes in MITS 2019 for full implementation from 2021/22.
 - c) Ensuring consistent and transparent decision making.
 - d) Considering social and economic outcomes.
 - e) Being easy to understand and administer.

3. Endorses the following transitional measures to apply until 31 June 2021, as detailed in Attachment 1 to this report:
- a) Temporarily allowing an additional parking permit to households eligible for resident parking permits.
 - b) Temporarily increasing the limits on business parking permits and allowing all organisations to access permits regardless of off-street parking.
 - c) Temporarily allowing paid parking in time restricted areas through temporary permits.
 - d) Temporarily allowing greater flexibility in application of parking restrictions.
 - e) Temporarily allowing greater flexibility to address unanticipated issues.

1. Policy Context

Council adopted MITS 2019 and the Moreland Parking Implementation Plan 2019 on 13 March 2019 (DCF12/19). This included resolving to introduce parking restrictions to all currently unrestricted parking in and surrounding activity centres. MITS 2019 also seeks to change parking requirements for development in Activity Centres through a planning scheme amendment.

The Council Plan 2017-2021 states that key priorities for Council include to:

- facilitate a demonstrable shift to more sustainable modes of transport that also targets a long-term reduction in car use

and to:

- develop a clear and funded approach to achieve zero carbon emissions by 2040.

2. Background

MITS 2019 was adopted by Council on 13 March 2019 following three phases of consultation with the community and other stakeholders in 2017 and 2018. Key changes to parking in Moreland approved as part of this resolution include:

- Applying parking restrictions (2P 8 am-11 pm Monday-Friday) to currently unrestricted parking across parts of Moreland – generally within the 12 Neighbourhood Centres and within 200 metres of the 3 Activity Centres.
- Seeking to remove minimum parking requirements in Activity Centres and reduce these requirements in Neighbourhood Centres through a planning scheme amendment.
- Expanding concession discounts for residential and visitor parking permits.
- Introducing 2 new parking permit types available to people who are not eligible for residential parking permits (service and user-pays permits).
- Introducing a \$10 daily cap on paid parking.

The first 2 of these changes are key to achieving a demonstrable shift towards sustainable transport modes and slowing the growth of cars in Moreland as the population grows. The following three changes were introduced in response to consultation on the Draft MITS in mid-2018, which identified the need to provide more parking options to reduce social equity impacts.

Expansion of parking restrictions is expected to begin late 2019 and be completed by mid-2020.

3. Issues

Need for a transitional approach

These changes to parking will represent a significant change to the current conditions for parts of the Moreland community. In adopting a human centred approach to enable a smoother and fairer implementation of MITS 2019, it is recommended to adopt a transitional period whereby temporary measures would be available for two years (until 30 June 2021) to enable the community to adapt.

This approach would address a range of anticipated impacts on both residents and non-residents and provide flexibility to address further unanticipated issues while ensuring the implementation of major changes in MITS 2019.

For example, a minority of households within the area to which MITS is applying own three or more vehicles and would not be able to park all their vehicles at or near their home. Currently, these households would need to purchase weekly visitor permits on an ongoing basis (if eligible), or otherwise privately lease a parking space in the area.

Temporarily relaxing the limit on parking permits per eligible household would provide a 'grace period' for these households to adjust to the new parking situation, enabling an easier transition in the shorter term while ensuring the intended outcome of MITS 2019 is ultimately realised in two years' time.

Given the significant changes, it is recognised that some issues and impacts cannot be anticipated at this point in time and may emerge during implementation. It will be prudent to have flexibility to apply discretion to deal with these situations.

Principles for transition

The following principles have informed the recommended transition approach detailed in the following section and are proposed to guide the exercise of any discretion by Council officers during the transition period:

- Ultimately meeting the objectives of MITS 2019.
- Providing time to transition to significant changes in MITS 2019 for full roll-out from 2021/22.
- Ensuring consistent and transparent decision making.
- Considering social and economic outcomes.
- Being easy to understand and administer.

These principles balance the need to implement the major reforms in MITS 2019 while providing greater ability for the community to adjust over a period of time, rather than immediately. As such they do not depart from MITS 2019 as adopted by Council but represent an approach that assists in reaching the agreed outcome.

Transition approach

A number of proposed transitional measures are detailed in **Attachment 1**. All measures are to remain in effect until 30 June 2021 only to enable transition to significant changes to parking restrictions as part of MITS 2019.

These measures include broad changes (such as eligibility for additional parking permits for certain households and organisations) and additional authority to be delegated to officers to allow greater discretion in implementing the MITS parking changes.

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 approach to implementation of parking changes has been informed by the considerable amount of external consultation that was undertaken in 2017 and 2018 during the development of MITS 2019.

In addition, internal consultation was undertaken in 2019 specifically in relation to this approach with the Transport and Amenity and Compliance Units, as well as with the Moreland Executive Group. Discussion with Councillors also occurred at the 13 May 2019 Councillor Briefing.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

No further funding is required to action the resolutions in this report.

The proposals would likely result in resource implications for Council particularly in terms of additional permit applications, however would also result in additional revenue which could be used to supplement existing staff resources.

Consequently, no additional funding is required at this time to implement these transitional measures.

7. Implementation

If approved by Council, the proposals detailed in **Attachment 1** would be implemented with a view to make these transitional measures available as new parking restrictions are installed from late 2019.

It is not intended that the Parking Management Policy be further updated but that additional eligibility for parking permits, application requirements, and so forth be detailed in a supplementary document to be read alongside that policy.

Communications material would be developed to provide information to the community on their options and published on Council's website. Information would also be available through customer service staff who would be briefed on these changes and provided with resources to assist their communication with the community.

Attachment/s

1 [!\[\]\(6059a5aa8b4ca7bb793408023d6c6e42_img.jpg\)](#) MITS Parking Transition - Proposed Temporary Measures D19/182514

DCD11/19 AGED CARE AND DISABILITY REFORMS - COUNCIL ACTION PLAN ITEM (D19/149753)

Director Community Development

Aged and Community Support

Executive Summary

The Commonwealth Government has a clear agenda to create a consistent and affordable national program with a suite of aged services from entry level 'home support', to more comprehensive 'packaged care' through to residential care. The key philosophies and principles that underpin the reforms are:

- A simplified gateway;
- Consumer directed care (CDC);
- Demand driven system;
- Competitive neutrality;
- Market efficiencies.

With the introduction of the National Aged Care Reforms on 1 July 2016, the commonwealth government assumed full responsibility for aged services, community based and residential care.

This is a significant change from the previous model in Victoria, where local government (in partnership with the state) supported older people, people with disabilities and their carers and families to live independently in the community. These reforms have forced all Councils in Victoria to reconsider how they can best meet the needs of their older residents into the future.

Council currently delivers and subsidises a range of Commonwealth Home Support Programme (CHSP) services including: Assessment, Domestic Assistance, Personal Care, Respite, Delivered Meals, Social Support and Property Maintenance, as well as Community Transport, which receives no CHSP grant funding.

In line with the move to a market-based aged care system, Councils will be required to implement full-cost reflective pricing for home support services to comply with the Commonwealth Competitive Neutrality Policy. The move to Consumer Directed Care was initially to be on 1 July 2020, however as part of the federal budget announcement in April 2019, it was announced that CHSP block funding would be extended to 30 June 2022.

Council policies highlight Council's key role in enabling older people to actively participate in their communities and stay connected. It is proposed that due to the ongoing uncertainty of the future model of CHSP, that Council continue to deliver CHSP services while block funding remains and adopt a set of principles related to future CHSP service delivery.

This provides the community and Council workforce with a level of certainty while block funding remains and reduces the risk of making a decision prematurely without knowing the full picture. The proposed approach is consistent with a number of other metropolitan Councils.

The proposal also provides an opportunity for Council to continue to plan to improve the social connectedness of older people in the community and embrace ageing as a valuable life stage through its Living and Ageing Well in Moreland work.

Officer Recommendation

That Council:

1. Endorses the following principles in relation to continued service delivery under the Commonwealth Home Support Program:
 - a) Council continue to deliver CHSP services while it continues to receive block funding.
 - b) Further review of services and application of continuous improvement approaches to optimise the sustainability of the service models.
 - c) Apply for and/or accept additional CHSP funding, such as growth funding, only where the service targets can be met without any additional cost to Council.
2. Continues to deliver Regional Assessment Services (RAS) until the Commonwealth and State Governments determine the future operating and funding model, and then review Council's role.
3. Continue to monitor and review Commonwealth and State Government funding and other policies in relation to aged care service delivery for determination of Council's ongoing role.
4. Continue to monitor and review Home and Community Care for Younger People (HACC-PYP) grant funding changes and service demand to determine Council's ongoing role.

1. Policy Context

This report directly supports the achievement of the current Council Action Plan (CAP 10 and 12). These include the actions:

- CAP 10. Determine future of Council in delivery beyond June 2020 of Commonwealth Home Support Programme (CHSP) and the Regional Assessment Service (RAS) program (subject to timely Commonwealth and State information provision); and
- CAP 12 Determine Council's future re Home and Community Care for Younger People (HACC-PYP) services in line with Aged Care Reforms (subject to timely State information provision).

These both align with Key Priority C3: Determine the best way for Moreland to continue supporting our community throughout, and after Aged Care and (National Disability Insurance Scheme) NDIS reforms.

The 'Living and Ageing Well in Moreland Framework and Action Plan' is linked to Council's role in supporting the community during and after the Aged Care and NDIS reforms. Significant community consultation has been undertaken in shaping the framework and action plan. It establishes the principles to inform a relevant, timely and responsive Council wide Living and Ageing Well in Moreland Action Plan.

The Framework draws from the World Health Organisation active ageing and age friendly policy frameworks. The Living and Ageing Well in Moreland Framework and Action Plan is also being presented to the June 2019 Council meeting for endorsement.

2. Background

Commonwealth Home Support Programme (CHSP):

From 1 July 2016, the Commonwealth Government assumed full funding, policy and operational responsibility for community care services for older people in Victoria as part of the Commonwealth Home Support Programme, replacing the Home and Community Care (HACC) program for older people.

For more than 30 years Victorian local governments (in partnership with the state) have been supporting older people, people with disabilities, their carers and families to live independently in their community.

The Commonwealth Government has implemented a new system of aged care. There is a clear desire for national consistency and consumer driven markets to improve affordability and sustainability. This includes the introduction of the My Aged Care gateway and the progressive introduction of a market driven, Consumer Directed Care (CDC) model across community based, packaged and residential aged care services. This is a significant change to the system of community-based care in Victoria.

Council currently has a signed service agreement with the Commonwealth Government to provide services under the Commonwealth Home Support Programme (CHSP) until 30 June 2019, with a proposed extension to 30 June 2020. As part of the federal budget announcement in April 2019, it was announced that CHSP funding would be extended to 30 June 2022. It is understood by officers that this relates to a continuation of CHSP under current arrangements of block funding.

Council has a service agreement for 2018/19 with the Commonwealth for \$6.35 million and State for \$1.96 million in block funding. Clients receiving a service pay a small fee. Council subsidises the services provided by the Aged and Community Support branch by approx. \$4.6 million per annum. Services delivered include assessment, home care, personal care, respite care, home maintenance, social support, senior citizens, community transport (fully Council funded), meals production and delivery.

The move to a market-based aged care system will require Councils to implement full-cost reflective pricing to comply with the Commonwealth Competitive Neutrality Policy.

Five strategic options were developed for analysis through the Northern Metropolitan Region Aged Care Reform Project:

- Option 1: Remain in service delivery (business as usual);
- Option 2: Council to continue to deliver all current services through either:
 - 2A: an optimised business model; or
 - 2B: sub-contracting.
- Option 3: Establish a new entity to deliver services;
- Option 4: Council exit service delivery through either:
 - 4A: winding down slowly; or
 - 4B: transfer to another provider.
- Option 5: Continue to deliver some services while exiting others.

These options were developed and considered based on the premise of block funding ceasing on 30 June 2020. With the federal budget announcement of the continuation of block funding for CHSP through to 30 June 2022, this allows for Council to undertake a thorough evaluation of options when future funding models are clearer.

Regional Assessment Service (RAS)

Access to all services is now via the My Aged Care gateway and assessment of service eligibility is undertaken by the Regional Assessment Service (RAS). Service types, service levels and service guidelines are determined by the Commonwealth as part of the transition to creating a nationally consistent aged care system.

Council currently has a service agreement for RAS. The Commonwealth has indicated its intention to pursue an integrated assessment model, incorporating existing RAS and Aged Care Assessment Services (ACAS), though currently there is no detail of the proposed model. The current service agreement for RAS is to 30 June 2020, with the understanding that the CHSP funding extension to 30 June 2022 does not apply to RAS funding.

Further consideration on the RAS will be undertaken when the proposed model and parameters for the integrated service are available and will be brought to Council at a future date.

Home and Community Care for Younger People (HACC-PYP):

The Hume Moreland NDIS transition occurred in April 2018 to 23 May 2019, 181 clients have transitioned, or have met NDIS access requirements. Council opted for the gradual reduction in grant payment as individuals transition from Council services to NDIS services. Council has previously agreed that during transition, existing HACC-PYP clients will continue to receive HACC-PYP services while testing their NDIS eligibility. When an NDIS plan has been approved, the client is supported to find an NDIS service provider and exit from HACC-PYP. This process has been working positively to support clients to make a smooth transition in their service delivery provider. Additional support has been provided to individuals who have found this process challenging to ensure they transition successfully.

Correspondence was received at the end of February 2019 from the State Department of Health and Human Services (DHHS), providing an update on the funding adjustments due to NDIS roll out. This shows the projected grant for service delivery as at 1 July 2019. The projected grant funding as at 1 July 2019 (excluding indexation) is \$1.3 million, a reduction of approximately \$633,000.

Royal Commission into Aged Care Quality and Safety

The Royal Commission into Aged Care Quality and Safety is undertaking a review of residential care and care in the home and community. At this time, it is unknown what impact the outcomes of the Royal Commission will have on the sector.

3. Issues

Social implications

People are living longer, and populations are ageing, resulting in increasing numbers of older people and a change in the makeup of our communities and municipalities. Older adults as a population group generally refers to people who are aged 65 years and above. There is a wide variability in health status, function and wellbeing at any age. This group commonly includes active retirees, individuals still in the workplace, as well as frail aged.

The estimated resident population of Moreland in June 2015 was 166,770, with approximately 67,831 households in 2016. Population projections suggest significant growth will occur in Moreland over the coming years. It is predicted that the Moreland population will be 214,320 in 2036 and that there will be 85,919 households in the municipality. This equates to a population increase of 39% between 2011 and 2036.

In 2015, there were 22,237 older adults living in the City of Moreland. This represents 13.7% of the total Moreland population. Moreland has consistently higher proportions of residents in all age groups over 75 years, when compared with the Melbourne and the Australian average (Australian Bureau of Statistics, 2016).

Council currently provides CHSP services to approximately 12% per cent of seniors who reside in Moreland.

The Living and Ageing Well in Moreland Framework and Action Plan has a broad community focus and is well targeted at the emerging and existing cohort of older residents to support their wellbeing. It encourages active ageing by optimising opportunities for health, social connection and security.

Legal considerations

The key principle of the Competitive Neutrality Policy is to ensure that significant business activities of government entities do not enjoy any net competitive advantages simply as a result of their public ownership.

Under the new funding model of Consumer Directed Care, it is almost certain that most CHSP services provided by Council would be 'caught' by National Competition Policy and therefore Council would be prohibited from subsidising services in an active aged care market in the future.

With the CHSP block funding extension announcement to 30 June 2022, this provides Council greater time to undertake continuous improvement activities to further optimise services, without adversely compromising service quality and quantity.

Opportunities exist to improve services to meet the changing needs of our older residents, with consideration for new and contemporary approaches to service delivery. For example, establish other options to support older residents to receive meals, such as social or group-based meals, rather than only delivering individual meals to client's homes, and reinvigorate the Social Support Group program to provide a more diverse range of social support options, that include skill development, short term programs, rather than ongoing programs. This increases the reach and appeal to a broader cohort of older people.

Regional/strategic implications

In response to the aged care reforms, metropolitan Councils are all considering similar issues and making their decisions in relation to how they will continue to support older residents into the future. The approach to continue to deliver services while block funding continues and until future service models are clear is a consistent approach with many other metropolitan Councils.

Human Rights Consideration

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

It is considered that the subject matter does not conflict with any human rights issues but supports the principles in the Charter.

This report supports the continuation of Council provided services, whilst block funding continues, thus supporting the most vulnerable members of the community, where other providers may not be available.

4. Consultation

Council in partnership with Northern Metropolitan Region Councils has undertaken research and analysis to understand the impact of the reforms and Council's capacity to continue to deliver services funded through the Commonwealth Home Support Program. This included three projects undertaken with Ernst and Young (EY) to: identify and research the range of options available to Council in response to the National Aged Care Reforms; provide further analysis to understand the impact of competition policy on Council's capacity to continue as a CHSP provider and; a final research report to measure the depth and breadth of the local service provider market to meet the future needs of older and ageing communities. These reports formed the basis of workshops with Councillors in May 2018.

Through the development of the Living and Ageing Well in Moreland framework and action plan, there has been extensive consultation with community, officers, and analysis of previous consultation initiatives undertaken in 2017 and 2018. This included the formation of an Older Persons Reference Group.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The Aged and Community Support branch receives revenue from Commonwealth and State government funding grants, client fees and charges, and Council contribution. The table below shows the overall budget for the branch for the last four years and the associated cost to Council. This includes all areas of service delivery: assessment, home care, personal care, respite care, home maintenance, social support, senior citizens, community transport (fully Council funded), meals production and delivery.

The 2018/19 data includes information to end April 2019.

| Account Type | 2015/16 June YTD Actuals | 2016/17 June YTD Actuals | 2017/18 June YTD Actuals | 2018/19 April YTD Actuals |
|---|--------------------------------|--------------------------------|--------------------------------|---------------------------------|
| Grand Total | 5,035,605 | 4,964,645 | 5,145,276 | 2,179,824 |
| <i>Aged and Community Support</i> | | | | |
| 5000 - Revenue | (9,559,833) | (9,929,506) | (10,072,584) | (9,408,010) |
| 6000 - Expenditure | 14,595,438 | 14,894,150 | 15,217,859 | 11,587,833 |
| Total Aged and Community Support | 5,035,605 | 4,964,645 | 5,145,276 | 2,179,824 |

Recent CHSP growth funding was offered and accepted in domestic assistance in the order of \$284,000. As service levels are currently exceeding target in Social Support Individual (SSI), the flexibility provision has been applied, and therefore this grant will be allocated to SSI and in effect reduce the overall Council contribution to service delivery.

Continuous provision of CHSP and Home and Community Care Program for Younger People (HACC-PYP) through to June 2020, or potentially June 2022, while Council continue to receive block funding will have no impact on budget. This is business as usual and has been budgeted for.

From a staffing perspective, key considerations are ensuring staff have some level of certainty regarding employment contracts. All staff in Aged and Community Support branch, who were on limited tenure contract through to 30 June 2019, due to funding uncertainty have had their current employment or variation contract extended to 30 June 2020. When further clarification is gained from the Commonwealth in relation to the funding extension to 30 June 2022, the staffing situation will again be reviewed.

7. Implementation

Council's Aged and Community Support Branch will continue to lead the ongoing work in relation to the aged care and disability reforms.

Attachment/s

There are no attachments for this report.

DCF39/19 BETTER PLANNING AND DEVELOPMENT OUTCOMES THROUGH ADDITIONAL URBAN DESIGN RESOURCES - COUNCIL ACTION PLAN ITEM (D19/168549)

Director City Futures

City Strategy and Design

Executive Summary

The Council Plan 2017-21 sets out Council's commitment to enhancing liveability, affordability and sustainability by guiding growth and excellence in urban design and development.

Council Action Plan (CAP) item 22 relates specifically to achieving better planning and development outcomes. Action No.1 in this CAP item is to:

- Engage a 12-month Urban Design Officer to provide advice on an increased proportion of development applications and upskill developers and other Council staff.

This Report sets out what has been achieved through the implementation of the new Urban Design Officer role and expansion of Council's internal urban design service. The role has successfully provided design advice across both medium density and higher density development, contributed to the development of Council's new Good Design Advice Sheets, Online Tree Selection Tool and trial Design Excellence Scorecard, along with working extensively with the development industry and Council's Urban Planning Unit to achieve better planning and development outcomes.

The role is recognised as having made a positive contribution to development outcomes in its initial 12 months, with the additional urban design expertise and capacity able to influence a wider scope of applications, particularly a larger proportion of medium density applications right across Moreland, which were not previously the subject of professional urban design review.

Officer Recommendation

That Council notes the positive contribution to planning and development outcomes achieved through the implementation of the additional Urban Design Officer in the Urban Design Unit and that this position will continue to contribute to better outcomes over the next 4 years.

1. Policy Context

The Council Plan 2017-2021 (Council Plan) recognises that as a thriving, city fringe municipality, Moreland is undergoing a period of change, fuelled by a baby boom and a growing number of people choosing to make Moreland their home. A key challenge is growing the City's capacity to provide suitable housing and facilities for residents, while retaining and enhancing our streetscapes and public spaces. In response, under strategic objective 2 Progressive City, the Council Plan contains key priority 1 - to enhance liveability, affordability and sustainability by guiding growth, and excellence in urban design and development. The relevant deliverables are:

- P1(b) Better planning and development outcomes (supported by all deliverables outlined in the Progressive City Priority); and
- P1(f) Design excellence process improvement.

Council Action Plan (CAP) item no. 22 is the specific Council Action Plan item that sets out to achieve better planning and development outcomes. Action No.1 in this CAP item is to:

- Engage a 12-month Urban Design Officer to provide advice on an increased proportion of development applications and upskill developers and other Council staff.

Action No. 1 for CAP item 22 contains the measure to:

- Report to Council on the implementation of new urban design officer by June 2019.

Council also resolved in accordance with this CAP item in decision DED25/18 – Better Planning and Development Outcomes (May 2018) to undertake a 12-month trial of an additional urban design resource.

2. Background

Council resolved at the May 2018 Council meeting (DED25/18) that Council:

- proceeds with a 12-month trial of an additional urban design officer to provide design advice in relation to medium density development applications and pre-application meetings, subject to its inclusion in the adopted 2018/2019 Budget.

Prior to this resolution, Council's Urban Design Unit was only referred major development applications for their design expertise. It was recognised in making the decision to trial the additional urban design officer, significant design expertise could be called upon to inform medium density applications in addition to major applications.

The position was filled in early September 2018, and sits within the Urban Design Unit, part of the City Strategy and Design Branch.

Implementation of an additional urban design officer forms part of a wider suite of initiatives by Council aimed at enhancing outcomes for medium density housing. These initiatives include; the trial Design Excellence Scorecard, Improved Outcomes for Two Dwellings on a Lot – Review of Dual Occupancy Development (to be considered by Council this month), the Good Design Advice Sheets, appointment of additional planning enforcement officers to monitor permit compliance and reviewing the planning scheme to increase tree canopy planting requirements.

3. Issues

Achievements of the additional Urban Design Resource

The following initiatives to improve planning and development outcomes have been achieved through the investment in additional resources in the Urban Design Unit.

Design advice

The additional resource has allowed for an increase to the design advice provided to both the development industry and Council's Urban Planning Unit to improve medium density applications right across Moreland, as well as other applications. This advice is provided at pre-application meetings and during the application process. Advice is also provided to Urban Planning officers during weekly sessions to ensure good design is at the forefront of decision making across all development types.

Provision of timely urban design input ensures the greatest chance of the design changes being incorporated into proposals. The number of design advice referrals (referrals) the Urban Design Unit has been able to consider, and the timeliness of the referral responses has increased since provision of the additional resource. This has resulted in a greater number of proposals being able to be positively influenced.

Table 1 below compares the 2018 and 2019 first quarter overall number of responses prepared by the Urban Design Unit, and the average time. Despite the increased number of referrals, referrals have been provided more quickly, resulting in a greater chance of advice being adopted. These improvements are a direct result of the additional resource.

Table 1: Comparison of first quarter referrals and time taken, 2018 and 2019

| | 2018 (before additional resource) | | 2019 (with additional resource) | |
|-----------------|--|---------------------------|--|---------------------------|
| Month | Number of Referrals | Average time taken (days) | Number of Referrals | Average time taken (days) |
| January | 1 | 15 | 15 | 3 |
| February | 1 | 42 | 10 | 14 |
| March | 5 | 47 | 14 | 14 |

It is noted that with the Good Design Advice Sheets, Scorecard and Tree Selection Tool now substantially complete, the capacity to dedicate urban design resources to even more medium density proposals will only increase over the coming years.

The Moreland Good Design Advice Sheets

The draft Good Design Advice Sheets were created following extensive industry engagement. Council has developed the draft Good Design Advice Sheets to demonstrate how medium density development in Moreland can be better designed. These sheets can assist in discussions with permit applicants before a planning application is submitted and throughout the permit assessment process.

The sheets cover the following topics:

- Site layout.
- Exterior appearance.
- Communal access areas.
- Amenity.
- Internal layout.

The sheets are currently in their last stage of internal review, after which the final revision will be released online and circulated. The Advice Sheets provide extensive advice to planning permit applicants, land owners, developers and Councils planning officers in relation to how to improve design outcomes in medium density development utilising sketches and written content to direct how to improve outcomes. Over time the use of the Sheets will reduce the direct input from the Urban Design Unit in design discussions, further freeing up the Urban Design resource to positively influence a wider range of applications.

Before the preparation of the Advice Sheets and implementation of the additional Urban Design officer, medium density applications were not reviewed by the Urban Design Unit. The only other tools available to planning officers to guide urban design outcomes are local policies in the planning scheme (Neighbourhood character, car parking and vehicle access and heritage) as well as objectives and standards of ResCode relating to neighbourhood character, site layout and detailed design. *The Planning and Environment Act 1987* sets out that the planning scheme policies and provisions deliver acceptable outcomes. Moreland's work in improving the quality of development, and in particular additional resourcing of urban design expertise is providing additional support to planning officers in negotiating better than acceptable outcomes, without the need for lengthy planning scheme amendments.

Online tree selection tool

Moreland's online tree selection tool was developed in 2019. The tool aids in increasing Moreland's tree canopy coverage by assisting in selecting the right species for the right space. Each tree in the 'tree finder' tool can be filtered by the user selecting many different performative or aesthetic requirements; whether it should provide shade screening properties, its general shape and size, whether it is a native, indigenous or exotic species, the amount of space required to plant it and so on, as well as descriptive photos.

The Trial Design Excellence Scorecard

The Trial Design Excellence Scorecard was developed in collaboration with the Medium Density Urban Design Officer, to ensure the Scorecard not only achieves improved outcomes for apartment type development, but also units and townhouses. A report on the achievements on this trial will be presented to Council in early 2020.

4. Consultation

Advice has been sought from Council's Urban Planning, Strategic Planning and Urban Design Units to evaluate the success of the 12-month trial of this role.

Feedback received is overwhelmingly positive, with many units of Council benefiting from the introduction of this additional resource in the Urban Design Unit.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The additional Urban Design Officer role has been budgeted until 2023 in the Urban Design Unit budget. This will ensure this additional resource can continue to provide additional design advice, and work proactively on new initiatives to improve the quality of design and planning outcomes.

7. Implementation

The additional Urban Design Officer role has been budgeted for an additional 4 years and will continue to contribute toward design excellence in Moreland.

Attachment/s

There are no attachments for this report.

DCD12/19 DRAFT SPORT AND ACTIVE RECREATION STRATEGIC FRAMEWORK - COUNCIL ACTION PLAN ITEM (D19/194312)

Director Community Development

Community Wellbeing

Executive Summary

Council's Sport and Physical Activity Strategy 2014-2018 has provided a policy to guide the planning, prioritisation, development and funding of a range of recreational facilities and services. The majority of actions within this strategy have been completed with the policy coming to its end in 2018. Community needs continue to change and evolve over time and anticipated significant population growth following changes to the Melbourne metropolitan urban growth boundaries, have placed increased pressure on Council's sport facilities and services.

The purpose of the development of the Draft Sport and Active Recreation Strategic Framework (Attachment 1), is to provide Council with a strategic document to guide the planning, provision, promotion and advocacy of sport and physical activity opportunities, for the next ten years and beyond.

The scope includes services and activities provided at Council owned or managed recreation and sporting facilities. The focus of the draft framework will be to enhance the range and effectiveness of sporting facilities, infrastructure and services for community sport and recreation groups, schools and residents within Moreland.

The draft framework sets the foundation and key priorities across the following three key areas for Council and partners to provide a range of sport and recreational participation opportunities:

- Participation in sport and physical activity.
- Sporting facilities and environments.
- Policy, planning and delivery of sport and physical activity outcomes.

The study undertaken provides an evidence-based analysis to respond to the needs of our community stakeholders and establishes a supporting framework and principles to inform Council decision making, guide partnerships and prioritise the allocation of Council resources towards the greatest need.

The outcome of the draft framework implementation will be a more physically active, healthy, connected and happy community where everyone has opportunities to pursue their sport and recreational interests.

The draft framework has been developed with input from community, clubs and other stakeholders. It is proposed that Council endorse the Draft Sport and Active Recreation Strategic Framework for consultation prior to being presented to Council in November 2019 for final consideration.

Officer Recommendation

That Council:

1. Endorses the Draft Sport and Active Recreation Strategic Framework for community and stakeholder consultation.
2. Notes that following community consultation, a final Sport and Active Recreation Strategic Framework will be presented to Council for consideration.

1. Policy Context

The Draft Sport and Active Recreation Strategic Framework supports the “Connected Communities” and “Responsible Council” objectives of the 2017-2021 Council Plan:

- Set a clear vision and strategy for aquatics, leisure and sporting facilities to meet ongoing community needs; and
- Maintain and match our infrastructure to community needs and population growth.

Specifically, the development of the Draft Sport and Active Recreation Strategic Framework is listed as an action in the Council Action Plan:

CAP 9 Deliverable: C2e) Recreation planning - Develop a strategic approach to sporting infrastructure and precinct requirements across the municipality to better plan for and align infrastructure to ongoing community needs.

The Sport and Active Recreation Strategic Framework will not only place an emphasis on policies, strategies and plans currently adopted by Council, it will also consider the strategic plans of neighbouring municipalities and the strategic plans of state and federal government, and state sporting associations. The Sport and Active Recreation Strategic Framework will be used as a key reference document for the development of future Council's Plans and Health and Wellbeing Plan.

2. Background

The Draft Sport and Active Recreation Strategic Framework will provide information to Council on key sport and recreation related issues and findings identified from desktop research, stakeholder consultation and facility auditing of existing sports facilities.

The Draft Sport and Active Recreation Strategic Framework has been informed with input from community stakeholders including community sporting and recreation organisations, education providers, state sporting and local associations and Victorian government departments and agencies. The draft framework is also being informed by other Council planning processes such as the review of Council's current policies, strategies and landscape/masterplans.

The report is being developed to highlight short (1-5 years), medium (6–10 years) and longer-term priorities (11 years and beyond), for identified sports and recreation activities and to seek feedback from Council, the local community and sporting stakeholders on how best to implement priorities.

The Draft Sport and Active Recreation Strategic Framework provides three key strategic directions and detailed actions currently relating to the following:

Participation in sport and physical activity

- Current and future sport and physical activity needs (both formal and informal) in the community;
- Barriers to participation and recommendations to overcome these barriers;
- Advice on the most effective role and strategies for Moreland Council to increase active participation; and
- Strategies to get people to be more active at all stages of life.

Sporting facilities and environments

- Current and future capacity of facilities and pavilions to meet current and projected needs of sports clubs, casual users and the community;
- Unmet needs and infrastructure requirements;
- Strategic directions for maintaining and enhancing the range and quality of facilities and environments that facilitate participation in sport and physical activity;
- A priority of works according to current and futures needs and usage;
- Strategies to maximise the use of facilities and environments, including shared use, improvements and/or consolidation of facilities;
- Standards for Council to work to when developing or redeveloping sporting facilities and infrastructure supporting physical activity, reflecting the standard expected by the respective sporting associations where applicable and ensuring flexible options for future use; and
- Assessments, confirming proprieties and estimates for the financial resources that will be required to fund infrastructure upgrades (including pavilions/facilities).

Policy, planning and delivery of sport and physical activity outcomes

- Development of policy and planning to improve physical activity outcomes and to maintain our level of understanding of community needs;
- Strategies to ensure the work being undertaken within Council to increase active participation is effective; and
- Partnerships with community stakeholders (public and private) and government agencies, particularly where operators may be better placed to deliver physical activity outcomes.

3. Issues

The Draft Sport and Active Recreation Strategic Framework, responds to the increase in population (the Moreland City Council population forecast for 2019 is 191,022 and is forecast to grow to 228,425 by 2036), broader social challenges of increasingly sedentary lifestyles, increased leisure time spent in front of electronic screens and reduction in time being physically active. The role of sport and physical activity participation has potential to significantly contribute to health prevention, social cohesion, community development and improved quality of life outcomes.

Current Identified Priority Areas for the Sport and Active Recreation Strategic Framework

The Draft Sport and Active Recreation Strategic Framework currently highlights the following priority areas:

- Our growing and changing community participation preferences are different from 5 years ago. Increasing demands on people's leisure times is having a significant impact on residents' ability to meet the minimum physical activity target for adults of at least 30 minutes of moderate-intense physical activity daily to lead a healthy life. Programs to offer a greater range of opportunities at more flexible times are proposed. Examples include the promotion of casual and unstructured participation in sport and physical activity, increased participation in sport and physical activity by children and youth, females and new arrivals and provision of greater information across different mediums that will further support individual choices.

- There is a clear role for sport and physical activity in contributing to the community's improved health and wellbeing outcomes. Increasing levels of physical activity is a high priority across Moreland which has been recognised within The Moreland Municipal Health and Wellbeing Plan 2017-2021. Implemented by Council in partnership with community health providers and other organisations, the plan aims to improve community health and wellbeing through a range of initiatives across different settings. Physical activity is one of the priority areas.
- Developing policies and strategies to maximise and share the use of limited recreation infrastructure both for informal and structured use is a major focus of the draft strategy. This includes investigating more effective ways to configure playing field infrastructure at existing reserves, what surface types to use including synthetic surfaces, better use of lighting infrastructure to increase the available hours for competition sport and training and the upgrade and redevelopment of pavilion infrastructure that facilitates greater and more diversified use. Examples of strategic work and policy development over the next five years include; development of a prioritised sport field/synthetic refurbishment/construction strategy, prioritised sportsfield lighting strategy and sport facility management plans to maximise and share the use of recreation infrastructure.
- The draft framework seeks to respond to the growing community's changing participation interests and needs. The strategy identifies a range of planning opportunities to respond to new interests. Examples include providing for lower participation sports such as baseball and lacrosse, investigating community interest in sports such as skate-boarding, gymnastics, and reviewing the demand for additional indoor sport facilities for sports such as basketball, indoor soccer and netball. Moreland is also undersupplied with playing fields for Australian Rules Football and Football (Soccer) and outdoor Basketball. Further investigations, undertaken in partnership with the community and a range of stakeholders, will guide the allocation of available resources, including Public Open Space Contributions, to respond to the greatest needs.
- The draft framework advocates for stronger partnerships with a range of stakeholders, sport and recreation providers, schools, community groups and organisations to respond to our changing community and its needs. Moreland's ageing community and high proportion of children and young people, growing population and increasing cultural and linguistic diversity requires additional resources to contribute to both developing our community through sport and developing physical activity in our community. Community grants and external health grants have been proposed to support the start-up of new sporting and recreational programs/activities in partnership sporting clubs and community stakeholders. These grants could be used to implement new program initiatives to increase junior and female participation, programs for young people, newly arrived communities and Moreland's ageing population.
- There is demand for fit-for-purpose facilities that are delivered or upgraded to contemporary standards and respond to diverse community needs. Examples include the development of the City Oval facility redevelopment, Glencairn Tennis Club pavilion redevelopment, Hosken Reserve synthetic soccer construction, synthetic tennis court resurfacing, provision of female and family-friendly inclusive changeroom facilities, ongoing upgrade of sports fields, playgrounds, prioritised renewal and upgrade of ageing infrastructure, installation of exercise stations and play spaces.

The draft framework makes a significant commitment to improving the quality of lives for Moreland residents through access to a range of sport and physical participation opportunities and planning and development of a range of sport and recreational facilities, many in partnership with other providers. The provision of quality sport and physical activity opportunities and fit-for-purpose facilities contributes to the liveability of a local area, the health and wellbeing of its community and quality of life.

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 Draft Sport and Active Recreation Strategic Framework has been prepared with input from the community stakeholders including community sporting and recreation organisations, education providers, state and local sporting associations, and Victorian Government departments and agencies. The engagement process concluded on 30 April 2019 and included the following activities:

- Moreland sports club, and Moreland school surveys;
- Moreland sports club meetings and telephone interviews;
- State sporting and local association surveys, meetings and telephone interviews;
- Victorian government departments and agencies meetings and telephone interviews.

Council branches have also been consulted and have provided valuable input and guidance to the preparation of the draft framework which have included:

- Open Space and Cleansing
- Capital Works Delivery
- City Development
- City Change
- City Strategy and Design
- Early Years and Youth
- Community Wellbeing and Places and Major Partnership Projects.

The draft framework has also been informed by Council planning processes such as the review of Council's current policies, strategies and masterplans.

Once the Draft Sport and Active Recreation Strategic Framework has been adopted by Council at its meeting in June 2019, it is proposed that the draft framework be placed on public exhibition for a 6-week period during July to August 2019. Input will be actively encouraged and will include targeted invitations to those groups and organisations who have contributed to the development of the draft Framework. The Community Engagement and Partnerships team will assist with this process. Feedback and comments will assist to update and finalise the Framework prior to Council consideration.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The Draft Sport and Active Recreation Strategic Framework will direct Council's priorities and determine the funding required for the development and/or delivery of sport and recreational facilities, services and programs, and inform the external contributions sought. The report is being developed to highlight short (1-5 years), medium (6–10 years) and longer-term priorities (11 years and beyond).

The total value of proposed actions that are detailed in the Draft Sport and Active Recreation Strategic Framework cost plan is in the order of \$51,870,000 (**Attachment 2**), noting a number of the projects identified require further detailed investigation and planning to understand the full cost of implementation. These projects will be subject to normal Council budgeting processes and the securing of external funding.

To implement the framework, many actions have already been identified in Council's current draft and indicative five-year capital works program (2019-2024) and base budgets. These actions will be considered as Council's short-term deliverables (1 to 5 years). Council has already prioritised \$35,762,350 within Council's current draft indicative 5-Year Capital Works Program (2019-2024) towards projects detailed in the action plan and has currently secured \$4,725,000 in external contributions towards these projects e.g. Sport and Recreation Victoria.

Examples of capital projects listed within the draft program include:

- City Oval pavilion redevelopment
- Glencairn Tennis Clubhouse replacement
- Charles Mutton Reserve pavilion refurbishment
- Hosken Reserve synthetic pitch construction
- Clifton Park Soccer synthetic field replacement
- Fleming Park Masterplan implementation
- Various sport field lighting and lighting in public open spaces projects.

All actions that are recommended and prioritised as medium (6 – 10 years) estimated at \$10,190,000 and, longer-term priorities (11 years and beyond) estimated at \$7,440,000 shall be referred to the Capital Works Program and its priority will be assessed along with all other projects towards the forward 5-Year Capital Works Program. Some of these actions will be subject to further detailed investigation and direction before Council can consider a financial contribution.

Attracting investment from external sources must form part of Council's future advocacy of the Draft Sport and Active Recreation Strategic Framework. Attracting investment also plays a significant role in reducing Council's overall cost of asset renewal and capital development. A funding and investment strategy for the implementation of priorities will be an important element in the delivery of this framework. Engaging with other state, federal and local government partners, local, state and national sporting bodies, clubs, venue operators, schools and developers will form part of the process for implementing recommendations.

Many of the projects outlined in this framework offer opportunities to develop partnerships with stakeholders that may contribute funding, including state and federal governments, peak sporting bodies and developers to deliver some actions. Many actions may also be delivered by partners including community health providers and sports clubs reducing the financial burden on Council.

7. Implementation

- Distribute the Draft Sport and Active Recreation Strategic Framework for community and stakeholder consultation for a 6-week period during July to August 2019.
- Council Report – Final Sport and Active Recreation Strategic Framework - November 2019.

Attachment/s

| | | |
|--------------------------|---|------------|
| <u>1</u> | Draft Moreland Sport and Active Recreation Strategic Framework | D19/198163 |
| <u>2</u> | Moreland Sports Active Recreation Strategic Framework Cost Plan | D19/198193 |

DCF40/19 BETTER OUTCOMES FOR TWO DWELLINGS ON A LOT - A REVIEW OF DUAL OCCUPANCY DEVELOPMENT IN MORELAND - COUNCIL ACTION PLAN ITEM (D19/161053)

Director City Futures

City Strategy and Design

Executive Summary

The Moreland Medium Density Housing Review (October 2018) made 9 recommendations about how to improve the quality of medium density housing in Moreland. One of the recommendations was to investigate the potential to incentivise better quality 2 dwelling on a lot development through a more straight forward planning permit process. Moreland's *Better Outcomes for Two Dwellings on a Lot (a review of dual occupancy development in Moreland)* at Attachment 1 has found that a more straight forward process for fully compliant, enhanced quality dual occupancy development, could incentivise improved quality outcomes for the Moreland community.

Moreland determines an average of 400 medium density planning permit applications each year. A very large proportion (40%) of medium density applications are for 2 dwellings on a lot (also known as dual occupancies). This highlights the opportunity to explore how Council might incentivise improved quality dual occupancy development that exceeds planning scheme requirements.

This report recommends that the Moreland Planning Scheme be amended so that planning scheme compliant, enhanced quality, 2 dwelling on a lot applications be considered within a more straight forward assessment process. This action will guarantee the provision of quality dual occupancy housing which exceeds the acceptable standards set in the planning scheme, to benefit both those who live in this housing, and the broader Moreland community.

Officer Recommendation

That Council:

1. Adopts the Review Report *Better Outcomes for Two Dwellings on a Lot* (a review of dual occupancy development in Moreland), at Attachment 1 to this report.
2. Requests authorisation from the Minister for Planning in accordance with section 8A of the *Planning and Environment Act 1987* to prepare and exhibit an amendment to the Moreland Planning Scheme to implement the findings of the *Better outcomes for Two Dwellings on A Lot (a review of dual occupancy development in Moreland)* as set out in Attachment 1 - Draft Planning Scheme Provisions in the review report at Attachment 1.
3. Upon receipt of the Minister's authorisation, prepares and exhibits the amendment to the Moreland Planning Scheme, to implement *Better Outcomes for Two Dwellings on a Lot (a review of dual occupancy development in Moreland)* recommendations.
4. Delegates to the Director City Futures authority to make changes to the *Better Outcomes for Two Dwellings on a Lot (a review of dual occupancy development in Moreland)* Planning Scheme Amendment based on:
 - a) Council's resolution for this report.
 - b) Any conditions imposed in any authorisation granted by the Minister for Planning.
 - c) Any changes to the relevant documents to correct errors and grammatical changes.
5. Receives a further report when the exhibition period closes, to consider any submissions received.

1. Policy Context

One of the key priorities in the *Council Plan 2017-21* is to enhance liveability, affordability and sustainability by guiding growth, and excellence in urban design and development.

Council Action Plan Item 35 delivered the Medium Density Housing Review, adopted by Council in October 2018. The Medium Density Housing Review considered the quality of townhouse and unit development within Moreland and made recommendations on how it can be improved.

Better Outcomes for Two Dwellings on a Lot (a review of dual occupancy development in Moreland) at **Attachment 1** is a further outcome of CAP item 35 and implements the Medium Density Housing Review finding in relation to 2 dwelling on a lot applications.

2. Background

Council resolved as part of their adoption of the Medium Density Housing Review (DED63/18) to:

- undertake actions outlined in the review to improve medium density housing, including:
 - Undertaking further work to investigate ways to incentivise applicants to design fully compliant and improved quality lower density development in 2018/2019.

Better Outcomes for Two Dwellings on a Lot (a review of dual occupancy development in Moreland) at **Attachment 1** responds to this resolution.

3. Issues

The importance of medium density housing in Moreland

Dual occupancy development has and will continue to provide housing to a significant and increasing proportion of Moreland's growing number of households.

When faced with real world trade-offs between housing type and size, price and location, a significant number of Moreland households are choosing units and townhouses. In 20 years, time there will be more Moreland households living alone than as families with children. This increases the demand for smaller dwellings.

Medium density units and townhouses are home to 35% of Moreland's population. Medium density housing provides an alternative to separate dwellings and contributes to the range of housing options to suit different budgets and lifestyle needs.

Dual occupancy development in Moreland

Subject to meeting detailed design requirements, dual occupancy housing is permitted in all residential zones across Victoria. Dual occupancy development occurs in all suburbs of Moreland, influenced by lot sizes, availability of developable lots and land economics. Eighty percent of dual occupancy development occurs in the northern wards of Moreland, where lot sizes are generally larger, they are more unconstrained and land prices are comparatively more affordable.

When discussing dual occupancies, people may think of an older dwelling being demolished and 2 new dwellings being built, 1 dwelling behind the other, with a long driveway running the length of the property, on a mid-block site. This form of development is becoming less common and represents less than 15% of recent 2 dwelling on a lot development in Moreland.

At the same time, side-by-side dual occupancy development is becoming increasingly popular. Half of all recently approved 2 dwelling on a lot development in Moreland is the side-by-side type. With this typology both dwellings front the street and have their own sense of address, reminiscent of older terrace and semi-detached housing common in parts of Moreland.

The next most common type, representing almost a third of 2 dwelling on a lot development approved in 2018, is an existing dwelling being retained and 1 new dwelling constructed behind or beside the existing dwelling.

Utilising the Planning Scheme to improve the quality of dual occupancy development

Better Outcomes for Two Dwellings on a Lot (a review of dual occupancy development in Moreland) at **Attachment 1** recommends that the Moreland Planning Scheme be amended so that planning scheme compliant, enhanced quality, 2 dwelling on a lot applications be processed within the VicSmart stream. The key features of VicSmart stream include a 10-day permit process, the application is exempt from notice and third party review of Council's decision at the Victorian Civil and Administrative Tribunal (VCAT), and a delegate of the Chief Executive Officer decides the application.

This recommendation does not relate to all medium density applications, or even all applications for 2 dwellings on a lot. It relates only those 2 dwelling on a lot proposals that are fully compliant with the amenity impact and car parking numerical standards of the planning scheme and which meet specified criteria. These criteria are set out in **Attachment 1**.

There is a resource benefit through reduced need to negotiate proposals into planning scheme compliance and in respect to community consultation and VCAT hearings, as applications would be required to meet and improve upon the planning scheme requirements at lodgement. This would enable resources to be redirected towards improved quality planning outcomes for the Moreland community on more complex planning proposals.

Proposed criteria to be met to qualify for the streamlined process

The case studies indicate that dual occupancy development which complies with all numerical standards of the planning scheme achieves high quality outcomes for both those who live in this housing, and the broader Moreland community.

To qualify to be processed within the streamlined process, all requirements specified below must be complied with. Case study analysis shows that by requiring development to adhere to all standards, it will be of high quality. If any of the requirements are sought to be varied, the application will be processed within the standard planning application process with public notice and VCAT review rights applicable.

Maximum building height

The maximum building height requirements of the zone must be met. Within the Neighbourhood Residential Zone, the building height must not exceed 9 metres; and must contain no more than 2 storeys at any point. Within the General Residential Zone, the building height must not exceed 11 metres; and must contain no more than 3 storeys at any point.

Minimum garden area

The standard mandatory minimum garden area requirement of the zone must be met.

Landscaping

The landscaping requirements within the Neighbourhood and General Residential Zones must be met. These requirements relate to canopy tree planting.

Site layout and building massing

All numerical standards relating to street setback, site coverage, permeability and width of accessways and car spaces must be met.

Amenity impacts

All numerical standards relating to side and rear setbacks, walls on boundaries, daylight to existing windows, solar access to existing north-facing habitable room windows, overshadowing of open space and overlooking must be met. These requirements ensure that the impacts of development on adjoining land owners are not unreasonable.

On-site amenity and facilities

All numerical standards relating to internal views, daylight to new windows, private open space, solar access to open space, storage and front fences must be met. These requirements ensure that high quality living environments are created for those who will live in the dwellings.

Car parking

Numerical standards relating to the number of car parking spaces must be met. In addition, requirements have been included to reduce the dominance of crossovers and car parking from the street. These requirements are consistent with case study analysis of Council and VCAT decisions and are particularly applicable to side by side dual occupancies. These requirements ensure the retention of street trees, adequate space for front garden landscaping and retention of on street car parking spaces.

Livable (accessible) housing

All new dwellings must achieve Silver Level of performance under the Livable Housing Australia, Livable Housing Design Guidelines. This requirement is consistent with objectives to increase the supply of housing that is visitable and adaptable to sectors of the community with altered mobility. The specification of Silver standard performance gives greater clarity of accessibility requirements to deliver outcomes that improve upon those currently being delivered by the planning scheme provisions.

Environmental sustainability

All new dwellings must achieve a minimum BESS score of 50%, including achieving the mandatory minimum score paths for water, energy, storm water and indoor environmental quality. This requirement has been developed in consultation with Council's Environmentally Sustainable Design Unit to ensure that the outcomes will be of high quality and that the requirements of the Environmentally Sustainable Development local policy will be met in every application.

Objections to dual occupancy development

To ensure that introducing the VicSmart 10-day process (which does not allow for advertising of permit applications to adjoining neighbours) would not result in an inappropriate loss of third party input into planning permit decisions, an extensive analysis of objections to dual occupancy development was undertaken. This analysis is outlined in detail in the review report at **Attachment 1**.

The analysis demonstrates that all dual occupancy proposals are subject to the same rigorous assessment against the requirements of the Moreland Planning Scheme. The same minor variations are able to be justified through planning assessments, or changes made by way of permit conditions, whether or not objections are received.

Nearly two-thirds (71%) of applications for 2 dwelling on a lot proposals received no or one objection.

Most commonly, objections related to amenity impact on an immediately adjoining property; overlooking, overshadowing and the like. Concerns were raised about car parking in one in 10 (10%) of applications. Many objections raised issues which were not specific to the particular application or raised non-planning issues.

One in 2 (54%) of dual occupancy applications attract objections, but only one in 10 (9%) of dual occupancy applications is changed as a result of giving notice. In all instances where an objector appealed to VCAT against Council's support of a dual occupancy application, VCAT supported Council's decision and directed that a permit issue. This is a very low return on the investment of time and emotional energy put into objections and VCAT appeals by neighbours.

Objectors appeal dual occupancy decisions in only a very small number of instances. In all cases VCAT is concluding that Council's assessment of dual occupancy applications against the requirements of the planning scheme is robust and reasonable. In these cases, third party rights of review are adding to the time taken to obtain a decision but not altering the outcome in any meaningful way.

By requiring full compliance with requirements upon qualification for this new application stream, Council can ensure these outcomes for the community without the time, expense and community angst associated with seeking improved compliance via objections to Council or expensive VCAT reviews.

Housing growth implications

The proposed streamlining of fully compliant two dwelling on a lot proposals will not have any unreasonable impacts on housing supply or dwelling typology. This is discussed in detail within Better outcomes for two dwellings on a lot (a review of dual occupancy development in Moreland) at **Attachment 1**.

Moreland's residential areas provide extensive infill housing opportunities. Moreland regularly receives one of, if not the highest numbers of planning permit applications for medium density dwelling development in Victoria. This proposal will not result in change to Moreland's ability to provide for medium density development to house future populations but will ensure this growth makes a positive contribution to the community.

The State Government's Housing Development Data 2005 – 2016 indicates that the Northern subregion saw an average annual increase in dwelling stock of 6,620 dwellings over a 10-year period and highlights that Moreland has seen the greatest amount of infill development during that period. Census data indicates that there was an increase of 7,278 medium density dwellings in Moreland between 2006 and 2016; this represents a 5.5% increase in terms of an overall stock percentage. This compares with a 3.3% increase in medium density housing for the Northern Region and a 1.4% increase in medium density housing for Greater Melbourne. Moreland also added 4,557 apartments over the same period; more than 11,000 additional dwellings in total. Moreland has certainly provided substantial opportunity for infill housing when compared to other municipalities and will continue to do so.

It is appropriate to commence this approach to incentivising quality with a focus on dual occupancy applications, given:

- Dual occupancy applications are the highest proportion of applications received by Moreland.
- It is a development type where compliance with criteria will be most likely to be achieved, as case studies indicate Rescode standard compliance is generally high.
- It is a suitable development type to test this streamlined process and gauge industry support.

Anticipated benefits

In summary, the anticipated benefits of progressing a streamlined permit process for eligible two dwelling on a lot planning permit applications are:

- Fully compliant, good quality two dwelling developments are received 'up front' with no negotiation required over discretionary elements.
- Guaranteed better ESD outcomes due to the inclusion of ESD as a requirement in criteria (not a discretionary policy).
- Guaranteed better housing accessibility due to a new requirement for certification from Living Housing Australia.
- ResCode criteria become mandatory rather than discretionary for those that choose this application stream.
- Will incentivise compliance with the planning scheme (reducing tendency for applications to 'push the boundaries' to achieve more dwellings on a lot) due to the time cost and uncertainty associated with seeking planning approval.
- Provides improved customer service and certainty for landowners, developers and the community.
- Reduces the time, cost and resource burden of upon the community and Council associated with objections, negotiating improved outcomes and VCAT reviews.

Human Rights Consideration

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

4. Consultation

Council officers have met with officers within the Department of Environment, Land, Water and Planning to discuss the proposed planning scheme amendment.

The community will be consulted on the proposed amendment as detailed in the Consultation Strategy at **Attachment 2**. Consultation will include notification to:

- Resident groups.
- State government departments/authorities.
- Regular medium density planning permit applicants.
- Housing agencies.
- Real estate agents.

In addition, one on one meetings will be held during the public exhibition process, at the request of the stakeholders.

The outcomes of this consultation will be reported to Council to consider any submissions received.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The funds required to administer this amendment can be accommodated within the 2019/2020 financial year operating budget and current resources of the City Strategy and Design Branch.

7. Implementation

The process and timeline for the Amendment is broken down into the key 'decision gateways'.

- Decision Gateway 1: Authorisation and Exhibition (June 2019).
- Decision Gateway 2: Submission Review and Panel Request (September 2019).
- Decision Gateway 3: Review Panel report and consider adoption of the Amendment (February 2020).

Subject to Council's resolution, authorisation will be sought from the Minister for Planning to amend the planning scheme as outlined within *Better Outcomes for Two Dwellings on a Lot (A Review of Dual Occupancy Development in Moreland)*. If authorised, the amendment will then be exhibited for public comment.

Attachment/s

- | | | |
|---------------------|--|------------|
| 1 ↓ | Review Report - Better Outcomes for Two Dwellings on a Lot | D19/185516 |
| 2 ↓ | Consultation Strategy - Better Outcomes for Two Dwellings on a Lot | D19/178603 |

**DCD13/19 LIVING AND AGEING WELL IN MORELAND - FRAMEWORK
AND ACTION PLAN FOR ENDORSEMENT - COUNCIL
ACTION PLAN ITEM (D19/185390)**

Director Community Development

Aged and Community Support

Executive Summary

The Living and Ageing Well in Moreland Framework establishes principles and practices which inform relevant, timely and responsive action across all areas of Council to support older people in our municipality. It brings together the key objectives of existing Council policies, plans, strategies and external partnerships, that contribute to improving the health and wellbeing of older people living in Moreland.

The finalisation of the Living and Ageing Well in Moreland Framework is a Council Action Plan (CAP) item for 2019/20, with a target date of June 2019. The presentation of the framework for endorsement achieves this CAP item.

The draft plan was adopted by Council at its May 2019 meeting for distribution for community comment. Only one comment was received from the community during this consultation process, relating more to the consultation process than the framework and action plan. The most significant feedback came from the forum held on 20 May 2019 with the Older Persons Reference Group, Council officers and Councillor representatives (both the Mayor and Deputy Mayor were in attendance).

The feedback has been reviewed and considered and there were no significant changes required, however minor changes have been made and are included in this report. Some of the feedback will also inform the implementation of the framework and action plan.

The final Living and Ageing Well in Moreland: An Age Friendly Framework is presented for endorsement by Council.

Officer Recommendation

That Council endorse the Living and Ageing Well in Moreland: An Age Friendly Framework at Attachment 1 to this report.

1. Policy Context

The current Council Action Plan (CAP 11) includes the action: Finalise Living and Ageing Well in Moreland Framework, which aligns with Key Priority C3: Determine the best way for Moreland to continue supporting our community throughout, and after Aged Care and NDIS reforms.

2. Background

A draft 'Living and Ageing Well in Moreland Framework and Action Plan' was presented to Council at its meeting on 8 May 2019. The Framework draws from the World Health Organization active ageing and age friendly policy frameworks. The draft action plan was developed after extensive internal and external consultation.

Prior to presentation of the draft Living and Ageing Well in Moreland Framework and Action Plan there were a number of internal meetings with various areas of Council including — Strategic Transport, Social Policy, Community Development, Library Services, Facilities, Community Grants, Urban Design, Communications, Community Engagement, Aquatic and Leisure Services and Open Space Design, as well as, aged services team members from Community Transport, Social Support and Assessment Services.

There were a number of focus groups conducted including with 50 representatives from senior citizens' groups over two meetings, focus groups service users at neighbourhood houses, leisure centres and the with the planned activity group as well as one for those that had applied to the Older Persons' Reference Group and were unsuccessful.

Since the endorsement of the draft framework and action plan, the following community engagement activities have occurred:

- Printed distribution to all organisations that participated in the consultation.
- Promotion of draft in *Moreland Leader* newspaper, on Council's webpage and through Council communication channels.
- Printed copies at all 5 libraries.
- Older Persons' reference group promoted draft to their networks.
- Consultation meeting on 20 May with Older Persons' Reference Group, Council officers and Councillor representation.

3. Issues

Social implications

The Living and Ageing Well in Moreland: An Age Friendly Framework has been structured based on the World Health Organisation's Age Friendly Environments and is included in **Attachment 1**.

The Living and Ageing Well in Moreland: An Age Friendly Framework has 31 actions. Although many of the actions align with existing Council programs, there would need to be consideration given to how this is achieved and who would drive these actions.

Regional/strategic implications

In response to the aged care reforms, metropolitan Councils are all considering similar issues and making their decisions in relation to how they will continue to support older residents into the future. There is a strong focus across local government in Victoria on increasing healthy ageing approaches to support older people.

The Living and Ageing Well in Moreland: An Age Friendly Framework has a broad community focus and is well targeted at the emerging and existing cohort of older residents to support their wellbeing. It encourages active ageing by optimising opportunities for health, social connection and security.

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

As above, extensive consultation was undertaken in developing the draft action plan with internal and external consultation with key stakeholders and identified groups. Following the endorsement of Council at its May 2019 meeting, the draft framework and action plan has been distributed for broader community feedback.

The feedback received has had a greater focus on the implementation of the Framework and Action Plan, rather than the specific content of the Framework. Some minor updates have been made to the draft actions, to improve understanding and specificity.

Action Plan changes have been included in ***bold italics*** below:

- In S:4 - Develop programs that encourage interaction between neighbours and create networks of support and social connection for older people, ***especially for those that have limited mobility.***
- S:5 - Recognise the contribution of older people through Council publications ***such as Inside Moreland***, special celebratory events and Seniors Week programs.
- S:6 - Establish an Age-Friendly Advisory Group who will have a leadership role in advocating for the needs of their community and ***develop a range of broader opportunities for participation such as Age-Friendly Champions.***
- S:7 - Ensure all Council information and publications are provided in accessible formats that can easily be understood by older residents as well as ***translated in text, or potentially in video format***, in the major language groups of older people living in Moreland.
- S8: Advocate to State and Federal governments to ensure older adults have access to an adequate range of health and other support services, ***in particular those*** that support older people to age in place.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The Framework has been developed with a whole of Council and community approach – therefore can be implemented without changes to resourcing for some actions. The extent to which Council invests in the actions may depend on future decisions regarding service delivery and the redirection of some of Council's funding within Aged and Community Support services, from direct service delivery to these broader initiatives.

New initiatives will need to be scoped and implemented over a span of 5 years and submitted to the annual budget process.

Some will be dependent on external funding and others might be resourced through reinvesting some of Council's existing contribution in aged services to actions of the Framework.

7. Implementation

The Framework has been developed with a whole of Council and community approach. It is therefore expected that, whilst the Aged and Community Support branch will be responsible for overseeing the implementation of the Framework, it will be delivered in partnership with various areas across Council and with community partners.

It is proposed that an annual action plan be developed in line with available resources, and future decisions of Council.

It is anticipated that the first year of the Framework's implementation will focus on ensuring Council strengthens its age-friendly practice across all Council departments in their planning and implementation of their annual plans and activities.

Attachment/s

- 1 [!\[\]\(9bf097d682561b2ffd12d57a40ca73b1_img.jpg\)](#) Living and Ageing Well in Moreland: An Age Friendly Framework June 2019 D19/201672

DCF41/19 PROACTIVE PLANNING ENFORCEMENT AND IMPROVED PLANNING SERVICES - COUNCIL ACTION PLAN ITEM (D19/185009)

Director City Futures

City Development

Executive Summary

At its meeting 9 May 2018, Council endorsed a revised proactive planning enforcement program (DED24/18). The revised program significantly increased the auditing of medium density residential development planning permits ('MDRD planning permits') from approximately 10 per year to a target of 80 per year. The program was supported by an additional two Planning Enforcement officers in the 2018/19 budget.

The Urban Planning Unit have met the target, with 81 medium density audits commenced in the financial year to 22 May 2019.

The revised program also:

- Audited 28 developments that resulted from (Victorian Civil and Administrative Tribunal) VCAT overturns or Planning and Related Matters (PARM) Council meetings.
- Continued on-going monitoring of all potentially contaminated land sites that have a planning permit requirement for Statement or Certificate of Environmental Audit (currently 59 sites).
- Audited all planning permits that have a requirement for a Section 173 Agreement to be registered on Title (currently 28 sites).

The revised program identified 32 MDRD planning permits with breaches. This includes 17 developments with Environmentally Sustainable Development breaches. These have been, or are in the process of being, rectified.

Monitoring activity also identified and commenced enforcement action on 3 sites that breached planning permit conditions related to contaminated land.

This report also provides a summary of the outcomes achieved through the Council Plan deliverable P1c): Improved Planning Services.

Officer Recommendation

That Council:

1. Notes the achievements of the proactive planning enforcement program.
2. Notes the continued implementation of the proactive planning enforcement program including performance targets for the 2019/20 financial year.
3. Notes the outcomes of the Council Plan deliverable relating to Improved Planning Services.

1. Policy Context

Under section 14(a) of the *Planning and Environment Act 1987* (the Act), a duty of Council as a Responsible Authority is *‘to efficiently administer and enforce the planning scheme’*. The enforcement aspect of this duty is undertaken by a combination of proactive work (i.e. auditing) and reactive work (i.e. responding to complaints).

In 2008, in response to concerns that planning enforcement activity across Victoria responded only to complaints rather than proactive auditing, the Victorian Auditor General released a report regarding the ‘Enforcement of Planning Permits’. The report noted it is not practical to proactively audit every planning permit issued within a municipality. Practical application of proactive enforcement is achieved via a selected audit of planning permits that are issued. The report highlighted that all Councils:

need an enforcement framework that includes a mix of proactive and reactive work and objectives that support the broader strategic direction of council.

One of the strategic objectives of the Council Plan 2017-2021 is a ‘Progressive City’ with a key priority to achieve the objective to:

Enhance liveability, affordability and sustainability by guiding growth and excellence in urban design and development.

Ensuring development activity complies with the requirements of planning permits and the Planning Scheme is key to achieving this priority.

In relation to the delivery of planning services, the Council Plan deliverable is:

- P1c) Improved Planning Services:
 - The engagement of two fixed-term (time limited) urban planning officer roles to enable the branch to better respond to the increased number of planning permit applications.

2. Background

Proactive Planning Enforcement

In response to the 2008 report from the Victorian Auditor General, in November 2011 (DCD75/11), Council considered a report relating to the future direction of planning enforcement including the expansion of the proactive planning enforcement activities under a new enforcement framework. At this meeting, Council resolved that in addition to the existing proactive enforcement program relating to environmental audits and S173 Agreements, Council officers would proactively enforce planning permits that were either issued by the Urban Planning Committee (UPC) or Victorian Civil and Administrative Tribunal (VCAT) approvals that overturned Council’s decision. Reports to Council regarding Planning Enforcement performance were presented to Council in 2012 (DOD8/12), 2013 (DED27/13) and 2015 (DED72/15).

At its meeting on 9 May 2018, Council endorsed a revised proactive planning enforcement program and resolved to receive a report at the end of the 2018/2019 financial year providing a summary of Council’s proactive enforcement activity and outcomes for that year (DED24/18). This report outlines proactive planning enforcement undertaken in 2018/2019 and the outcomes achieved.

The rationale for the revised program

Medium density residential development (MDRD)

The revised program significantly increased the auditing of MDRD planning permits. For the purpose of the revised program, medium density development is defined as development of between 2-9 dwellings on a lot. The auditing of this type of development increased from approximately 10 per year to a target of 80 per year.

A key reason for focusing on this type of development was because:

- MDRD planning permits represent a significant portion of all planning permits issued (i.e. 45% in 2017).
- Approximately half of all complaints related to development are about non-compliances with MDRD.
- An audit of completed MDRD planning permits indicated low levels of compliance with endorsed plans, particularly in relation to environmentally sustainable design (ESD) requirements and landscaping.

Victorian Civil and Administrative Tribunal (VCAT) overturns/and Planning and Related Matters (PARM) decisions

The framework for the proactive enforcement for decisions overturned by VCAT or determined by Council was adopted by Council at its November 2011 meeting (DCD75/11). The rationale behind choosing these permits was to target the more contentious planning permits or planning permits that have received high numbers of objections. The revised program retained these audits, albeit at a reduced level with 50% of these proposals being audited. The reduction enables greater resources to be directed at medium density developments.

Contaminated land

The revised program maintained the auditing of all planning permits with a requirement for a Statement or Certificate of Environmental Audit (regarding dealing with contaminated land) prior to commencement of development. This is because non-compliance can lead to risks to human health and significant litigation costs to Council.

Section 173 Agreements

Auditing of Section 173 agreements ensure agreements between Council and developers negotiated through the planning application process are registered on Certificates of Title. The rationale for targeting Section 173 Agreements is that these often include public benefits required to be delivered by a landowner following negotiations during the planning application process.

Improved Planning Services

A year 1 action in the Council Action Plan 2017/2018 was to:

- Fill 2 planning officer roles (2-year fixed term), implement DELWP smart planning initiatives, digitise the planning application process, implement pre-application and commercial priority service review, implement improvements to VicSmart application performance, pilot a streamlined pre-app service for small-scale medium density applications.

3. Issues

Proactive Planning Enforcement

Increase in complaints (reactive enforcement)

Whilst this report relates to proactive enforcement, a core component of the enforcement function is responding to complaints (reactive enforcement).

The number of complaints requiring a planning investigation has increased this financial year. In 2017/2018 the number of complaints was 267 or an average of 22 per month. To date in 2018/2019 the number of complaints received is 293 or an average of 29 per month.

This is not surprising, given many of the developments approved in previous years where record number of applications were received, are now being constructed.

In order to continue to effectively deal with these complaints, the existing three full time planning enforcement officers were required. This meant that the Urban Planning Unit's planning enforcement team did not have capacity to also commence the revised proactive program until the 2 newly created positions created in the 2018/2019 budget were recruited.

Recruitment

The recruitment of the two newly created planning enforcement officer positions has taken longer than expected. Multiple rounds of advertising were required to find suitable candidates. The first position was filled in September 2018 and the second position in January 2019. This resulted in a slower start to the revised proactive program. New systems and procedures also needed to be developed. As demonstrated below, despite this delay, the revised program has achieved significant results.

MDRD planning permit audits

New process and reporting developed

Sites are randomly selected from a list each month for auditing. A site is added to the list when an owner applies for subdivision. The random process ensures transparency and avoids allegations of developers being unfairly targeted. This process also has the advantage of most sites being selected for auditing when construction has either not yet commenced or is in the early stages of development. This has proven beneficial as the greatest opportunity to rectify non-compliances is early in the process. In addition, it appears from data gathered to date that owners and builders that are aware they are being actively audited are less likely to breach requirements.

Whilst most of the developments have yet to commence or are in the early stages of construction when the audit begins, the process also ensures that some audits begin during or towards end of construction. This is advantageous as it means developers can never be sure when Council officers may audit their development.

The above process commenced in October 2018.

New computer software workflows and reporting have been developed to administer the process as well as enable monitoring of activity and outcomes. In addition, a new proactive planning enforcement procedure has been developed to guide officers to administer the revised program.

As of May 2019:

- 81 MDRD planning permit audits have commenced. Of these:
 - There are 63 currently active MDRD planning permit audits taking place.
 - 18 audits have been completed.

As a development generally takes 6-12 months to complete, most of the developments selected for audit in late 2018 are yet to be completed. This explains the low number of completed audits.

The auditing of sites includes:

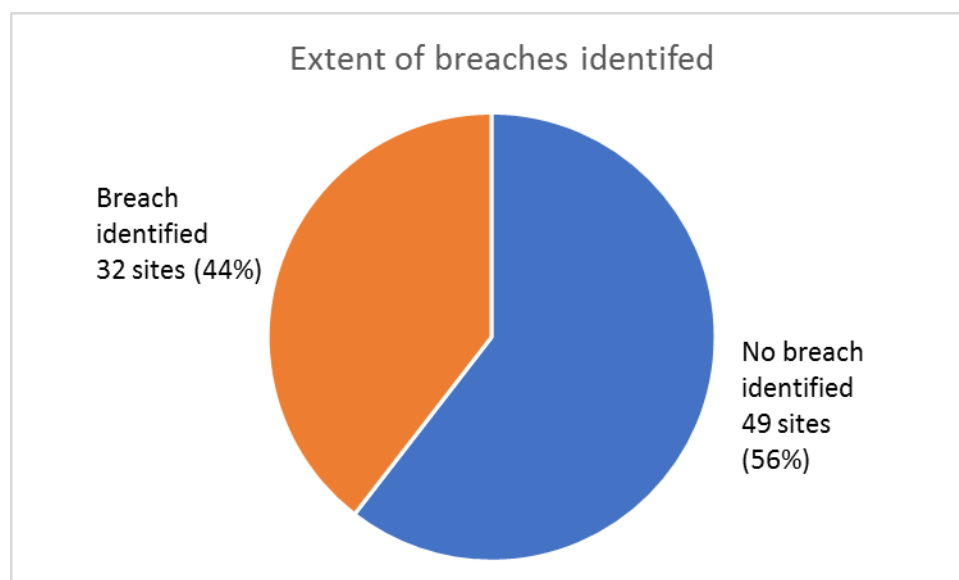
- Writing to owners and builders advising they have been selected for auditing.
- Undertaking a desk top audit of planning permit condition requirements.
- Site visits to audit compliance with endorsed plans.
- Where non-compliances are discovered, working with owners and builders to achieve voluntary compliance.
- Where voluntary compliance is not achieved, or the breach is significant, escalation to either a Planning Infringement Notice (PIN), VCAT enforcement order or Magistrates Court.

307 proactive site inspections associated with the 81 audits have been undertaken and recorded in the 2018/2019 financial year.

Outcomes

As of May 2019:

- 32 of the 81 (44%) sites audited had one or more breaches.



- 14 of the 32 sites with breaches have been rectified via voluntary compliance (i.e. either altering the development to comply with the endorsed plans or formal amendment granted to align endorsed plans with as-constructed development).
- 17 of the sites with breaches are actively being pursued (i.e. awaiting voluntary compliance).
- 1 of the sites with breaches resulted in the issue of a PIN.

The types of breaches identified included:

- Environmental Sustainable Development type breaches (i.e. lack of rain water gardens, water tanks, shading or double glazing). These types of breaches were found in 17 of the developments.
- Landscaping breaches. These types of breaches were found in 14 of the sites.

Other breaches found and rectified included:

- Garages constructed too small.
- Accessways concreted instead of using permeable materials.
- Privacy screening not installed.
- Cheaper/inferior materials used.

Changed developer behaviour

In 2017, a qualitative audit of 23 completed sites was undertaken. All 23 sites had a breach. It is noteworthy that the 44% of sites with a breach under the new revised process is significantly lower than the 100% with a breach audited in 2017. The differential may be explained by Council officers advising owners and builders early that they are being audited. This appears to have reduced the likelihood of a breach. It reflects a change in the development industry's behaviour which was a key objective of the new proactive program. This is a successful outcome.

With 307 inspections having been completed and continuing, the 'presence' of proactive enforcement officers 'on the ground' appears to be having a positive effect. The Urban Planning Unit have also been working with Council's Communications Unit in developing material for Council's website along with a flyer to distribute to developers who regularly work in the City of Moreland. This is expected to be completed by July 2019.

VCAT overturns/PARM

In the last financial year 19 of these audits were finalised. Most of these related to old cases dating back before 2015.

In this financial year, a further 8 of these audits have commenced. In accordance with the target of the revised proactive program, this represents 50% of VCAT overturn/PARM matters that have been issued with a building permit.

Of the 8 commenced audits, 5 have been identified with a breach of which officers have either rectified or are in the process of rectifying with the owners and builders.

Contaminated Land Audits

Every quarter, officers inspected every site with a planning permit requirement for a Certificate or Statement of Environmental Audit prior to commencement. This typically requires monitoring of between 60-80 sites at any one time. The monitoring aims to quickly identify if development or use commences on potentially contaminated land without the correct environmental audit having been completed. Most of these sites have yet to start construction and so monitoring involves periodic visits to check if construction has commenced.

In this financial year, three sites were found to breach the planning permit requirements. Legal action in the Magistrates Court is currently taking place on two of these sites. The owners of the third site, relating to use of a car park, is in the process of obtaining the necessary environmental audit. This would not have occurred if not for the proactive action undertaken by officers.

Section 173 Agreements

Planning enforcement officers have continued to monitor all planning permits with a requirement for a Section 173 Agreement to be registered on Title. Currently there are 28 planning permits being actively monitored. In the 2018/2019 financial year, two breaches have been identified. These are currently in the process of being rectified.

The next stage for the proactive enforcement of Section 173 Agreements is to implement a procedure which will be drafted by 30 June 2019. The focus of this procedure will be the monitoring of obligations that must be delivered within a specific timeframe.

Other proactive enforcement activity

There are some matters that require proactive monitoring that fall outside the scope of the Council adopted proactive enforcement program. In 2018, examples have included:

- State Government requirement for all Victorian Councils to proactively audit high risk Resource Recovery (Recycling) Sites. The City of Moreland contains three of these sites. Desk top reviews and initial site visits have been conducted and a report will be sent back to the State Government.
- Proactive monitoring of 106 McBryde Street, Fawkner (over 30 inspections undertaken since October 2018).
- Proactive monitoring of the Brunswick Terminal Station upgrade.

Improved Planning Services

State Government Planning Permit Activity reporting (PPARS) shows that for the 2017/2018 financial year, once again Council received one of the highest number of applications. Council ranked 7th in the State overall and the 4th highest for inner and middle urban Councils (of which there are 18). Notably, Council regularly receives one of the highest if not the highest numbers of medium and high-density planning permit applications requiring significantly greater assessment effort and community consultation, in comparison to more minor applications for tree removal or simple heritage matters. This is also reflected in PPARs reporting confirmation that Council gives public notice of more applications than any of the inner and middle Councils.

In terms of decision making, Council made the 5th highest number of planning decisions in the State in 2017/2018.

In the 2017/2018 financial year, the number of decisions made within 60 statutory days was 59%; slightly above the metropolitan average of 57%. However, with the additional planning resources decision making for VicSmart, applications improved from 66% of decisions within 10 business days in 2016/2017 to 81% in 2017/2018. This was well above the metropolitan average of 77%.

It is also worth noting that in the 2016/2017 and 2017/2018 financial years, the number of decisions made exceeded the number of applications received which assisted in reducing the caseload of application awaiting determination. In the three prior financial years that witnessed ever increasing application numbers, this was not the case.

The 2018/2019 financial year is seeing decisions within 60 days remain largely unchanged and marginally better than metropolitan averages with 57% of decisions made within 60 statutory days to the end of March 2019. Similarly, VicSmart decision making remains steady, with 78% of decisions made within 10 business days.

Significant improvements in timeframes have not been achieved due to a combination of staff turnover and internal secondments being managed over this period of time. While the 2 current temporary urban planning officer positions cease at the end of the 2018/2019 financial year, a further 2-year fixed term urban planning officer position is proposed in the 2019/2020 budget to not only ensure improved customer service but to support the team's successful implementation of both the Good Design Advice Sheets and trial of the Design Excellence Scorecard. Successful implementation will rely upon greater education and negotiation as part of the planning permit application process. The success of these projects will require more officer time at both the pre-application and preliminary assessment stages of applications. It is also expected that officers will continue with a high level of stakeholder engagement for the 24% of applications which receive an objection (compared to a metro average of only 14%).

In addition, improved monitoring over the last two financial years has recognised that the number of more minor planning related and permit amendment matters has been increasing, impacting officer output and customer service timeframes. The additional fixed term urban planning resource is therefore also proposed to reduce the burden of managing minor matters, to free up the team more broadly to focus on delivery of improved customer service timeframes and better quality medium and high-density development outcomes.

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 Urban Planning Unit has consulted and continue to work with Council's ESD Unit in the enforcement of planning permit requirements. In addition, planning enforcement officers continue to work with the Communications Unit in the development of a communications strategy of the proactive enforcement program.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The funds required to continue the implementation of the proactive planning enforcement program resolved by Council in May 2018 are included within the of the Urban Planning Unit budget for the 2019/2020 and 2020/2021 financial year.

A 2-year Band 5 Planning Officer position is proposed in the draft 2019/2020 budget.

7. Implementation

The proactive planning enforcement program, and the associated quantitative targets approved by Council in May 2018 can be implemented again in 2019/2020. The program consists of:

- At least 80 randomly selected MDRD planning permits per annum;
- 50% of planning permits issued by PARM or following a VCAT review that overturned Council's decision;
- Section 173 Agreements associated with a planning permit; and
- Environment Audits associated with a planning permit.

Systems, procedures and reporting have been developed, enabling more resources to be directed to implementation. Along with the increased experience of the two new planning enforcement officers undertaking the proactive program, the targets set are considered appropriate.

However, more than half of the audited sites with breaches have not yet been rectified due in part to non-cooperative owners and/or builders. Whilst it is expected that some of these will be rectified voluntarily, some are likely to require greater officer resourcing (i.e. VCAT enforcement orders or court action). These require longer timeframes to be resolved. This may result in an accumulation of 'active' enforcement cases over time (i.e. the number of incoming new audits will be more than those closed off). This will be monitored throughout 2019/2020 to determine whether the targets remain appropriate.

If the additional Band 5 planning officer is approved in the 2019/2020 budget, it will be recruited in early July 2019.

Attachment/s

There are no attachments for this report.

DCD14/19 FULL POTENTIAL: A STRATEGY FOR MORELAND'S YOUNG PEOPLE - DRAFT FOR CONSULTATION (D19/191048)

Director Community Development

Early Years and Youth

Executive Summary

This report outlines the key findings and process undertaken to inform and develop; *Full Potential: A Strategy for Moreland's Young People*. The draft Strategy provides a clear strategic direction and will guide Council's work with young people and community over the coming years (Attachment 1).

Consultation has been extensive, with input from approximately 2,300 young people, local service organisations, educators and cross Council collaboration. The draft Strategy outlines 5 outcome areas to best support young people which include:

1. Improving our service system;
2. Enhancing voice and participation;
3. Increasing skills and job opportunities;
4. Supporting health and resilience; and
5. Providing youth friendly spaces and places.

These 5 outcome areas are further supported by a series of priorities which collectively work towards achieving our outcomes. Priorities will be implemented by way of an action plan which will be reviewed and reported on at regular intervals.

The Strategy builds on our existing strengths and endorses Council's role in service planning and coordination.

This is very purposefully a Strategy for all Moreland's young people which is supported by evidence and will enable young people to contribute to a thriving Moreland now and into the future.

Officer Recommendation

That Council:

1. Authorise the release of the draft Strategy *Full Potential: A Strategy for Moreland's Young People* at Attachment 1, for public consultation.
2. Notes the contribution of young people and the Oxygen Youth Committee in the development of the draft Strategy.

1. Policy Context

The draft Strategy aligns with the Council Plan Strategic Objective: Connected Community and the priority to:

- better equip our young people for employment and provide opportunities to participate in civic life.

2. Background

Moreland Youth Services key strategic document: Oxygen Phase Two Report and Action Plan 2015 - 2018 was adopted by Council in May 2015 (DSD/16/15).

A subsequent outcomes report was adopted by Council at the February 2018 meeting (DSD2/18) with the action plan formally concluding on 30 June 2018.

This new Strategy was informed by input from over 2,300 young people in Moreland aged 12 – 25 years, local service organisations, educators and cross Council collaboration to identify 5 key outcome areas and set a new strategic direction for Moreland. The Full Potential - A Strategy for Moreland's Young People - June 2019 (Draft) is included at **Attachment 1**.

Full details of the comprehensive process see Young People in Moreland: A Needs and Service Analysis are at **Attachment 2**.

3. Issues

Challenges

While most young people in Moreland are faring well, some young people encounter a diverse array of challenges and issues. These include:

- transitioning to and securing employment;
- mental health issues;
- experiencing bullying and maintaining healthy relationships;
- disengagement of some young people from education or training, family and other key relationships;
- vulnerability at various transition points into and out of education, employment and parenthood;
- higher levels of need in the northern part of the municipality and amongst newly arrived, LGBTQI and culturally and linguistically diverse young people; and
- lack of sleep, an absence of positive role models and excessive use of technology.

Barriers

There is an array of barriers that impede young people's access to services in Moreland, these include:

- changes to and instability of services;
- lack of awareness and information to navigate what's available;
- location of services and transport issues in getting to them;
- the length of waiting lists and limited service hours;
- not knowing anyone who provides or attends the service (social barriers); and
- cost to access services, supports and spaces (financial barriers).

Roles and opportunity

In responding to the key issues facing young people Council will have 4 key roles which include:

1. Engage - direct engagement with young people to inform services planning and delivery.
2. Coordinate – plan, advocate and share information to improve service coordination and access.
3. Partner – work in collaboration with other service providers and schools to improve outcomes.
4. Provide – services, spaces and grants that respond to the needs of young people.

The Strategy also provides an opportunity to establish a service continuum from birth to early adulthood and build on shared understandings, a common language and consistent approach to supporting and working with children, young people and families across Moreland.

Moving forward

To support effective Strategy implementation that is responsive to social, technological and other changes, an Action Plan will be developed and updated periodically. Key to the development of the Action Plan is that it is aligned to available resources and funding.

The Action Plan will enhance accountability to our young people and the broader community. It will do this by clearly detailing actions that advance priorities, with each action outlining specific metrics including responsibility, resources, timeframes and measurable outcomes.

Human Rights Consideration

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

4. Consultation

Consultation with young people has been extensive with approximately 2,300 inputs from young people by way of surveys, interviews and focus groups.

Stakeholder consultation has included engagement with 45 local primary and secondary school representatives, 25 different local service organisations and benchmarking across 8 local governments.

The Oxygen Youth Committee has been consulted regularly during the development of the Strategy and Councillors have been consulted at the Council Briefing held on 15 April 2019.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

There are no immediate financial implications in relation to the draft Strategy other than publishing costs which will be met through the existing Youth Services budget. An Action Plan will be developed to guide implementation of the Strategy and any additional resourcing requirements will be sought through the usual Council budget process and through external funding sources where possible.

7. Implementation

Subject to approval, the draft Strategy will be formally released for public consultation and placed on Council's website inviting final comments and feedback for no less than 30 days.

It is then proposed that the final draft Strategy incorporating any adjustments will be returned for Council consideration and adoption at the August 2019 Council meeting.

Attachment/s

- | | | |
|---------------------|--|------------|
| 1 ↓ | Full Potential - A Strategy for Moreland's Young People - Draft for Consultation | D19/190670 |
| 2 ↓ | Young People in Moreland: A Needs and Services Analysis | D19/196241 |

DCF42/19 ESSENDON FIELDS AIRPORT - 2019 PRELIMINARY DRAFT MASTER PLAN SUBMISSION (D19/172101)

Director City Futures

City Strategy and Design

Executive Summary

Essendon Fields Airport serves as a reliever airport to Melbourne Airport for aircraft such as emergency services, regional airlines and corporate jets.

As required by the *Airports Act 1996*, Essendon Fields Airport has prepared a Preliminary Draft Master Plan 2019 (Draft Master Plan), which sets the strategic direction for the airport over the next ten years. The Draft Master Plan provides a vision and creates a framework for both aviation facilities and non-aviation related development on the airport site. The Draft Master Plan was released for public comment in April 2019, with submissions closing on 2 July 2019.

The purpose of this Report is to recommend endorsement of the submission to the Draft Master Plan included at Attachment 1. The submission sets out the need to ensure the Master Plan appropriately manages airport operations in the context of both the growing residential population adjacent to the airport, and the impacts of climate change. Provided matters outlined in the submission are addressed, Council's submission is generally supportive of the vision and strategic directions outlined in the Draft Masterplan.

The Draft Master Plan provides noise forecasting to 2039 and shows areas in the west of Moreland that will be exposed to growing aircraft movements. An Australian Noise Exposure Forecast (ANEF) was established for Essendon Fields Airport to the year 2039 and endorsed by Airservices Australia on 22 March 2019. Whilst the ANEF is not subject to further consultation as part of the Draft Master Plan, Council's submission supports the application of the Airport Environs Overlay (AEO) as the most appropriate planning control to limit noise-sensitive uses and the impacts of aircraft noise on new development. It is recommended in the submission at Attachment 1 that when the Draft Master Plan is approved, Essendon Fields and the State Government work with Moreland City Council and other affected Council's to apply the AEO to areas that will be exposed to increasing aircraft noise into the future.

The *Airports Act 1996* also requires the preparation of a Draft Environment Strategy. Council's submission recommends that Essendon Fields update this Strategy so that it adequately responds to climate change and focuses on the provision of active transport infrastructure and advocacy for public transport services. The submission also requests that Moreland is represented at the Community Aviation Consultation Group to appropriately address actions relevant to Moreland and provide local residents with an avenue to voice their concerns.

Officer Recommendation

That Council endorses the submission to the Essendon Fields Airport Preliminary Draft Master Plan 2019, at Attachment 1 to this report, and submits it to Essendon Fields Airport with copies to the Minister for Planning and the Minister for Transport Infrastructure.

1. Policy Context

Federal legislation

The *Airports Act 1996* requires all federally leased airports to prepare a master plan every 5 years to guide the future growth and development of the airport for the next 20 years. The current Essendon Fields Airport Master Plan was prepared in 2013 and forms the basis for the 2019 Preliminary Draft Master Plan (Draft Master Plan).

State legislation

Plan Melbourne 2017-2050 defines Essendon Airport as a state-significant transport gateway and provides support for the role of airports as important locations for economic activity and logistics.

The Victoria Planning Provisions include an objective in Clause 18.04-1S which requires the role of Victoria's airports to be strengthened within the state's economic and transport infrastructure, facilitate their siting and expansion and protect their ongoing operation.

To achieve the objective, the following strategy related to Essendon Airport is included — *Recognise Essendon Airport's current role in providing specialised functions related to aviation, freight and logistics and its potential future role as a significant employment and residential precinct that builds on the current functions.*

The Victorian planning provisions also provide more general strategies related to any new use or development around airports so that the safety, efficiency, operations or future extensions to an existing airport are not precluded.

2. Background

Essendon Fields Airport is located approximately 11 kilometres north-west of the Melbourne CBD and is adjacent to the western boundary of the City of Moreland. The site acts as a reliever airport to Melbourne Airport by accommodating smaller aircraft or unscheduled aircraft such as those related to emergency services. The site is also an emerging activity centre, with a range of retail anchors, services and offices comprising over 6,000 jobs.

The first Essendon Airport Master Plan was approved in 2000. There have since been three iterations that build upon the strategic direction from the first. Each strategy provides a vision for the following years and creates a framework for both aviation facilities and non-aviation related development on the airport site.

Australian Noise Exposure Forecast Approval (March 2019)

The Australian Noise Exposure Forecast (ANEF) system is a measure of the aircraft noise exposure levels around aerodromes over a 12-month period. In preparing the 2039 ANEF for Essendon Fields Airport, forecast air traffic and runway usage were distributed after consultation with Airservices Australia based on expected operations after the opening of Melbourne Airport's proposed third runway. The Essendon Fields Airport 2039 ANEF was endorsed by Airservices Australia on 22 March 2019 in the manner approved by the Minister for Infrastructure and Regional Development.

Current planning controls

The local planning policy framework of the Moonee Valley Planning Scheme provides policy for land use and development in the areas within the airport. The Australian Government has chosen to regulate land use planning at many federally-owned airports, including Essendon Fields Airport, through the *Airports Act 1996* and its Master Plan and Major Development Plan processes. State Planning Policies do not apply to the Airport.

The zones have been prepared using the Victoria Planning Provisions (Commercial 1 Zone, Commercial 2 Zone and Special Use Zone) but have been modified to reflect both the legislative/decision-making framework in which the Airport functions and the unique nature of the Airport and its operations.

Whilst the Land Use Plan has been prepared in a format generally consistent with the Victoria Planning Provisions, it is not a planning scheme and therefore is not administered as such or subject to Victorian planning legislation. Consequently, the sustainable transport initiatives being sought and recommended in this submission would be achieved through advocacy or as part of Major Development Plans prepared for the airport on a case by case basis.

3. Issues

Council officers are generally supportive of the vision and strategic direction outlined in the Draft Master Plan. However, this support is provided on the basis that future operations of the airport are appropriately managed in the context of growing residential populations adjacent to the airport. The following matters are identified in the submission for consideration by Essendon Fields Airport, the Minister for Planning and the Minister for Transport Infrastructure.

Potential impacts on Moreland

The Draft Master Plan recognises the proposed third runway at Melbourne Airport and the impact this will have on aviation movements at Essendon Fields Airport. This proposal was outlined to Council in report (DED55/18 - Melbourne Airport - 2018 Preliminary Draft Master Plan Submission, 12 September 2018).

To maintain clear separation from airport movements between the two airports, aviation movements for Essendon Fields Airport have been changed and are forecast to be directed from the north-south runway to the east-west runway.

Modelling of these altered aviation movements and the associated noise is forecast to increase impacts to adjacent land in the west of Moreland. Mitigation of future noise exposure in Moreland has been recommended via the application of an Airport Environs Overlay (AEO) in the Draft Masterplan. Officers support the application of the AEO as the most effective way to mitigate these impacts for future development.

It is also recommended that further controls that require developers to notify the Airport of the height of construction cranes in areas that are located just beyond the runway approach and departure paths are investigated by Essendon Fields Airport and the Department of Environment, Land, Water and Planning, given the current lack of available transparency of this issue in the Victorian Planning Provisions.

Whilst the ANEF has been endorsed by Airservices earlier this year and is not subject to change as part of this consultation, a map showing the area in Moreland that is forecast to be affected by additional aircraft movements to the year 2039 is shown in Figure 1 below. The additional flights forecast by 2039 equate to approximately 8 additional movements per day compared to the previous forecast for 2033. Specific to Moreland, the area within the coloured boundaries is forecast to cater for an average of 5 air movements during the day that exceed an outdoor sound level of 70 decibels and 3 air movements during the night curfew period (11pm to 6am) that exceed an outdoor sound level of 60 decibels (blue showing the forecast to 2033 and red the forecast to 2039). The report advises that inside a standard house with the windows open, 70 decibels would be comparable to noise created by normal conversation.

Figure 1: Location of 2033 and 2039 Australian Noise Exposure Forecast (ANEF) contour zones as endorsed by Airservices Australia on 22 March 2019.



Airport Environs Overlay

The Airport Environs Overlay (AEO) is a planning tool used to limit noise sensitive uses and manage the impacts of aircraft noise on development. The AEO boundaries would be informed by Australian Noise Exposure Forecast areas shown above in red and blue (endorsed by Airservices Australia on 22 March 2019). These contours align with the flight paths in use when an airport operates at its ultimate future capacity.

Requirements of the AEO include limiting the number of dwellings on a lot, buildings and works and specific standards for insulation and window treatments. It does not prohibit residential uses that are permissible in accordance with the existing zoning.

The AEO currently applies to the area surrounding the Melbourne Airport. The current AEO tool in the Victoria Planning Provisions is expected to be updated following the final approval of the Melbourne Airport 2018 Masterplan. This would be an opportune time for the new overlay to be extended to the areas in Moreland that are forecast to be impacted by aircraft noise as shown in the endorsed ANEF map in Figure 1. The application of an AEO will ensure that development in the affected areas is appropriate in terms of reducing impacts to residents associated with aircraft movements.

The housing densities surrounding Essendon Fields Airport have increased over time consistent with local and state planning policy to encourage housing within proximity to public transport, employment and retail services. In Moreland, this has occurred in the absence of an AEO to mitigate any impacts from future airport noise exposure.

The safeguarding of these areas is addressed via separate guidelines prepared by the Federal Government for managing the risk in a Public Safety Zone at the end of runways.

The AEO, is the most appropriate planning control to limit noise-sensitive uses and the impacts of aircraft on development. The draft submission at **Attachment 1**, recommends that once the Draft Master Plan is finalised, Essendon Fields and the State Government work with Council officers from Moreland and Moonee Valley City Council to progress the introduction of an AEO.

Draft Environment Strategy and Community Consultation Group

A Draft Environment Strategy is also included as an appendix to the Draft Master Plan. This strategy largely focuses on environmental impacts specific to the airport site. The Council submission at **Attachment 1** requests that Essendon Fields substantially update the strategy so that it adequately responds to climate change.

As of 2013, more than 96% of employees arrived at the Airport site by private car. Council's submission encourages Essendon Fields to invest in active transport infrastructure and partner in advocacy to the State Government for the provision of a public bus service.

Given the increased impacts on Moreland from the altered aviation movements, the submission requests that Moreland is provided membership to the Community Aviation Consultation Group. Participation with this group will create an opportunity to progress the matters outlined in Council's submission and provide local residents with an avenue to voice their concerns should any issues arise.

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 draft submission has been prepared by Council officers from the Strategic Planning Unit and Strategic Transport Unit.

Council officers have liaised with Moonee Valley City Council in the preparation of the submission at **Attachment 1**.

The Australian Noise Exposure Forecast for Essendon Fields Airport to 2039 was endorsed by Airservices Australia on 22 March 2019. As such, no further comments to the noise contours are proposed as part of the consultation for the 2019 Draft Master Plan.

As required by the *Airport Act 1996*, Essendon Fields Airport has placed the Draft Master Plan on public exhibition for a period of 60 business days. This has also included notices in newspapers, with information available on the Essendon Fields website or during business hours at the office of Essendon Airport Pty Ltd.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

There have been no significant resource implications associated with Council officers preparing the submission to the Draft Master Plan.

7. Implementation

Submissions on the Draft Master Plan are due on 2 July 2019. The final Master Plan will be submitted to the Federal Minister by 31 July 2019.

Attachment/s

- 1 [!\[\]\(a9a7cf821bf949be41db724492f295be_img.jpg\)](#) Submission to Essendon Fields Airport Draft Masterplan D19/172074

DCI9/19 PUBLIC PLACE RECYCLING TRIAL AND SOFT PLASTIC TRIAL CONCLUSION (D19/189637)

Director City Infrastructure

Roads Fleet and Waste

Executive Summary

This report was originally presented at the May 2019 Council meeting. The report was deferred at this meeting and has been updated to include more detailed information regarding recycling bins and is now being presented.

Council received a report at the Council meeting held on 13 June 2018 (DCI15/18), updating it on the public place recycling trial on Sydney Road Brunswick relating to CAP 59. The trial of 30 additional public place recycling bins along Sydney Road between Barkly Street and Albion Street, Brunswick had begun, but was not complete.

The report resolved that Council:

- Notes the Public Place Recycling Trial update report.
- Receives a further report on the Public Place Recycling Trial at the conclusion of the Trial.

This report was presented to Council at the May 2019 Council meeting in response to the 13 June 2018 resolution. The report was deferred at this meeting and has been updated to provide more detailed information regarding the recycling bins and is now being presented.

The trial has been completed with results showing the recycling bins were consistently used with a slight increase of waste being diverted from landfill. Contamination rates were very high at 26.1%, which is a consistent issue with recycling bins in the public realm. The better performing bins were those with round openings, positioned with a waste bin next to it and located near a seat or tram stop and not near an eatery.

This CAP item also called for Council to conduct a trial of 3 to 5 soft plastic recycling bins at key locations/centres across the municipality. Three of these bins were placed at Council's major service centres in Brunswick, Coburg and Glenroy.

It was found that the bin at Coburg Civic Centre was continually contaminated. Bins at the other locations were slow to fill, taking up to 8 weeks to reach half full capacity and emptied only once during the 4-month trial.

This report is to notify Council on the results of both trials and recommend actions to increase the diversion of waste from landfill.

Officer Recommendation

That Council:

1. Notes the results of both the Public Place Recycling Trial (Attachment 1) and the Soft Plastic Trial.
2. Retains and modifies the Public Place Recycling Bins as follows, to minimise contamination:
 - a) Modifies, where possible, all bin openings to be 'round' openings.
 - b) Retains Public Place Recycling Bins where they are co-located with general waste bins.
 - c) Relocates stand-alone Public Place Recycling Bins to other locations within activity centres so that they are co-located with general waste bins.

3. Progresses with Action 8.3.1(d) of the Waste and Litter Strategy, which seeks to identify a sorting facility that can take mixed street waste to sort and divert the recycling component.
4. Discontinues the provision of soft plastic recycling bins at its major service centres in Brunswick, Coburg and Glenroy.
5. Adopts the key actions recommended on page viii of the EC Sustainable report – Public Place Bin Audit (Attachment 2).

1. Policy Context

Waste and Litter Strategy 2018

- The main goal of the Waste and Litter Strategy, is for Moreland to produce zero waste to landfill by 2030.
- Action 8.3.1(d) seeks to identify a sorting facility that can take mixed street waste to sort and divert the recycling component in the 2020/2021 financial year. (This action is currently shown in the draft 2019/2020 Council budget).

Council Plan 2017-2021 includes a key priority to:

- Enhance the environmental outcomes of Council waste services and increase the community's awareness/participation in environmental initiatives to reduce waste to landfill.

Council Action Plan (CAP) CAP: 59 of the Council Plan 2017-2021 includes the action:

- Undertake an education program in parallel with a trial of public place recycling bins in shopping strips. The trial will be evaluated for learnings gathered which will inform whether the trial will be scaled up.

2. Background

Council received a report at the June 2018 Council meeting (DCI15/18), updating it on the public place recycling trial on Sydney Road Brunswick relating to CAP 59. The trial of 30 additional public place recycling bins along Sydney Road between Barkly Street and Albion Street, Brunswick had begun, but was not complete.

The report resolved that Council:

- Notes the Public Place Recycling Trial update report.
- Receives a further report on the Public Place Recycling Trial at the conclusion of the trial.

This report was presented to Council at the May 2019 Council meeting in response to the June 2018 resolution. The report was deferred at this meeting and has been updated to provide more detailed information regarding the recycling bins and is now been re-presented.

Thirty new 240 litre capacity bin cages and bins, were installed along Sydney Road from Albion Street to Barkly Street. All were finished in bright yellow and were made with a combination of letter box style openings, and circular openings, with recycling labels placed on them for clarity that the bins were for recycled materials only.

3. Issues

Public place recycling bins

Audits were carried out both pre and post the trial on all waste bins within the area the recycling bins were installed (**Attachment 1**). The audits involve:

- Bins sampled and sorted:
 - Pre-installation: 43 waste bins and one pre-existing recycling bin.
 - Post installation: 47 waste bins and 30 recycling bins.
- A visual survey of the bin sites and litter and dumping around bins.
- Thirty-nine sorting categories plus sub sorting of binned commercial and residential dumping.
- Detailed data analysis.

These audits showed a reduction in waste generated by general waste bins and an obvious increase in waste generated by the newly installed recycling bins as shown in the below table:

| Bin Type | Waste Generation kg/bin/day | |
|---------------|------------------------------------|-------------------------------------|
| | Pre-installation of recycling bins | Post installation of recycling bins |
| General waste | 5.24 | 3.34 |
| Recycling | 0.00 | 5.76 |
| Total | 5.24 | 9.10 |

A reduction was also noted in the unrecoverable recyclables in the general waste stream from 2.35 kilogram/bin per day to 1.2 kilogram/bin per day equating to 48.9%.

The issues with recycled waste services, especially in the public realm is contamination rates. Contamination rates for the recycled bins was noted at 26.1% at the end of the trial which is significantly high, though down from 26.4% measured initially when the public place recycling bins were installed. This is a consistent issue in relation to public place recycling. In 2017, all 19 public place recycling bins were audited, with a reported contamination rate of 21% at the time.

Taking the above information into account, the annual tonnage of waste that is predicted from these 30 recycling bins can be seen in the table below:

| Bin numbers | Kilogram/bin per day | | |
|-------------|----------------------|---|--------------------------|
| | Raw data | Recycled material given 26.1% contamination | Estimated annual tonnage |
| Single Bin | 5.76 | 4.25 | 1.55 |
| 30 Bins | 172.80 | 127.69 | 46.61 |

As it stands, the annual tonnage that can be expected from these bins with current contamination rates is only 28.4 tonne annually.

Bins were also assessed considering different openings and different location factors. The 2 openings assessed were a letter box type opening and a round opening. Location factors assessed (**Attachment 2**) included whether a recycling bin was placed next to an existing waste bin, whether it was near a seat or tram stop and what side of the street they were located. The below table breaks down the specific data related to these.

| Category | Sub Category | Contamination % |
|------------------|--------------|-----------------|
| Grouping | Stand alone | 32.71 |
| | Co-mingle | 23.08 |
| Opening | Letter box | 30.96 |
| | Round | 18.87 |
| Location factors | Tram stop | 19.11 |
| | No tram stop | 30.80 |
| | Seat | 18.93 |
| | No seat | 37.54 |
| | Eatery | 34.16 |
| | No eatery | 20.52 |
| Side of street | East | 28.58 |
| | West | 23.87 |

The better performing bins were those with round openings, positioned with an existing waste bin, located near a seat or tram stop and not near an eatery, though contamination rates remained high.

Action 8.3.1(d) of the Waste and Litter Strategy, seeks to identify a sorting facility that can take mixed street waste to sort and divert the recycling component in the 2020/2021 financial year. \$100,000 has been included in the draft 2019/2020 budget for this feasibility study. It is estimated that such an action would increase the diversion of waste from landfill by approximately 50% in relation to hard and dumped rubbish collection. This could see in excess of 3,000 tonnes annually diverted from landfill.

Soft plastic recycling bins

CAP item 59 also called for Council to conduct a trial of 3 to 5 soft plastic recycling bins at key locations/centres across the municipality. As a result, 3 x 240 litre bins were installed in the major service centres of Brunswick, Coburg and Glenroy, which were signed 'soft plastics only' and fitted with a blue lid.

Council officers inspected each site weekly to check on the contents of the bins. It was found the bin at the Coburg Civic Centre was continually contaminated with a variety of foreign materials, including coffee cups, building waste and at one stage a flavoured milk container that had leaked, requiring the bin to be replaced.

Bins at the other locations were slow to fill, though less contaminated with 90% of waste contained in them plastic bags. These bins however, took up to 8 weeks to reach half full capacity and emptied only once during the 4-month trial. Being so little usage was recorded, weight could not be recorded.

Environmental implications

Diversion rates from general waste bins was recorded at 45.1% relating to bins with recycling bins installed next to them, compared to 38.7% overall.

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

All relevant departments were consulted during the creation of this report.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

Costs relating to the Public Place Recycling Trail are detailed in the below table:

| Item | Cost |
|-----------------------|------------------|
| Bin cages | \$45,432 |
| Bin cage installation | \$21,625 |
| Bin purchase | \$1,650 |
| Audits | \$11,000 |
| Collection/disposal | \$27,076 |
| Total | \$106,783 |

The draft 2019/2020 budget includes \$100,000 for the implementation of Action 8.3.1 of the Waste and Litter Strategy.

7. Implementation

The feasibility study relating to Action 8.3.1 of the Waste and Litter strategy will be implemented subject to confirmation of the budget.

Attachment/s

| | | |
|---|---|------------|
| 1  | Post Audit Report - Public Place Bin, Brunswick | D19/149461 |
| 2  | Sustainable Audit Report | D19/189759 |

DCF43/19 ACHIEVING ZERO CARBON IN THE PLANNING SCHEME (D19/185663)

Director City Futures

City Change

Executive Summary

At the August 2018 Council meeting, Council resolved via Notice of Motion NOM33/18 to investigate the financial and resource requirements to implement a change to the planning scheme for improved controls for green roofs, electric vehicles and zero waste infrastructure. On 10 October 2018 (DED62/18), officers reported back to Council to seek formal collaboration with the Council Alliance for Sustainable Built Environment (CASBE) to undertake initial research and short-term actions to establish a pathway to improve current Environmentally Sustainable Development (ESD) expectations and seek interest in preparing a future joint Planning Scheme amendment for an ESD policy version 2.0.

Current work being undertaken by CASBE Councils include initiatives that provide for very high ESD outcomes, enhanced urban greening and progress towards carbon neutrality in planning schemes. While good outcomes are being achieved through application of the current ESD policy (version 1.0) the development of an ESD policy version 2.0 within the planning scheme would 'raise the bar' for all developments subject to planning approval in Moreland. This is consistent with Council's strategic objective to create a pathway for carbon neutral and highly sustainable building developments. It also mitigates the risk that any future state-wide ESD planning policy does not match (or exceed) ESD outcomes achieved through application of the current ESD local planning policy.

Dedicated funding of \$120,000 is included in Council's draft budget for 2019/20 currently out for public consultation. Pending budget approval, this funding will enable this project to progress and will be used to recruit a Strategic Planner and commence required research with the ESD Unit and consultants. Moreland will also seek formal partnership with the CASBE Councils in the creation of a shared ESD planning policy version 2.0. This will include the preparation of a Memorandum of Understanding and include the co-contribution of shared funding to undertake necessary research and tasks.

Other actions undertaken since the last report include a review of the current ESD planning requirements by a Consultant Urban Planner and a planning legal firm to assess the strength of the policy at VCAT and identify policy weaknesses. Council officers have also advocated to State Government about a state ESD policy and the urgency of removing the expiry date in Council's ESD local planning policy. On 27 May 2019, the state gazetted a group amendment (GC131) which implements a consistent expiry clause in local ESD policies, (including the Moreland ESD local planning policy). The amendment replaces the expiry date of the policy with wording, *'until superseded by a comparable provision in the Victoria Planning Provisions'*.

Officer Recommendation

That Council:

1. Notes the draft 2019/20 Council Budget includes \$120,000 in Financial Year 2019/20 and \$200,000 foreshadowed in 2020/21 as dedicated resourcing for this initiative.
2. Notes that, pending budget confirmation, officers will seek to establish formal partnership with the Council Alliance for Sustainable Built Environment and interested member councils to undertake research required for an ESD planning policy version 2.0. This may include the creation of shared Memorandum of Understanding to govern the sharing of financial costs for research during 2019/20 and subsequent preparation of a shared Group Amendment.

1. Policy Context

The policy context for seeking to transition to zero carbon in the planning scheme was detailed in the 8 August 2018 Notice of Motion (NOM33/18) and the 10 October 2018 Council Resolution (DED62/18).

The key related policies are summarised below.

Moreland Planning Scheme

Environmentally Sustainable Design (ESD) objectives and standards in relation to residential development are contained within Clause 54 (applicable to applications for single dwellings and extensions to single dwellings) and 55 (applicable to applications for 2 or more dwellings on a lot and residential buildings up to 4 storeys) of the Moreland Planning Scheme (known as 'ResCode').

Clause 22.08 'Environmentally Sustainable Design' in the Moreland Planning Scheme) strengthens the ability for Council to consider ESD outcomes in the planning process. This current policy provides objectives and application requirements for residential, mixed use and non-residential development to achieve best practice environmental design; it further implements policy contained within the State Planning Policy Framework (SPPF) and the Municipal Strategic Statement (MSS).

The Moreland Planning Scheme Review (PSR)

Adopted at the June Council meeting (DED38/18), the Moreland PSR identified a need to strengthen Clause 22.08 as a high priority for 2018/2019 (recommendation 7UD –ways in which local policy zones, overlays and particular provisions could be improved).

Zero Carbon Moreland 2040 Framework

Council's adopted Zero Carbon Moreland 2040 Framework (2040 Framework) reflects Council's Vision for a zero carbon Moreland community by 2040, acknowledges the climate emergency and includes associated medium-term priorities to:

- Increase environmentally sustainable design outcomes for energy efficiency and renewables via planning, enforcement and advocacy.
- Increase design standards in planning policy to create more walking and cycling friendly developments.
- Support responsible waste management in new developments via planning scheme standards and enforcement.

Design Excellence Scorecard (CAP22)

At the February 2019 Council meeting (DCF3/19), Council resolved to commence a trial of the Moreland Design Excellence Scorecard (the Scorecard). The Scorecard is aimed at supporting achievement of a range of high quality planning and development outcomes. There is a strong relationship between the ESD initiatives sought by this report and the Scorecard as both will consider how to improve design. The scorecard approach provides an alternative to mandating controls, by incentivising applicants to provide a vastly improved ESD response.

A 12-month trial of the Scorecard commenced in February 2019.

2. Background

On 8 August 2018, Council resolved (NOM33/18) for Council officers to investigate the financial/resource requirements to implement a change to the planning scheme for improved controls for green roofs, electric vehicles and zero waste infrastructure. NOM33/18 specifically requested the investigation of several key environmental initiatives, and eventual progression towards achieving zero carbon buildings, via the Moreland Planning Scheme (MPS). This included focus on:

- Providing necessary electric vehicle (EV) infrastructure for charging future EV's.
- Mandating that new roof spaces of buildings either maximise on-site roof solar photovoltaics (PV) or install a green roof.
- Requiring consideration of future waste streams, including all new development to consider landfill waste, comingled recycling and food organics/green organics (FOGO).

As part of this Council resolution, Council officers:

- Investigated these specific environmental initiatives, as well as the wider goal for transitioning towards zero carbon buildings and neighbourhoods.
- Sought preliminary feedback from key stakeholders such as the Joint CASBE Councils, and Northern Alliance for Greenhouse Action (NAGA) to reduce the financial burden on Council.
- Wrote to State and Shadow Planning Ministers, State and Shadow Environment Ministers, Federal and Shadow Environment Ministers and CEO Sustainability Victoria to inform them of the benefits to renters and vulnerable members of our community of such a proposal and, to seek their support in the form of either election commitments, state policy or financial assistance.

On 10 October 2018, Council officers reported back to Council on the preliminary outcomes of the above actions as per NOM33/18 (DED62/18). The report resolution committed to:

- Seek formal collaboration with CASBE to undertake initial research and short-term actions to establish a pathway to improve ESD outcomes which support a progression towards zero carbon planning policy.
- Write to CASBE, the original ESD Joint Councils (Banyule, Port Phillip, Stonnington, Whitehorse and Yarra) and other local governments and stakeholders who were contacted, to advise them of Council's decision and next steps in relation to progressions towards a zero-carbon planning scheme (Council's decision and next steps will also be published on Council's website).
- Further report back to Council by the end of June 2019 presenting the outcomes of the investigation to support changing the planning scheme and detail the resourcing required, including confirming level of partner support (resourcing/financial).

Refer to the table in the Issues Section of this report for actions since Council's October resolution.

Related Council work currently being undertaken

Council officers are already delivering a significant work program, aligned with the Council Plan 2017-2021, which supports achievement of quality development (including progressing towards achieving zero carbon and waste targets), including:

- Advocating for the ESD standards to be made permanent into the Moreland Planning Scheme and for the expiry date of 30 June 2019 to be removed and not replaced with another expiry date.
- Working with the Moreland development community, including negotiating ESD outcomes, building design and overall application of Moreland's best practice ESD standards.
- Testing the trial Design Excellence Scorecard.
- Refining and strengthening the Built Environment Sustainability Scorecard (BESS) tool with CASBE.
- Increasing the public electric vehicle charging network and implementing Council's updated Light Vehicle Policy.
- Implementation of the Moreland Integration Transport Strategy, Waste and Litter Strategy and Zero Carbon Refresh to 2020.
- Preparing for the transition to fortnightly food and garden organics kerbside collection service (opt-in) from 1 July 2019.

Council Alliance for Sustainable Built Environment (CASBE)

In 2004, a group of local governments, including Moreland City Council responded to the challenge of embedding environmentally sustainable development into local planning policies to improve ESD outcomes on the ground. This was done by initiating a grassroots reform of planning policy.

As a result, CASBE was established in 2009 to lead and represent Councils. Moreland led the way with partner Councils (the Joint Councils), which saw 6 Local ESD policies gazetted in November 2015 for the Moreland, Banyule, Port Phillip, Stonnington, Whitehorse and Yarra planning schemes.

CASBE also manages BESS, which was instigated by Moreland Council and launched in 2015. Moreland remains an on-going BESS Governance Board member.

Since 2009, CASBE has grown to become a self-funded organisation, with a growing membership of 30 plus Councils, with members representing 55% of all Victorian planning permit activity under the auspices of the Municipal Association of Victoria.

CASBE is a logical partner in exploring and progressing a revised or expanded ESD policy (version 2.0), as part of the transition to a zero-carbon Moreland.

3. Issues

Since the 10 October 2018 Council report, Moreland has been part of CASBE discussions about progressing an amended ESD planning policy (version 2.0). The intended policy, which is still in the very early stages of discussion, will aim to significantly increase the environment standards achieved by the current ESD planning policy and continue to show leadership in the environmental and planning spheres. This action of CASBE aligns with the CASBE 2018 – 2020 Strategic Plan which includes the goal to 'Elevate Environmental Targets'. A workshop was held on 2 May 2019 with CASBE Member Councils to begin investigating the background work required to prepare for an ESD policy version 2.0. The workshop discussed items such as environmental targets, how to increase BESS targets and the necessity for considering implementation and enforcement. Specific zero carbon strategies and technologies were also discussed, including significantly greater solar PV on new buildings, the role of green infrastructure and recognition of future energy scenarios (such as phasing out use of gas).

Aligned planning amendment projects by Cities of Melbourne and Port Philip

The City of Melbourne (CoM) is concurrently investigating carbon neutral buildings and improved green infrastructure outcomes, with the intention of preparing a significant planning scheme amendment to update its current ESD planning policy (which uniquely differs from Moreland's and other Victorian ESD local planning policies). CoM has undertaken significant research, including a review of current requirements, identification of gaps compared with other national and international policy and alignment with other CoM strategies (i.e. zero carbon goals) and step-changes (minimum requirements to desired ultimate targets). The CoM is in the policy development phase and aiming to present the proposed new policy wording to a Council meeting in August 2019.

This CoM work follows on from recent ESD enhancements in the Fishermans Bend precinct, which were approved via a Group Amendment (GC81) on 5 October 2018, applying to both the Port Phillip and CoM Planning Schemes. This amendment includes requirements for 6-star Green Star Community ratings (6 star is the highest in Australia and equivalent to world leadership ESD) and an aim for '*achieving a climate adept, water sensitive, low carbon, low waste community*'.

Update on actions since October report

In the 10 October 2018 Council report, Council acknowledged that whilst a full ESD version 2.0 would likely not be completed until 2021, there were several short to medium term actions that could proceed in the interim. These actions are intended to use the current ESD policy to its fullest extent, whilst concurrently testing what additional policy should be part of a version 2.0 to enhance ESD outcomes. The following table is taken from the 10 October 2018 report and the progress of each item is commented at the far right of the table.

| Excerpt from October 2018 Council Report | | | | Update June 2019 |
|--|--|--|---------------------|---|
| | Project/initiatives | Resources | Tentative timeframe | Progress since 10 October 2018 report |
| 1 | Report the research outcomes to Council with next steps - further research required and need to aim to secure more formal support of partners (including resourcing/financial). | Moreland Strategic Planning and ESD Units. | Second Quarter 2019 | Underway (this report). |
| 2 | Advocate collectively with CASBE and others for the ESD standards to be made permanent in the planning scheme (this could also include workshops for example with Councillors to raise awareness). | Can be accommodated within current resources from the ESD and Amendments Unit with support from CASBE. | Immediate/ongoing | Council sent a letter in February 2019 to the Planning Minister (Wynne) and Energy, Environment and Climate Change Minister (D'Ambrosio). The Department of Environment Land Water and Planning (DELWP) held a consultation meeting with CASBE councils (with strong representation by Moreland officers) on 23 May 2019. On 27 May a group amendment (GC131) implemented a consistent expiry clause in local ESD policies 'until superseded by a comparable provision in the Victoria Planning Provisions'. |

| Excerpt from October 2018 Council Report | | | | Update June 2019 |
|--|---|--|-------------------------------|--|
| | Project/initiatives | Resources | Tentative timeframe | Progress since 10 October 2018 report |
| 3 | Review VCAT cases and permit conditions. | CASBE and Moreland. | November 2018 – January 2019 | Moreland and CASBE engaged an Urban Planning consultant and a Planning legal firm to separately undertake this task and also tasks 4 and 5 below. A two-party review was chosen due to recognition that VCAT falls within the professional realm of both Urban Planners and Planning Lawyers. Refer to Attachments 1 and 2 for the outcomes of these external reviews. See the discussion below for further commentary. |
| 4 | Review existing Planning Scheme (VPP clauses) provisions which support ESD policies (and provide info fact sheets for Planners). | CASBE and Moreland. | November 2018 – February 2019 | Completed. Refer Attachment 1 and 2 . This task confirmed strong support in Victorian Planning Policy provision for ESD. |
| 5 | Seek legal and expert review of current ESD policy. Upon findings of this and item 4 above, start ramping up ESD expectations with Moreland Urban Planner and developers (i.e. greatly increase required solar PV). | CASBE and Moreland. | November 2018– February 2019 | Completed. Refer Attachment 1 and 2 . See the discussion below for further commentary. |
| 6 | Work with the City Development team to increase ESD design expectations and permit conditions with developers. | Accommodated within current resources from the ESD Unit with support from CASBE. | Underway/ongoing | This task is underway. For example, updated water sensitive urban design requirements for planning applications was launched in April 2019, including meetings with regular planning applicants and training with the Urban Planners. |

| Excerpt from October 2018 Council Report | | | | Update June 2019 |
|--|---|--|--|---|
| | Project/initiatives | Resources | Tentative timeframe | Progress since 10 October 2018 report |
| 7 | Continue to collaborate with CASBE on review/update of best practice performance standards and improve the BESS tool. | Accommodated within current resources from the ESD Unit with support from CASBE and BESS Board. | Currently underway. Categories for specific updating include: Indoor Environment Quality and Water category changes currently being tested for go-live early 2019 Energy – research underway with target setting proposed by end of 2019 following finalising of the 2019 National Construction Code, COAG Trajectory for Low Energy Buildings project and the Victorian State Government Towards Zero Emissions Homes – Beyond 6 Star project Stormwater – to be reviewed following outcomes of Improving Stormwater Management Ministerial Advisory Committee and related targets Waste - to be reviewed in 2019/20 following release and testing of SV Guide to Better Practice for Waste Management and Recycling in Multi-Unit Developments Urban Ecology and Transport – to be reviewed in 2019/20. | This task is underway, including the specific categories to be updated. |
| 8 | Undertake research required for a ESD policy (version 2.0) - including review of international examples. | Additional ESD/Strategic Planning 1EFT (\$120,000/pa) plus expert research/consulting costs (\$380,000). | July 2019 - 2020 | Draft 2019/20 Council Budget includes \$120,000 for zero carbon in planning scheme (ESD Policy 2.0) initiative and \$200,000 foreshadowed in 2020/21. See further discussion below. |

External reviews by Maddocks Lawyers (**Attachment 1**) and RCI Planning (**Attachment 2**) were commissioned to address table action 3 (review of VCAT cases and permit conditions), action 4 (review of existing Planning Scheme (VPP) provisions support for ESD) and action 5 (legal and expert review of current ESD policy). These reviews provided important learnings about the current ESD planning policy and inform research required for an ESD policy version 2.0. Key findings include:

- ESD planning principles are faring better at the Tribunal (VCAT) since the policy was gazetted in the Planning Scheme in November 2015 compared to before this time. In more recent years, particularly 2017/18, the ESD policy is gaining greater legitimacy and improved Tribunal understanding and acceptance.
- There remain certain parts of the ESD policy which perform stronger at the Tribunal than others (such as Energy performance). The reviews highlighted that a new ESD policy needs clearer performance targets and stronger rationale for why these are needed, and how to meet them, to ensure ESD policy version 2.0 success.
- There is ongoing necessity to improve planning permit conditions to reduce VCAT scrutiny and increase the success of the conditions' purpose (improved ESD).
- Confirmation that the current ESD planning policy is not strong enough to deliver the outcomes sought by NOM33/18 on 8 August 2018, nor is it strong enough to enable a clear zero carbon pathway.

The above tasks have allowed Council and CASBE to gain a good understanding of the strength of the current ESD policy and ways to improve its use (i.e. permit conditions). However, it clearly outlines the necessity for preparation of a version 2.0 policy if Council wants to progress ESD planning performance on a zero-carbon pathway.

These learnings have also confirmed the importance of aligned projects, including the Design Excellence Scorecard and continuing ongoing work and relationships with local developers and the Urban Planning team.

Human Rights Consideration

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

4. Consultation

Council officers have liaised across the ESD Unit, Strategic Planning and the City Development Branch in the preparation of this report. These teams would be further consulted as part of the projects outlined in this report.

Council has also partnered with CASBE for several of the above tasks, and Council officers are continuing discussions with the City of Melbourne about partnering to share zero carbon research and learnings.

DELWP invited CASBE councils to a meeting on Thursday 23 May 2019. The session provided updates about the proposed extension of the current ESD expiry date (30 June 2019), the translation of ESD policy through the SmartPlanning policy transition and an update of the State's progress for a Victorian-wide equivalent ESD policy. Council officers provided strong and expert advocacy seeking to ensure the SmartPlanning policy transition does not weaken ESD outcomes and that any future state-wide policy must be at least equivalent to the local ESD policy to warrant superseding the local policy.

Subject to approval of an additional \$120,000 funding (in the 2019/20 financial year Council budget) Council officers will formally seek interest and cash co-contribution from CASBE Councils in partnering to prepare a planning scheme amendment and undertake the further required research. Council recommends undertaking this project in collaboration with other Councils due to favourable experiences of undertaking the first ESD planning policy as a joint venture between 6 Councils, and also due to the benefit of shared costs.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The 10 October 2018 report highlighted that the progression of the ESD policy to version 2.0 is not listed within the Council Action Plan and that it was formerly unfunded. It was further noted that a planning scheme amendment of this complexity would require an investment of approximately \$500k (new research is required to justify such an approach). However, recent research undertaken by the CoM to support their proposed Amendment on Green Infrastructure and ESD will provide a significant research foundation upon which the collaborative Councils can build to develop an ESD policy version 2.0.

Building on the work already undertaken by the CoM, and sharing research costs with other interested CASBE Councils, will help reduce research/consultancy costs (original estimate \$380,000). The draft 2019/20 Council budget includes \$120,000 and a further \$200,000 of required funding is forecast for 2020/21.

7. Implementation

Pending confirmation of funding for this initiative through the 2019/20 budget, Council officers will progress recruitment of a Strategic Planner to coordinate the project and continue active engagement with CASBE, (the 30 CASBE Councils) and the CoM in their respective tasks. Council will seek formal collaboration and co-funding of the initiative, most likely through a Memorandum of Understanding to establish shared governance and funding of the research required for a group ESD Planning Policy Version 2.0.

Attachment/s

- | | | |
|---|--|------------|
| 1 | Letter from Maddocks Lawyers - review and analysis of the current ESD Planning Policy, ESD Planning Permit Conditions and VCAT Appeals | D19/194891 |
| | <i>Pursuant to sections 77(2)(c) and 89(2)(f) this attachment has been designated as confidential by the Chief Executive Officer because it relates to legal advice.</i> | |
| 2 | RCI Planning Review of Current ESD Planning Policy, Planning Permit Conditions and VCAT Appeals | D19/194892 |
| | <i>Pursuant to sections 77(2)(c) and 89(2)(f) this attachment has been designated as confidential by the Chief Executive Officer because it relates to legal advice.</i> | |

DCF44/19 AMENDMENT C185 - GLENROY LIBRARY REZONING - DECISION GATEWAY 3 - CONSIDER ADOPTION OF AMENDMENT (D19/174267)

Director City Futures

City Strategy and Design

Executive Summary

Amendment C185 applies to the Glenroy Library at 737 Pascoe Vale Road, Glenroy. The Amendment seeks to:

- Rezone the land from part Public Use Zone 6 – Local Government (PUZ6) and part Residential Growth Zone (RGZ) to Commercial 1 Zone (C1Z).
- Apply Parking Overlay 1 (PO1) consistent with the remainder of the Glenroy Activity Centre.

This rezoning of this land is required to facilitate the sale of the land, with all funds directed to the construction of the Wheatsheaf Community Hub. In October 2017, Council endorsed a concept plan for the Wheatsheaf Community Hub, an integrated community facility that includes a library, at the former Glenroy Primary School at 50-60 Wheatsheaf Road, Glenroy. The proposed relocation of the library to the Wheatsheaf Community Hub makes the land at 737 Pascoe Vale Road surplus to Council requirements.

At the June 2018 meeting (DSD15/18), Council resolved to request the Minister for Planning to approve an amendment to the Moreland Planning Scheme to rezone the Glenroy Library site with limited public exhibition.

Public exhibition of the proposed amendment commenced on 26 April 2019 and finished on 10 May 2019. This included direct notification of the owners and occupiers immediately adjacent to the site to the rear and to the west as authorised by the Minister for Planning. There were no submissions received to the amendment during the exhibition period.

This report recommends Amendment C185 be adopted as exhibited and submitted to the Minister for Planning for approval.

Officer Recommendation

That Council:

1. Adopts Amendment C185 to the Moreland Planning Scheme, pursuant to section 29(1) of the *Planning and Environment Act 1987*.
2. Delegates to the Director City Futures the authority to make changes to the Amendment based on any changes requested by the Minister for Planning and any changes to relevant documents to correct any minor errors.
3. Submits Amendment C185 to the Minister for Planning for approval, pursuant to section 31(1) of the *Planning and Environment Act 1987*.

1. Policy Context

The 2017–2021 Council Plan commits Council to maintain and match our infrastructure to community needs and population growth. The Wheatsheaf Community Hub is a key deliverable (R3a) under item 64 in the Council Action Plan 2018/2019. The priority is to create an integrated community hub in Glenroy with a focus on education, lifelong learning and health combined with a district level open space.

The rezoning of the Glenroy Library to facilitate its sale is required to facilitate funding of the Wheatsheaf Community Hub project. A new library will be provided within the hub available for the Glenroy community in association with other integrated services.

Glenroy Structure Plan

The Glenroy Structure Plan (Structure Plan) was adopted by Council on 13 August 2008. The Structure Plan foreshadowed that the library was outgrowing its space and was in need of an upgrade. The Structure Plan identified the Glenroy Library site as a key development opportunity. A key objective of the Structure Plan is to evaluate longer term options for intensification of community uses at the Glenroy Library site or relocation of the Glenroy Library to a more central location to create a concentrated area for neighbourhood activity.

2. Background

At the October 2017 Council meeting, Council endorsed a concept plan for the Wheatsheaf Community Hub. The hub is an integrated community facility, which includes a library, at the former Glenroy Primary School at 50-60 Wheatsheaf Road, Glenroy. The proposed development of this facility makes the Glenroy Library land surplus to Council requirements.

At the June 2018 Council meeting, Council resolved to request the Minister for Planning to approve an amendment to the Moreland Planning Scheme to rezone 737 Pascoe Vale Road, Glenroy from part Public Use Zone 6 and Residential Growth Zone to Commercial 1 Zone. A map showing the current zoning is included in **Attachment 1**. A map showing the proposed zoning is shown in **Attachment 2**. This rezoning process would facilitate the sale of the Glenroy Library site, with the funds directed to the Wheatsheaf Community Hub.

Authorisation and exhibition

At its meeting 13 June 2018, Council resolved to request the Minister for Planning to use his powers of intervention to re-zone the land. This was considered a reasonable request as the relocation of the library had been previously foreshadowed in the Glenroy Structure Plan which included an extensive consultation process. In addition, extensive consultation was also undertaken as part of the 'Give Glenroy a Go' campaign to secure funding for the Wheatsheaf Community Hub.

Whilst the Minister for Planning refused Council's request to use his powers of intervention to rezone the land, authorisation was provided to Council to prepare and exhibit the amendment with limited notification, as extensive community consultation had already been undertaken for the Wheatsheaf Community Hub.

The Amendment was publicly exhibited from the 26 April 2019 to the 10 May 2019. No submissions were received

3. Issues

Commercial 1 Zone and parking overlay

The Glenroy Activity Centre is a major activity centre. The most appropriate zone for this location is an extension of the existing Commercial 1 Zone to the north. The Commercial 1 Zone allows both commercial and residential uses and will fulfil the objective in the Glenroy Structure Plan that seeks to: encourage mixed use development with retail, office and commercial uses at ground floor and residential uses at upper levels.

The Parking Overlay – Schedule 1 (PO1) applies to the entire Glenroy Activity Centre and will be applied to the site at 737 Pascoe Vale Road to ensure consistent parking requirements across the centre. The PO1 identifies appropriate car parking rates for land uses in the Mixed-Use Zone, Residential Growth Zone, Commercial 1 Zone, Commercial 2 Zone and Activity Centre Zone.

Environmental, social and economic implications

The rezoning will facilitate the sale of land declared as surplus to Council requirements and to assist in the construction of the Wheatsheaf Community Hub. The amendment will have positive social effects as it will enable funds to be reinvested into a state of the art, modern library facility nearby. The rezoning will not impact on the usability of the library, and the library can continue to operate until the new library has been constructed and is operational.

The sale of the land for commercial and residential development as a result of the amendment will have positive economic effects by allowing the site to contribute to the Glenroy Activity Centre with a mixture of commercial and residential uses that are well served by public transport. It is anticipated that future residents are likely to shop locally and contribute to the local economy.

The right of way immediately adjacent the site forms a natural buffer between the residentially zoned properties to the rear of the land. This will assist in ameliorating potential amenity impacts between any future development on the site and the adjoining residential area. The Glenroy Structure Plan provides built form guidance for land within the Glenroy Activity Centre via the Moreland Planning Scheme Local Planning Policy Framework at Clause 21.02-3 – MSS Strategic Directions.

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 between 26 April and 10 May 2019. Direct notification via letters was sent to owners and occupiers of adjoining properties to the rear and to the west of the land as directed by the Minister for Planning in the Amendment authorisation. The Amendment also appeared in the *Victoria Government Gazette* on 26 April 2019.

No submissions were received.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The funds required to administer this amendment have been included within the operating budget of the Strategic Planning Unit.

Council will be responsible for paying the statutory fees to the Department of Environment, Land, Water and Planning to consider approval of the amendment.

7. Implementation

The following anticipated timeline for the Amendment is broken down into the key 'decision gateways'. The timeframe is subject to Ministerial approval timelines.

Decision Gateway 1: Authorisation and Exhibition (completed)

26 April 2019 – 10 May 2019: Public Exhibition.

Decision Gateway 2: Submission Review and Panel Request (not applicable)

As no submissions were received, this gateway is not applicable to this amendment.

Decision Gateway 3: Consider adoption of the Amendment (current)

June 2019: Council report to consider final amendment decision.

June 2019: Submit Amendment to the Minister for Planning for approval (subject to Council's decision).

Attachment/s

| | | |
|--------------------------|--|------------|
| <u>1</u> | C185 Adoption Current Zoning Map - 737 Pascoe Vale Road, Glenroy | D19/193360 |
| <u>2</u> | Proposed Zoning Map - 737 Pascoe Vale Road, Glenroy | D19/71603 |

DCF45/19 AMENDMENT C169 - ADVERTISING AND CLUB SIGNAGE IN OPEN SPACES - DECISION GATEWAY 3 - CONSIDERATION OF THE PANEL REPORT AND ADOPTION OF THE AMENDMENT (D19/91497)

Director City Futures

City Strategy and Design

Executive Summary

Amendment C169 to the Moreland Planning Scheme seeks to amend requirements for advertising signs and club signage in Council's sports grounds. The changes will facilitate approval of advertising signage on sports grounds, whilst managing amenity impacts.

Council resolved at the June 2018 meeting (DED35/18) to request the Minister for Planning to appoint an independent panel to hear submissions to Amendment C169. The Panel recognised the existing deficiencies in planning scheme provisions relating to signage. The Panel supported the underlying rationale for the Amendment to provide increased flexibility for lawful signage in connection with sports and recreation clubs on public land. The Panel concluded however that Council should make changes to the amendment to utilise the planning scheme to achieve greater flexibility for signage and ensure appropriate planning assessment of any potential amenity impacts of signage. The Panel were concerned about the appropriateness of a Council policy that does not form part of the planning scheme (the User Guide) to form the basis for signage approvals.

Council officers have made changes to Amendment C169 to address the Panels concerns. The revised approach will remove the existing prohibition of signage whilst allowing the impacts of signage to be considered through consideration of a planning permit. The revised version of the amendment exempts limited types of signage with low amenity impacts in Major Sporting Grounds from a planning permit.

This report recommends adoption of the amendment with changes and its submission to the Minister for Planning for approval. The report also seeks Council adoption of a revised *Recreation Services Sporting Facilities, Grounds and Pavilion User Guide*, which has been updated to align with planning terminology and proposed changes to the planning scheme.

Officer Recommendation

That Council:

1. Notes the findings and recommendations of the Panel appointed to consider Amendment C169 to the Moreland Planning Scheme, documented in the Panel Report dated 3 October 2018, at Attachment 1 to this report.
2. Adopts Amendment C169 with changes, as outlined in the Amendment documentation at Attachment 2 to this report, pursuant to section 29(1) of the *Planning and Environment Act 1987*.
3. Endorses the revised Recreation Services Sporting Facilities, Grounds and Pavilions User Guide May 2019, at Attachment 3 to this report.
4. Submits Amendment C169 to the Moreland Planning Scheme to the Minister for Planning for approval, pursuant to section 31(1) of the *Planning and Environment Act 1987*.
5. Delegates the Director City Futures authority to finalise Amendment C169, in accordance with Council's resolution and to make any administrative changes required, including to correct errors, grammatical changes and map changes.
6. Notes that the moratorium on planning enforcement action of sporting club signage in open space reserves will end upon the gazettal of Amendment C169 by the Minister for Planning.

7. Notifies all submitters of Council's decision and of the Minister's decision on Amendment C169 to the Moreland Planning Scheme, once received.

1. Policy Context

The Council Action Plan 2017-2018 (CAP) Action 32 seeks to establish a planning framework to ensure that advertising in sports grounds can be undertaken appropriately, in a timely manner and with appropriate control over visual impacts. The adoption of Amendment C169 and submission to the Minister for Planning for approval will complete this CAP item.

Council is committed to supporting local sporting clubs. As well as providing recreational and health benefits to the community, many club events also contribute to Moreland by creating a sense of community and a place to gather, socialise and connect. Council understands that sporting clubs need to appropriately advertise their club and the organisations that sponsor them.

The majority of existing signage surrounding sports grounds is currently in breach of the Victoria Planning Provisions of the Public Park and Recreation Zone (PPRZ) within the Moreland Planning Scheme. All promotional signs are prohibited under the applicable 'Category 4' advertising controls in the PPRZ.

A detailed summary of the existing policy context was reported to the June 2018 Council meeting (DED35/18).

2. Background

In June 2017 Council resolved to seek the Minister's authorisation to prepare the Amendment and following receipt of authorisation, to publicly exhibit the Amendment (DED46/17 Amendment C169 - Advertising and Club Signage in Open Space Reserves). The Minister's authorisation to publicly exhibit the amendment was received on 1 January 2018.

The Amendment was exhibited between 12 March and 27 April 2018. Seven submissions were received. In general, the concerns and suggestions objected to the placement and content of additional signage.

In June 2018, Council made changes to the Amendment in response to submissions and requested the Minister for Planning to appoint a Panel in accordance with part 8 of the *Planning and Environment Act 1987* to consider unresolved submissions to the Amendment (DED35/18).

Submissions were considered by an independent Planning Panel at a hearing held at the Moreland City Council Civic Centre, Coburg on 5 September 2018. The report of the Panel was received on 3 October 2018 and released to the public in November 2018.

Proposed changes to the Moreland Planning Scheme

Amendment C169 proposes the following changes to the Moreland Planning Scheme:

- Amend schedule to Clause 36.02 Public Park and Recreation Zone to change the signage category to Category 2 for the majority of grounds, and Category 1 for the 6 major sports and recreation facilities.
- Amend the schedule to Clause 72.04 Documents Incorporated into this Planning Scheme – to insert ‘*Signage on sports grounds June 2019*’ as an incorporated document in the Moreland Planning Scheme to exempt low impact signage at Major Sporting Grounds from requiring a planning permit.
- Amend Clause 22.04 Advertising Signs – to delete the following text: ‘discourage business identification signs’ in section 22.04-3 for Open Spaces Areas.
- Amend schedule to Clause 37.08 Activity Centre Zone to change the signage category for the Coburg Bowls Club land to Category 2.
- Insert Clause 45.12 Specific Controls Overlay and the associated Schedule 1 into the Moreland Planning Scheme.
- Rezone land known as Narre Reserve from Neighbourhood Residential Zone 1 (NRZ1) to a Public Park and Recreation Zone (PPRZ).

3. Issues

Panel recommendations

The Panel recognised the existing deficiencies in planning scheme provisions relating to signage and supported the underlying rationale for the Amendment to provide increased flexibility for lawful signage in connection with sports and recreation clubs on public land.

The Panel Report is focused on whether the proposed suite of provisions and use of the Victoria Planning Provisions proposed by Amendment C169 was reasonable and proportionate to achieve the underlying intent of the Amendment. The Panel were concerned about whether it is appropriate for a Council policy that does not form part of the planning scheme (the User Guide) to form the sole basis for all signage assessment and approvals on public reserves.

The following extract from the panel report are useful in understanding the Panels position and recommendations:

The Panel suggests that a more nuanced use of the suite of planning scheme tools could be employed to achieve an improved balance between being facilitative (of broader types of signs on Major facilities) whilst protecting against the potential impacts of such signage. Likewise, the category for signage on other reserves could be tempered to achieve a more balanced outcome (Page 11 of the Panel report).

Response to Panel recommendations

Officers have revised the amendment and Incorporated Document so that only a limited amount of signage on specific sites (Major Sporting Grounds) is exempt from requiring a planning permit. All other signage will require a planning permit and will be assessed by Council to ensure no unreasonable amenity impacts occur.

The Panel's recommendations are summarised below with a Council Officer response in the below Table 1. The Panel's full findings and recommendations are included at **Attachment 1**.

Table 1: Panel recommendation and officer response

| | Panel recommendation | Officer response |
|---|--|---|
| 1 | Review planning policies underpinning the Amendment having regard to changes to the planning scheme introduced by Amendment VC148 before adopting Amendment C169 in whole or in part. | <i>Recommendation supported.</i> Council officers have reviewed the Amendment documentation having regard to the changes introduced by Amendment VC148. The Amendment documentation has also been provided to the Department of Environment Land Water and Planning for review to ensure consistency with the requirements of VC148. The revised amendment documentation proposes to insert Clause 45.12 Specific Controls Overlay to the Moreland Planning Scheme. This will ensure transparency as to where the revised incorporated document applies. |
| 2 | Change the category of signage provided in the Schedule to the Public Park and Recreation Zone in respect of nominated reserves (other than the six identified Major sports and recreation facilities) to Category 2, pursuant to Clause 52.05-12 of the Moreland Planning Scheme. | <i>Recommendation supported.</i> Amending the signage category for reserves other than the 6 major reserves to Category 2 is considered appropriate and recognises that it is reasonable to apply a different signage category to the other reserves where there is a greater amenity expectation compared to the major sporting grounds, which are larger facilities. |
| 3 | Abandon the proposed Incorporated document, Advertising Signs in Major Sports and Recreation Facilities, February 2018. | <i>Recommendation supported.</i> The use of a revised incorporated document to exempt low impact signage remains a valid tool to manage signage on sporting reserves however, explained below under 'alternative recommendation 4'. |
| 4 | Moreland City Council consider the alternative approaches suggested in this Panel Report to facilitate sportsground signage on the six identified Major sports and recreation facilities within the ambit of the Moreland Planning Scheme. | <i>Recommendation supported.</i> A revised Incorporated Document - <i>Signage on sports grounds June 2019</i> at <u>Attachment 2</u> has been prepared which responds to the suggested approach outlined in the Panel Report. In Section 4.2 of the Panel Report, titled, <i>Potential alternative approaches</i> , the Panel identifies alternative ways in which an Incorporated Document may be utilised. The Panel found that, (page 23), ' <i>There remains scope for the use of an Incorporated Document to regulate opportunities for lawful signage on Major facilities. The Panel's specific concerns expressed in this report stem from the form and outcomes of the proposed Incorporated document as exhibited.</i> |

| | Panel recommendation | Officer response |
|--|----------------------|---|
| | | <p><i>Such a document would need to be more direct in terms of the guidance it provides, rather than providing a complete exemption from planning controls. It could seek to exempt low impact signs from the need for a permit but retain a permit trigger for higher impact signs.</i></p> <p>Officers have revised the exhibited incorporated document to address the panel's concerns. The revised document responds to the intent of the concerns raised by the Panel and has not altered the amendment to such an extent that the amendment should be subject to additional exhibition or form the basis of a new planning scheme amendment. The below 'Table 2 - summary of amendment changes and impacts on reserve types' indicates the changes proposed to the Incorporated Document. The revised approach reduces the extent for exemptions from planning permits to only apply to inward facing advertising signs at the six major sporting grounds. This is contrasted with the exhibited approach which proposed to exempt all signage from planning permit requirements.</p> |

Revised Incorporated Document

The revised Incorporated Document at **Attachment 2** continues to apply to the major sport and recreation facilities, consistent with what was exhibited, however it exempts a very limited signage type which is considered to have a low amenity impact. Signs with a potential for high amenity impact that are prohibited under the current state-wide planning provisions would require a planning permit and will be assessed by Council through the standard planning permit process.

The signage types that will be exempt from requiring a planning permit at the 6 major sporting grounds are listed below:

1. *A planning permit is not required to display a Promotion sign (Sponsor signs) if all the following conditions are met:*
 - *Each sign must have a maximum display area of 3 square metres.*
 - *The sign must face inwards towards the sporting area or playing field.*
 - *The total signage must not cover more than 50% of the internal circumference of the sporting area or playing field fence.*
 - *The signs must not be fixed to pavilions or scoreboards.*
2. *The signs hereby permitted must not be animated, contain any flashing light or be internally or externally illuminated.*
3. *The signs must not obstruct pedestrian or vehicle entry points, including gates at entry points, to sport grounds and playing fields to the satisfaction of the Responsible Authority.*
4. *All signs must be constructed to the satisfaction of the Responsible Authority and maintained to the satisfaction of the Responsible Authority.*
5. *All signs must be removed at the end of the occupancy by the tenant club to the satisfaction of the Responsible Authority.*

Signs that meet these requirements are low impact as they are not readily visible except to people attending the sports ground or watching a sporting event. Signs must not be illuminated or have any flashing elements which means that there is no opportunity for light spillage or distraction for neighbouring properties. The signs are also restricted to a size which is consistent with standard solid fencing around a sports ground. For these reasons the signs which are proposed to be exempt are considered low impact and unlikely to have any unreasonable amenity impact on surrounding properties or users of the reserves.

Signs which do not meet these requirements will require a planning permit and will undergo an assessment against the provisions of the Moreland Planning Scheme.

Officers sought independent expert advice and review in revising the Incorporated Document. The purpose of this review was to confirm that the document would not allow signage with unreasonable amenity impacts on the reserves and surrounding properties and that the changes would address the panel's concerns.

Changes to the amendment

The following table 2 summarises how the amendment has evolved throughout the process of consideration. The table provides detail on the amendment as it was exhibited, the changes recommended by the Panel, and the approach now proposed for Council adoption in response to the Panel recommendations.

Table 2: Changes to Amendment

| | | Exhibited version | Panel recommendation | Adoption version |
|------------------------------|---|--|---|---|
| Incorporated Document | 6 major sports grounds | Exempt from all planning permit requirements via Incorporated Document | Abandon the exhibited Incorporated Document Consider a revised Incorporated Document | Revised Incorporated Document Exempts only limited inward facing signage |
| | Other sporting grounds | N/A | N/A | N/A |
| Signage Category | 6 major sports and recreation facilities | N/A | Category 1 | Category 1 |
| | Other Sporting grounds | Category 1 | Category 2 | Category 2 |
| User Guide | 6 major sports and recreation facilities | Recreation Services Unit as land manager assess all signage for Major Sports and Recreation Facilities (not part of the planning permit process) | No relevance to planning scheme assessment. User guide to assist Recreation Services Unit as land manager only | No relevance to planning scheme assessment. User guide to assist Recreation Services Unit as land manager only |
| | Other sporting grounds | No relevance to planning scheme assessment. User guide to assist Recreation Services Unit as land manager only | No relevance to planning scheme assessment. User guide to assist Recreation Services Unit as land manager only | No relevance to planning scheme assessment. User guide to assist Recreation Services Unit as land manager only |

Revised user guide

Council's Recreation Services Unit assess applications for signage as part of leasing and ground allocation applications, in its role as public land manager, in accordance with the *Recreation Services Sporting Facilities, Grounds and Pavilions User Guide, June 2019*. The revised user guide proposed for adoption will provide clear guidance for sporting clubs on acceptable signage.

Officers have revised the user guide to align with the proposed changes to the planning scheme. This will avoid confusion and create consistency in terminology and assessment. A tracked changed version of the user guide can be found at **Attachment 3** 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 Amendment was exhibited between 12 March and 27 April 2018. Direct notification via letters and information brochures were sent to all sporting clubs affected by the Amendment, as well as owners and occupiers of adjoining and nearby land. The Amendment was also advertised in the *Moreland Leader* newspaper and appeared in the *Victoria Government Gazette* on 15 March 2018.

All members of the 'Active Sporting Reserves Signage Working Group' (ASRSG) were invited to an information session on 18 April 2018. This group of sporting club representatives was originally established to guide and oversee the planning, development and implementation of the signage in active sporting reserves policy.

Council received 7 submissions to the amendment. One had no objection to the Amendment. The remaining submissions detailed a number of concerns and suggestions related specifically to conditions for signage in the User Guide. Council report DED35/18 to the June 2018 meeting includes a detailed response to submissions.

All submitters have been notified of the timing of this report and the release of the report of the Panel.

The proposed changes to the amendment including the changes to the user guide have been drafted in collaboration with Council officers from the City Development Branch and Recreation Services Unit and discussed with Planning officers in the Department of Environment, Land Water and Planning.

The Panel Report provides some commentary on whether re-exhibition of the Amendment would be required if changes were made as suggested by Panel Recommendations 2, and 3 and 4. The Panel Report notes (Page 24/25):

The Panel has turned its mind to whether the substitution of a change in category of signage combined with use of the VicSmart Schedule for Major facilities would warrant any form of re-exhibition.

The exhibited version of the Amendment proposed to exempt all signs on Major facilities from the need for a planning permit. Instead, the alternative approach involves a more limited exemption from planning permission and would streamline the application process when signage would still require planning permission.

This approach is less likely to cause detriment to any person who may have otherwise sought to be involved in the Amendment compared with the as-exhibited version. On this basis, Council could potentially conclude that no further public notification would be required for this part of the Panel's recommendations to be pursued.

A separate analysis would need to be undertaken in respect of notification if an alternative Incorporated Document was pursued.

Officers have undertaken analysis of the need for re-exhibition. Officers have found that the approach proposed by the revised Incorporated Plan is less likely to cause detriment to any person who may have otherwise sought to be involved in the amendment than the exhibited version. The extent of signage that is allowed in the revised Incorporated Document is significantly less than which would be allowed by the exhibited version. On this basis no further exhibition is considered necessary.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The funds required to administer this amendment can be accommodated within the current financial year operating budget and current resources of the Strategic Planning Unit. Council will be responsible for paying the statutory fees to the Department of Environment, Land, Water and Planning to consider approval of the amendment.

The revised amendment documentation including the Incorporated Document will provide more direct guidance and regulate opportunities for lawful signage on Council reserves through the planning system.

The changes proposed as part of Amendment C169 will now enable clubs to apply for a planning permit for signage when previously most signage was prohibited. Sports clubs will be required to apply for a planning permit to construct and display a sign. These applications are exempt from notice requirements under the scheme and therefore there are no costs associated with the applications beyond the standard application fee.

Sporting clubs wishing to erect, and display signage will be required to first seek Council approval as the land manager, prior to applying for a planning permit, if one is required. Once approval from Council as land manager is received, clubs can apply for a planning permit.

In order to efficiently manage this process, the Recreation Services Unit intends to consider proposed signage as part of annual and seasonal club allocation applications. The unit currently receives between 30 and 60 applications a year of this type, and as signage is already being considered as part of this process it is not anticipated that resources in this unit will be unreasonably burdened by the adoption of the amendment. The amended User Guide creates clear guidelines, that will assist community groups and the Recreation Services Unit in both applying for and assessing appropriate signage in its role as Land Manager.

7. Implementation

The process and timeline for the Amendment is broken down into the key 'decision gateways'.

- Decision Gateway 1: Authorisation and Exhibition (completed June 2017);
- Decision Gateway 2: Submission Review and Panel Request (completed June 2018);
- Decision Gateway 3: Review Panel report and consider adoption of the Amendment (May 2019).

Subject to Council's resolution, the amendment will be submitted to the Minister for Planning for a decision as soon as practicable.




Moratorium

Council resolved at the 14 June 2017 Council meeting (DED46/17) to extend the moratorium on the planning enforcement actions for sporting club signage in open spaces reserves under the planning scheme until an incorporated document is introduced into the Moreland Planning Scheme. During this time any proposals for signs requested by clubs would be referred to the Recreation Services Unit and be assessed against the guidelines in the draft incorporated document.

In accordance with this earlier Council resolution the moratorium will remain in place until a decision on Amendment C169 is gazetted by the Minister.

Council's Recreation Services Unit will continue to administer any additional requests for signage in accordance with the guidelines in the revised *Recreation Services Sporting Facilities, Grounds and Pavilion User Guide June 2019* (**Attachment 3**).

Attachment/s

| | | |
|---|--|------------|
| 1  | C169 Panel Report - October 2018 | D19/102795 |
| 2  | Documentation - C169 Planning Scheme | D19/102796 |
| 3  | Recreation Services Sporting Facilities, Grounds and Pavilion User Guide - June 2019 | D19/102797 |

DCF46/19 LANEWAY CLOSURE BONWICK STREET STREETSCAPE UPGRADE (D19/157924)

Director City Futures

City Strategy and Design

Executive Summary

At the February 2019 Council meeting (DCF6/19), Council resolved to commence the consultation process for the formal closure to vehicular traffic of the unnamed North East and North West laneways, comprised of 60 lineal metres of road, connecting Bonwick Street to the rear shopping centre carparking.

The closure of these laneways is consistent with the implementation of the Concept Plan for the Bonwick Street Shopping Strip Streetscape Upgrade, resolved by Council at the 12 December 2018 Council meeting (DCF1/18). The closure also facilitates the 'Laneway Treatments' which Council resolved at the 9 May 2018 Council meeting (DED27/18). Council has the power under the *Local Government Act 1989* to close the road to vehicular traffic.

Following on from the extensive community consultation undertaken on the concept design for the Bonwick Street Streetscape Upgrade works, public notice inviting submissions in relation to the proposed laneway closure was included in the *Moreland Leader* and the *Northern Leader* newspaper on 18 March 2019. No submissions were received.

Council has received support from VicRoads in accordance with clause 9(2) of Schedule 11 to the *Local Government Act 1989*. Council has the power under the *Local Government Act 1989* to close the road to vehicular traffic. This report seeks to finalise the road closure process.

Recommendation

That Council approves the closure of 60 lineal metres of road to vehicular traffic connecting Bonwick Street to the rear carparking, located at the North West unnamed laneway south of 55 Bonwick Street, and North East unnamed laneway south of 56 Bonwick Street, Fawkner pursuant to Section 207 of, and Clause 9 of Schedule 11 to, the *Local Government Act 1989*.

1. Policy Context

Council's commitment to improving local shopping strips is articulated in the Shopping Strip Renewal Program (SSRP). The SSRP guides Council's efforts to bring about physical enhancements and improved business performance and to activate the public spaces within its local shopping strips in a manner which is equitable and sustainable over the long term.

The Moreland Integrated Transport Strategy (MITS) 2010-2019 proposes that pedestrian links and prohibiting vehicle access to selected streets are some of the methods Council can employ to reallocate road space to prioritise pedestrians and cyclists

2. Background

The Bonwick Street Streetscape Upgrade is action number 53 in the 2017/2018 Council Action Plan (CAP), which includes the measures and target to commence construction of the project by June 2019 and complete construction in 2019/2020.

Bonwick Street Shopping Strip is an important community hub servicing many Fawkner residents and visitors to the area. Notice of Motion NOM13/17 - Pedestrian Crossing on Bonwick Street, Fawkner (April 2017) highlighted concerns around pedestrian safety and amenity.

In May 2018 Council resolved to prioritise the delivery of the Bonwick Street Neighbourhood Centre project (DED27/18). At this meeting Council determined an expanded scope for the project, including delivery of a new civic space plus pedestrianisation of 2 laneways, allocating a total estimated \$2.192 million funding to deliver this project over two financial years 2018/2019 and 2019/2020. The closure of the laneways proposed in this report facilitates the 'laneway treatments' resolved at the May 2018 Council meeting.

Community engagement on the draft concept design for the Bonwick Street Shopping Strip Streetscape Upgrade, which included consultation on the pedestrianisation of the laneways, was undertaken for 4 weeks in October 2018. An expanded scope of works was endorsed by Council at the 12 December 2018 Council meeting (DCF1/18) in response to community input, primarily in relation to parking provision.

The Bonwick Street Streetscape Improvement works were publicly tendered 9 March 2019 and closed on Monday 8 April 2019.

Construction works for the streetscape upgrade are scheduled from June 2019 – November 2019.

3. Issues

Access implications

The proposed closure will not negatively impact non-vehicular traffic between Bonwick Street and the rear carparks.

Pedestrianisation of the laneways will facilitate a safe designated point to cross Bonwick Street through the provision of a zebra crossing, connecting the laneways. Additional amenity in the laneways, including seating, new trees, and adaptable public space will provide additional benefits to pedestrians using the shopping centre.

Vehicular access will be maintained at the two laneways located at the south of the shopping strip, to allow for vehicle access through to the rear carparks, both of which also have points of access from Jukes Road.

On-street parking

The proposed closure will not reduce the net on-street parking.

Human Rights Consideration

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

4. Consultation

Consultation was undertaken in accordance with Section 223 of *the Local Government Act 1989*. Council officers from Urban Design, Transport, Engineering Services and Economic Development have been involved in the process to date.

All owners and occupiers of properties abutting the laneways have been notified of Council's intention to close the laneways to vehicular traffic by mail. Notice of the intention was also published in the *Moreland and Northern Leader* newspapers on 18 March 2019. No submissions were received during this process.

In March 2019, Council officers sought VicRoads support in relation to the partial road closure in accordance with Clause 9(2) of Schedule 11 to the *Local Government Act 1989*. Correspondence received from VicRoads states that VicRoads have no objection to the proposal to close the 2 laneways to traffic.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

Funds required to action this resolution are budgeted for within the City Strategy and Design Branch current year budget and the associated project budget for the Bonwick Street Streetscape Upgrade.

7. Implementation

The laneways will be closed to vehicular traffic when the Bonwick Street Upgrade works commence in the relevant laneway location. All owners and occupiers of properties abutting the laneways will be notified of the laneway closure in conjunction with ongoing regular project updates and signage regarding the streetscape upgrade works.

Attachment/s

There are no attachments for this report.

DEP5/19 REDEVELOPMENT OF 33 SAXON STREET - UPDATE (D19/177053)

Director Engagement and Partnerships

Places and Major Partnerships Projects

Executive Summary

Council is the owner of the former school at 33 Saxon Street, Brunswick. The site is currently being successfully used as a public garden, community and creative space known as Siteworks, which is managed on behalf of Council.

In December 2018, following extensive community engagement, Council endorsed a Concept Plan for site redevelopment as an enhanced community and creative space with an extended public space area. The Concept Plan was costed at \$24 million.

The Saxon Street site is proposed to be Council's next major redevelopment project following the delivery of the Wheatsheaf Community Hub in Glenroy.

Due to the Federal Labor party not being elected to parliament, the \$6 million pre-election commitment for the Wheatsheaf Community Hub will not materialise. Therefore, adjustments to Council's Significant Projects Reserve will be required and alternate funding sources for Saxon Street will need to be pursued. The impact of this is currently being assessed and will be further reported to Council.

This report provides Council an update on the financial strategy for site redevelopment, research on models for site operations, governance and an update on stakeholder engagement. It is also noted that a box office has been installed in the forecourt of Siteworks to enhance wayfinding and useability of the site in the lead up to future redevelopment of the site.

A range of work to continue towards major site redevelopment is foreshadowed for 2019/2020, this includes ongoing stakeholder engagement, marketing, promotion and development of a brief for detailed design of the site.

Officer Recommendation

That Council:

1. Notes the progress made on redevelopment of 33 Saxon Street, Brunswick including a draft financial strategy, research on governance models and stakeholder engagement.
2. Notes the pre-election commitment of \$6 million from the Federal Labor party for the Wheatsheaf Community Hub will not materialise and that a further assessment of these impacts on the schedule for redevelopment of 33 Saxon Street is being undertaken.
3. Notes that ongoing stakeholder engagement will take place in 2019/20 and that Councillors will be briefed regularly on project progress.

1. Policy Context

The Brunswick Structure Plan (2010 and 2016) sets the general vision and directions for 33 Saxon Street and the Brunswick Civic and Cultural Precinct.

This item is referenced in the Council Plan 2017-2021 R3b): Saxon Street Hub: implement strategic plan to guide future use and development of the Hub.

This item has 3 measures in the Council Action Plan for 2018/19 to:

- Endorse a Concept Plan;
- Identify an appropriate governance model and potential partners; and
- Develop a financial strategy to deliver redevelopment.

Council endorsed a Concept Plan for the site in December 2018 and this report addresses the remaining Council Action Plan measures.

Planning for the site with an integrated 'place-based' approach also addresses other Council Plan actions including:

1. Development of expanded and enhanced public open space, including a playground, in an area of high need (reference P4a & C4b);
2. Improved community engagement (reference R2a);
3. Secure a new site for ongoing service delivery from the Brunswick Neighbourhood House (reference R3e); and
4. Enhance the capacity of Moreland's creative sector to maintain and grow their practice (reference P8a(i)).

The purpose of 33 Saxon Street is:

to address contemporary social needs through creative and cultural activities, drawing on the skills and resources of the private and community sectors. Through their physical co-location and common purpose, tenants and users engage with the wider community on important social issues via a diverse range of creative programs, events and cultural activities (Strategic Framework 2017).

This purpose is well aligned with the intent of the Brunswick Design District, a partnership between RMIT, State Government and Council to enhance and develop Brunswick as an enterprise precinct of metropolitan significance. Development of 33 Saxon Street, in accordance with its purpose will assist to reinforce the intent of the Brunswick Design District.

2. Background

Strategic Framework

At its meeting of August 2017, Council endorsed a Strategic Framework for the site to facilitate decision making about the future of the site. Following rigorous research, the Framework identified preferred future uses for the site, development principles, strategic objectives and a draft vision. The Strategic Framework identified 3 key objectives being:

1. Deliver the vision for the site, matching needs with opportunities;
2. Carefully manage the draw on Council's limited rates-raised budget and develop a viable multi-use facility; and
3. Ensure good governance and an engaged leadership group focused on innovation.

The site is currently operating as a low cost, low-tech community and creative facility known as 'Siteworks', and the Strategic Framework was informed by observations and data related to current successful site operations. Prior to 2021, it is considered necessary to update the Strategic Framework to:

- Describe Council's vision, strategic objectives and uses for the site, and thus guide decision making during the redevelopment process;
- Describe the benefits of site redevelopment and to demonstrate Council's commitment to deliver these benefits;
- Provide an overview of the proposed operational Governance model; and
- Provide some guidance on the future tenant selection processes.

Concept Plan

At its meeting held in December 2018, Council endorsed a Concept Plan for site redevelopment which was based on the Strategic Framework and a comprehensive community engagement process.

The Concept Plan describes a major site redevelopment project which was costed at \$24 million. The redevelopment will house a multitude of spaces, including:

- A significant new public open space;
- Multipurpose community rooms for hire;
- Creative arts production spaces;
- Gallery exhibition space;
- Occasional childcare spaces;
- Facilities for the Brunswick Neighbourhood House;
- Maternal child health consulting rooms;
- A significant allocation of floorspace for office-based creative industries; and
- Hospitality/café spaces.

Issues

Redevelopment of 33 Saxon Street, in accordance with the endorsed Concept Plan, is an ambitious project, with a range of challenges and opportunities that need to be skilfully addressed and adequately resourced. The issues to be addressed by Council in June 2019 are here described.

Redevelopment Financial Strategy

Redevelopment of 33 Saxon Street is a high profile and high cost project which will have significant draw on Council resources for several years. Financial implications include:

- Pre-development planning costs (up to \$1 million)
- Capital works costs (estimated \$23 million)
- Ongoing site operations and sinking funds costs (estimated at \$0.5 million per year, including \$187,000 allocated for a site maintenance sinking fund).

Redevelopment costs are significant, and a diversity of sources will be pursued to fund the project.

Table 1 below identifies these sources and provides 3 potential funding scenarios (best, middle and worst case). This table also provides the most likely funding sources at this point in time. The funding sources and the amounts available are provisional as of June 2019 and are expected to change as the project evolves and more certainty around external funding sources emerge.

In further detail, the funding sources are here described:

Asset sales

This refers to the potential future sale of 18 Garden Street, Brunswick. This is currently one of two sites housing the Brunswick Neighbourhood House (BNH) and should BNH be confirmed for the redeveloped 33 Saxon Street, the sale of this asset will contribute towards site redevelopment costs. The valuation has been assumed at a consistent conservative rate for both medium and worst scenario shown in the Table 1 below.

Potential grants and partnerships

Given the purpose of the site, as described above, and the strong intent around cultural and creative uses, there is potential to attract funding from State and Federal funding related to arts, creative industries and job creation. In addition, there is the potential to explore appropriate partnerships with the non-government sector (private, not for profit and philanthropic sectors). It must be noted that no funding under this section has been guaranteed at this point.

Funding from Open Space Reserve

As the redevelopment of 33 Saxon Street intends to produce a significant new public open space, this reserve can be used to fund the development of this public space.

Borrowing

Council has the option of borrowing to contribute towards site redevelopment. The amount of borrowing depends on Council's ability to service the loan and on progress with other funding sources, as above. Annual site revenue of \$900,000 is expected, with approximately \$500,000 allocated to site costs including a sinking fund of \$187,000 for site maintenance. If the requirement for a sinking fund is set aside for the first 5-8 years, due to the facility being brand new, this will allow an estimated annual surplus of \$587,000. This amount would be directly used to service any loan. As such, the target baseline assumption is that the project can borrow up to \$5 million for redevelopment costs. At \$587,000 per year this would allow for borrowings of \$5 million to be repaid in 8 years - excluding interest allocation.

Significant projects reserve

Council have a significant projects reserve, set up to finance significant projects such as W heatsheaf Hub, 33 Saxon Street and Faw kner Leisure. The W heatsheaf Hub development project will now draw an additional \$6 million from this fund (as discussed below). The impact on the schedule for redevelopment of 33 Saxon Street is still being assessed and will be further reported to Council. It is noted that more funds would now be required to be set aside per annum to the reserve to deliver Saxon Street without negatively impacting upon the delivery of the other significant projects noted in this report. The contribution from this reserve has been capped in the funding model to \$12 million to prevent other projects from being impacted, but this cap may be revised depending on a range of financial factors.

As a major Council project with significant financial implication, it should be noted that there is relationship between the funding of the Saxon Street site redevelopment and development of W heatsheaf Community Hub in Glenroy along with other significant capital projects identified by Council.

In the lead up to the recent Federal election, Council secured a \$6 million election commitment from the Labor government to help fund Council's next major project - W heatsheaf Community Hub. However, given that the Labor party was not elected to Government, this funding will not be forthcoming. As a result, Council's pipeline of prioritised projects, including the Saxon Street site may be delayed pending alternate funding sources from Government. This is still an emerging issue, and Council and the community will be kept updated as the funding strategy for redevelopment evolves.

Table 1: Financial scenarios – redevelopment of 33 Saxon Street, Brunswick

| | Best in million (m) | Middle in million (m) | Worst in million (m) |
|---|----------------------------|------------------------------|-----------------------------|
| Asset Sales | \$1.5m | \$1m | \$1m |
| Funding from the Open Space Reserve – to develop open space component | \$1m | \$1m | \$1m |
| Borrowing | \$5m | \$5m | \$5m |
| Potential Grants and Partnerships | \$3m | \$2m | \$1m |
| Draw down from Significant Projects Reserve | \$12m | \$12m | \$12m |
| Funding Gap | \$1.5m | \$3m | \$4m |
| Totals | \$24m | \$24m | \$24m |

The funding gap may be approached in a range of ways, for example by allocating more funds into the Significant Projects reserve over the coming years. This is overcomable and will be refined further over time.

Ongoing site costs and revenue

Financial modelling undertaken in 2018 indicates that the site could potentially yield a gross income of approximately \$900,000 per annum, minus operations cost of \$500,000 (including a sinking fund of \$187,000), leaving a potential annual surplus of \$400,000.

A peer review of this financial modelling by external consultants has been undertaken in 2019 and confirms that this estimate is consistent with current local market trends and rates.

External consultant work has also identified the following:

- Technology and globalisation are changing the nature of work and reshaping global labour markets.
- Generational shifts continue to shape our working environments with flexibility becoming a key tenant requirement. The office is becoming a platform for connection and collaboration and increasingly landlords recognise the benefit of flexible workspace and co-working.
- Firms are continuing to choose to locate in highly productive inner-city areas, increasing their share of jobs. Employment growth in Sydney and Melbourne continues to concentrate in the inner-city areas.
- 40 per cent of jobs in Australia have a high probability of being susceptible to computerisation and automation.
- Jobs in the professions, technical and creative industries, and in personal service areas are least susceptible to automation.
- Locations that offer a variety of amenities have become highly attractive to companies who are keen to meet the urban aspirations of millennials and attract the best employees.
- CBD and inner-city locations are generally perceived to be advantageous because they are more appealing to staff.
- Brunswick is widely viewed as an emerging commercial office precinct for a range of industries, as population growth and a changing demographic introduces new lifestyle choices which is driving the change in the land use composition of Brunswick.
- Brunswick has not seen large scale office projects brought to the market, however, it is now well positioned to provide larger scale office, given tight nature of CBD office vacancies, rich public transport and abundance of amenities.
- Amenities in these areas having become critical to the attraction and retention of staff as employees, particularly younger demographics, want to spend less time and money commuting, by living and socialising near their workplace.
- A review of the Concept Plan space allocations indicates that rents of \$250-450 per square meter is a reasonable assumption for commercial spaces, as well as \$125 per square meter for community spaces.

It is important to note that the financial model for the site assumes that community and arts uses are heavily subsidised by income generating office and hospitality uses.

It is also worth noting that there is a level of moderate risk in assuming that income generating tenants can be secured and maintained on the site. Operations and governance of the redeveloped site will have strong influence on mitigating this risk, and this topic is discussed below.

Site operations and governance

Given the large multi-use nature of the site with multiple tenants, diverse user groups and casual visitors, an ambitious range of benefits is expected to be achieved for Council. These benefits (as defined in the 2017 endorsed Strategic Framework) are:

- More active and connected community;
- Improved financial performance of Council assets;
- Increased number of community and cultural events;
- Local economic benefits; and
- Heritage and cultural preservation.

How the site is managed and governed post-redevelopment will have a strong influence on how well these benefits are delivered. A governance body will be responsible for oversight of site operations, benefit delivery, risk management and tenant management.

Operationally, it is considered that the site requires an on-site operator providing 'hub leadership and property management' services. This role includes, but is not limited to:

- Facility development strategy and planning (post construction);
- Marketing and promotion of the facility;
- Tenant selection and confirmation;
- Rent collection and management;
- Payment of outgoings (including but not limited to Council rates, land tax and utilities);
- Tenant liaison and management;
- Managing short term bookings of multipurpose rooms in accordance with agreed standards;
- Property maintenance (noting the recommendation that Council retain responsibility for building insurance and larger maintenance items, subject to confirmation);
- Supplier management (including security and cleaning);
- Cultivating community among the tenants; and
- Reporting: financial returns and social impact plus operational reports and Council.

A consultant was engaged to assist with researching and developing a range of appropriate Governance models. The research report reviewed 4 governance models for managing and overseeing the site and evaluated them against Council's 3 strategic objectives (as per Strategic Framework 2017), this evaluation is provided in table 2 below.

Table 2: Evaluation of governance and operations options for redeveloped site

| | Council Managed | Lead Tenant | Contracted Agency | Board of Management |
|--|--------------------|----------------|----------------------|------------------------|
| Ability to deliver the vision (specifically related to multi-use and multi-tenants) | | | | |
| Create an open and shared community space, which is both welcoming and effective in its management of a broad range of tenants and stakeholders. | Good | Limited | Good | Good |
| Respond to issues and opportunities as they emerge over the long term with a commitment to continuous improvement. | Good | Limited | Strong | Strong |
| Financial Sustainability | | | | |
| Ability to succeed within the financial requirements of the site to ensure it is financially self-sustaining. | Limited | Limited | Strong | Good |
| Ability to attract and retain commercial partners. | Limited | Limited | Strong | Strong |
| Good governance and an engaged leadership group with a focus on innovation | | | | |
| Ability to actively manage risk and maintain adequate operational policies and procedures for the site overall. | Strong | Limited | Good | Good |
| Ability to stimulate a dynamic space that generates a culture of innovation and connection. | Good | Good | Strong | Strong |

The research report recommends that contracting an external agency or partnering with an existing skills-based Board of Management will address the governance needs for Saxon Street.

This research report has been received and the recommendations noted. Given the early stage of the project development, it is not necessary to endorse one governance model over another at this point, as the project evolves this research report will be used as a knowledge base to assist in later decision making.

Transport study

A consultant was engaged to undertake a transport study to assess the likely trip generation from the redeveloped site and to provide recommendations for consideration whilst planning for major redevelopment.

The redeveloped site is estimated to generate 150-184 morning peak trips and 234-286 evening peak trips. As such, the facility should aspire to the following modal split - walking 45%, cycling 20%, public transport 30% and driving 5%. A range of other specific recommendations are provided and these will inform development of the site redevelopment design brief where appropriate.

Short term initiatives and interventions

The Council resolution of December 2018 (DEP1/18) requests referral of short term initiatives and interventions to the 2019/20 Council budget. To address the intent of this resolution, officers have facilitated the installation of the existing Festivals Box Office from the forecourt of the Brunswick Mechanics Institute to the forecourt of Siteworks (33 Saxon Street).

The Box Office was installed on site in late April 2019 and has been repainted and refreshed with additional lighting. This intervention is being used as a wayfinding and information box for events and activities at Blak Dot Gallery and Siteworks.

Positive feedback on its use has already been received from site patrons. Events, activities and casual use of Siteworks continues to grow and low-cost opportunities to enhance use and look of the existing space will continue to be pursued in 2019/20. It is noted that the removal, installation and refresh of the box did not require additional funding as expenses were available from the allocated annual maintenance budget for Saxon Street in this financial year.

Human Rights Consideration

The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities and there are no relevant implications.

4. Consultation

An extensive community engagement process on the uses and concept plan took place in 2018. Building on this extensive community engagement, during the first six months of 2019 the following engagement took place:

- Discussions with members of the Brunswick Advisory Group (consisting of South Ward Councillors) on 5 February and 25 February 2019.
- Ongoing discussions with the Brunswick Neighbourhood House regarding relocation including on 17 April 2019.
- Ongoing discussions with Siteworks site management team including on 13 March 2019 and 6 May 2019. These discussions include transition planning for current users and operators of Siteworks, communications around future redevelopment and flagging the end of contract period (early 2021).
- Ongoing discussions with Blak Dot Gallery team including on 17 December 2018. These discussions include transition planning and flagging the end of Blak Dot lease period (2021).

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

Aside from the financial strategy for redevelopment discussed in section 3 of this report, there are project costs for 2019/20 which are described as follows:

- Site marketing and promotion – approximately \$20,000, including photography, online marketing and other elements.
- Stakeholder engagement - approximately \$20,000, including letter drops, brochures and related assistance.
- Legal and probity advice - approximately \$20,000, including advice and assessment on level of risk and related legal and probity advice.

These costs are included in the 2019/2020 budget for Council consideration.

A maintenance budget of \$36,000 for site upkeep and upgrades is included in the draft 2019/20 budget for Council's consideration.

7. Implementation

Following consideration of this report, Council will continue to progress this project throughout 2019/2020 by undertaking the following:

- Pursuing and refining the financial plan and project plan for delivering site redevelopment;
- Ongoing engagement with stakeholders including existing users of Siteworks and potential project funders and future users;
- Refining the Strategic Framework for delivery of site redevelopment, including updating the vision for the site in accordance with community feedback from the 2018 engagement and emerging issues and opportunities;
- Developing a clear brief for the detailed design stage of redevelopment; and
- Providing Councillors and the community timely updates on existing activity on site and future redevelopment progress.

In terms of overall project delivery, the following is expected, but subject to change:

- 2020/21 – Continued stakeholder engagement.
- 2020/21 – Establishment of governance structures and enlisting of tenants, in accordance with Council criteria.
- 2020/21 – Detailed design and lodgement of planning permits.
- 2021/22 – Obtain planning permit.
- 2021/22 – Commence construction project (staged or not).
- 2022/23 – Complete construction project. Tenant liaisons and fit out.
- 2023/24 – Facility opened.

Attachment/s

There are no attachments for this report.

DBT11/19 COUNCILLOR CODE OF CONDUCT REVIEW (D19/192370)

Director Business Transformation

Corporate Governance

Executive Summary

The *Local Government Act 1989* (the Act) requires each Council to develop and maintain a Councillor Code of Conduct (the Code). The current Code was adopted by Council on 20 February 2017. The Code was prepared using the Municipal Association of Victoria model template, Council made minor changes to adapt the template, but in general the structure and content was mostly the same.

Since then, it has been identified that the Code needed to be amended to include a Child Safe Commitment Statement, as the Victorian Government has introduced Child Safe Standards (to improve the way organisations that provide services for children prevent and respond to child abuse that may occur within their organisation).

Whilst the Code was to be amended to include the Child Safe Commitment Statement, there is also the opportunity to consider other proposed enhancements to the Code. As the current Council had adopted the Code (in 2017), a comprehensive review of the Code was not undertaken. Accordingly, the Code maintains all other previously adopted material and after some consultation with Councillors, the new inclusions proposed are summarised below:

- Council Policies

The inclusion of this clause ensures that a breach of a Councillor related policy is now enforceable under the Code.

- Candidature at State or Federal Elections

The inclusion of this clause in the Code was based on Municipal Association of Victoria Policy, which recommends candidature guidelines be included in Codes.

- No Reprisals

The inclusion of this clause is designed to alleviate the fear of negative or adverse action that may normally prevent a person from reporting a real or perceived breach of the Code or legislation by a Councillor, which could deny that person the opportunity for natural justice.

- Councillor Commitment to the Code of Conduct

It is proposed to amend the Code to include a Councillor Commitment Statement that builds on the existing declaration, by demonstrating that Councillors embrace and observe the principles of good governance and integrity that the Moreland community expects.

This report proposes that the Code, as revised be adopted by Council as in accordance with Attachment 1.

Officer Recommendation

That Council:

1. Adopts the revised Councillor Code of Conduct as at Attachment 1 to this report.
2. Requests the Chief Executive Officer to ensure that:
 - a) The revised Councillor Code of Conduct is signed by each Councillor; and
 - b) A copy of the fully executed Councillor Code of Conduct is provided to each Councillor.
3. Makes a copy of the Councillor Code of Conduct publicly available for inspection at Council's Civic Centre and on its website.

1. Policy Context

This Policy aligns to the Council Plan Strategic Objective 3. Responsible Council.

Section 76C of the *Local Government Act 1989*, outlines the requirements for the development of a Councillor Code of Conduct. The Code has been prepared in line with these requirements.

The principles contained in the Code will guide the Councillors approach to their conduct in office.

2. Background

The Code contributes to and strengthens the foundations of the collaborative spirit between elected representatives. Importantly, consistent with their legal obligations, Councillors are expected to observe certain behaviours that support the effective decision-making processes of the Council.

Council has the capacity to include in the Code, any matter relating to the conduct of Councillors which the Council considers appropriate.

The Code (**Attachment 1**):

- sets out the standards of conduct expected of elected representatives;
- endeavours to foster good working relations between Councillors to enable Councillors to work constructively together in the best interests of the local community;
- mandates Councillor conduct designed to build public confidence in the integrity of local government;
- provides dispute resolution processes to manage breaches of the Code;
- includes provisions prescribed by legislation; and
- includes other matters relating to the conduct of Councillors which the Council considers appropriate.

3. Issues

Whilst the Code was to be amended to include the Child Safe Commitment Statement (as outlined in the Executive Summary of this report), it provided Council with the opportunity to consider any other potential enhancements that could be made as detailed below.

Council Policies

The inclusion of this clause ensures that a breach of a Councillor related policy is now enforceable under the Code. Whilst the previous version of the Code listed Council policies as associated documents, there was not any provision that made a breach of the associated policies enforceable under the Code.

The requirement to adhere to Council policies features in the Councillor Codes of Conduct of several other Councils (e.g. Banyule, Moonee Valley and Frankston Councils), as it supports good governance principles.

Candidature at State or Federal Elections

The inclusion of this clause in the Code was based on Municipal Association of Victoria Policy (can be viewed via the following website link: https://www.mav.asn.au/_data/assets/word_doc/0008/7694/MAV-policy-on-candidature-of-councillors-in-state-or-federal-elections.docx). The MAV Policy recommends the guidelines for the candidature at State or Federal elections be included in the Code.

Many Councils have now covered candidature at State or Federal elections in their Code e.g. Stonnington, Moonee Valley and Frankston Councils.

No reprisals

The inclusion of this clause is designed to alleviate the fear of negative or adverse action that may normally prevent a person from reporting a real or perceived breach of the Code or legislation by a Councillor, which could deny that person the opportunity for natural justice.

This approach is considered good practice and aligns with State legislation including the *Protected Disclosures Act 2012*. Moonee Valley and Stonnington Councils have also included a similar approach in their Codes of Conduct.

Councillor commitment to the Code of Conduct

The endorsement and Councillor Declaration contained in the Code has been amended to include a Councillor Commitment Statement that builds on the existing declaration, by demonstrating that Councillors embrace and observe the principles of good governance and integrity that the Moreland community expects.

This report proposes that the Code, as revised be adopted by Council as in accordance with **Attachment 1**.

It is proposed that a full review of the Code will be undertaken following the Council election in 2020, as section 76C (2) of the Act provides that within 4 months of a general election, Council must call a special meeting solely for the purpose of reviewing the Code and at the special meeting, approve any amendments to be made to the Code determined by the Council to be necessary following the review of the Code.

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 were consulted on the proposed amendments to the Code at the Councillor Briefing of 13 May 2019. The Councillors in attendance were favourable to the proposed amendments.

Further to this, the amendment Code of Conduct has been circulated to Councillors for comment. Only one response was received. Below is a summary of the comments received:

- The Code is over prescribing matters already dealt with in the Act and that several provisions expressed in the Code, can be misread and go beyond the Act. Council should rely on the provision in the Act for these matters, not further complicating them.
- Whilst the Code includes further details about matters already covered in the Act or other legislation, in my view, it fails to address the matters it's designed to address and that is culture.
- The Code does not contain strong paragraphs about bullying and harassment, intimidation, sexual harassment, aggression and violence, sexism, racism, homophobia, inappropriate jokes, disrespect, etc.
- The Code needs a stronger emphasis on values and principles, and also accountability, attendance at briefings and the standard expected.
- Council should seek some external help in redrafting the entire document, because in my view, it's fundamentally flawed.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

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

7. Implementation

Subject to adoption by Council, the amended Councillor Code of Conduct will be signed by each Councillor. A copy of the fully executed Code will be provided to each Councillor, with a copy also being made available for inspection at Council's Civic Centre and on its website.

Attachment/s

- 1 [!\[\]\(c580b67c7cd5c9e9e19f04ff6d5093e0_img.jpg\)](#) Councillor Code of Conduct 2019 D19/160491

EMF19/19 PROCUREMENT POLICY ANNUAL REVIEW (D19/185486)

Executive Manager Finance

Finance Management

Executive Summary

The *Local Government Act 1989* requires Council to review the Procurement Policy each financial year.

The 2018/2019 review process included a desktop assessment, benchmarking with other local Councils, discussion at the Councillor Briefing on 13 May 2019, and consultation and discussion with Council officers including the Executive Group. Minor but strategic amendments were identified and have been added to the policy.

The key changes and updates to the Procurement Policy include more definition around Social and Sustainable Procurement (social, environmental and economic) including reference to the State Government Social Procurement Framework, inclusion of Collaborative Procurement, and more definition around the consequences of breaching the policy.

The updated Procurement Policy is at Attachment 1.

Officer Recommendation

That Council adopts the Procurement Policy 2019/2020, at Attachment 1 to this report.

1. Policy Context

Councils are required by Section 186A (7) of the *Local Government Act 1989* (the *Act*) to review their Procurement Policy (the Policy) at least once each financial year. This year's review also embraces guidance provided in the Victorian Local Government Best Practice Guidelines 2013, the Victoria Social Procurement Framework best practices, Collaborative Procurement with our respected regional local government partners, and reference to Council's Protected Disclosure Guidelines including referral to the Independent Broad Based Anti-Corruption Commission (IBAC) and aligns with relevant internal policies and guidance.

2. Background

Council has a Policy which has formed the basis of the updated Policy at **Attachment 1** with amendments and re-structuring to ensure clarity of current Council priorities.

This review has resulted in minor but strategic amendments and inclusions to the policy to provide clarification for staff to ensure the realisation of Council's strategic objectives.

3. Issues

Feedback and discussion with Councillors at a Councillor briefing included:

- Ensuring environmental and social sustainability outcomes are being achieved where they can through our procurement activities;
- Ensuring collaborative procurement is a continued focus by imbedding it in the policy;
- Review of the procurement process to ensure Councillors are comfortable with the current process and financial delegation to the Chief Executive Officer;
- Ensuring the consequences of breaching the policy are fully explained in the policy; and
- Exploring where tenders that are clearly operational can sit within the Chief Executive Officer's delegation for approval.

This feedback has been incorporated and the key changes include:

- Changes to the sections on Social and Sustainable Procurement to include:
 - Reference to the Victorian Social Procurement Framework, released by the Victorian Government in May 2018;
 - Definition of direct and indirect social and sustainable procurement outcomes; and
 - Removal of any ambiguity regarding sustainability criteria and weighting requirements, including bundling in to a single sustainability measure.
- Inclusion of a section in the policy regarding Collaborative Procurement and advocacy towards collaboration with the Regional Procurement Excellence Network (RPEN);
- Extending the scope of the consequences of breaching the policy to include a referral to Council's Protected Disclosure Guidelines which include consequences up to possible referral to IBAC (as per the recommendation from the Audit and Risk Management Committee);
- Minor changes to wording across various sections of the policy;
- Revision of table 3.5.2 - quotation thresholds to increase competitive quotation outcomes; and
- Current procurement process and Chief Executive Officer's financial delegation will remain unchanged.

Human Rights Consideration

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

4. Consultation

Consultation occurred over the past 6 months with managers and Council officers.

External benchmarking against other Councils was undertaken over the past 6 months.

Any changes have been reflected in the updated Policy.

The updated Policy was reviewed and endorsed by the Moreland Executive Group.

Councillors were consulted at a Briefing on 13 May 2019.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

There are no direct financial implications or resource implications related to this policy. Proper application of the policy will continue to improve general financial outcomes relating to purchasing and contract management.

7. Implementation

Once endorsed, the policy will be uploaded to the internet as a public policy and communicated to all Council officers.

Attachment/s

- 1 [!\[\]\(c045a398c48fcb47adf237d338b1b391_img.jpg\)](#) Procurement Policy - June 2019 D19/201995

DCF47/19 PAGE STREET, COBURG ROAD CLOSURE - PROPOSAL TO PLACE AND MAINTAIN BARRIERS TO PERMANENTLY BLOCK MOTOR VEHICLES (D19/180057)

Director City Futures

City Change

Executive Summary

At the December 2018 Council meeting (CEO3/18) Council resolved:

- Not to proceed with the proposed discontinuance of Page Street, Coburg on the basis that removal of road status from the land would have a detrimental effect on the adjoining shops and offices at 396 and 398 Sydney Road, Coburg; and
- To commence the procedures to place and maintain barriers at either end of Page Street, Coburg, shown hatched on Attachment 1 to the report, to permanently block or restrict the passage of motor vehicles to the Street in accordance with section 207 and Clause 9 of Schedule 11 of the *Local Government Act 1989*.

As part of the statutory process, public notice of the proposal was given in the Moreland and Northern Leader newspapers on Monday 25 March 2019 and on Council's website. A copy of the notice was placed at either end of Page Street with submissions to be received within 28 days of the date of the notice.

An information letter with a copy of the public notice was also forwarded to the surrounding property owners, tenants, traders and interested community members. No written submissions have been received from the public.

Consultation with various external emergency services agencies has been undertaken and no objections have been received. Further, VicRoads has advised that it has no concerns with the proposal.

Rather than placing barriers, in the form of bollards, at either end of Page Street, the design has been amended to have bollards at the Russell Street entrance only. The existing kerb driveway at the Sydney Road entrance will be removed and replaced with barrier kerb to restrict the entry of motor vehicles from Sydney Road.

It is recommended that Council proceed with its proposal to place and maintain barriers within Page Street, Coburg, to permanently block or restrict the passage of motor vehicles to the street.

Officer Recommendation

That Council, having given public notice of a proposal to place and maintain barriers at either end of Page Street, Coburg, shown on Attachment 1, to permanently block or restrict the passage of motor vehicles to the street pursuant to section 207 and Clause 9(1) of Schedule 11 of the *Local Government Act 1989* (Act) and having received no submissions in respect of this proposal under the Act, resolves to place and maintain barriers within Page Street, Coburg to permanently block or restrict the passage of motor vehicles to the Street.

1. Policy Context

There are several key policies that have informed the design approach, which seeks to optimise connectivity, pedestrian safety and amenity for residents, traders and visitors as listed below:

- The Central Coburg 2020 Structure Plan (page 28), adopted in 2006, flags some smaller malls and circulation spaces to provide improved pedestrian amenity and connectivity including for Dunnes Lane upgrade and Page Street extension.
- The Colours of Coburg Place Framework 2012 includes principles that align with the design intent of Page Street:
 - Principle 5 – *‘A pedestrian-oriented environment with all streets, laneways and other public spaces that are attractive, safe, inviting and lively and with a human scale, flavour and feel maintained in Sydney Road’*
 - Principle 6 – *‘Streets serve walking, cycling, public transport, delivery vehicles and private vehicles in that order, and easy access to regular and reliable public transport services of all types’.*
- Council’s commitment to improving roadways and streetscapes within Coburg is articulated in the Coburg Streetscape Masterplan 2013.
- The Coburg Activity Centre Place Action Plan 2017, endorsed by Council at the December 2017 Council meeting includes Action 11 as follows:
 - 11: Sydney Road Streetscape Upgrade—Complete Sydney Road streetscape upgrade including west side, Munro/Harding intersection and Page Street
- Moreland Integrated Transport Strategy 2019 proposes the following strategies:
 - Prioritise access by walking, cycling and public transport over car-based travel.
 - Establish high-quality pedestrian routes and places that are safe, comfortable and accessible.
 - Create a safer space for all users, day and night.

2. Background

Since late 2017 Council has undertaken significant upgrade works within Page Street, Coburg. This includes the installation of new pavers, planter beds, landscaping, custom seating and a drinking fountain to create Page Street Plaza. Page Street has been temporarily closed to vehicle traffic during these works.

Whilst the initial intent of the works was to create a shared zone enabling pedestrians, bicycles and motor vehicles to co-exist in the same space, some members of the community together with a number of local traders raised with Council their concerns with respect to the safety of both pedestrians and cyclists within the proposed shared zone.

As a result, Council at the August 2018 Council meeting (DED49/18) resolved not to proceed with the planned shared zone but rather to commence the procedures under the *Local Government Act 1989* for the discontinuance of Page Street, Coburg.

The purpose of the discontinuance was to exclude motor vehicles from Page Street.

Consultation within internal Council departments and Council's consultant, Macquarie Local Government Lawyers identified that the removal of road status associated with a discontinuance would have rendered the buildings at 396 and 398 Sydney Road, which relied on Page Street as their sole physical and legal point of access, non-compliant under the *Victorian Building Regulations 2018* and the National Construction Code with respect to egress from buildings, fire rating standards and access to plant equipment servicing the buildings.

As a result, Council at their December 2018 meeting (CEO3/18) resolved not to proceed with the proposed discontinuance but rather to commence the procedures under the *Local Government Act 1989* to place and maintain barriers at either end of Page Street to permanently block or restrict the passage of motor vehicles to the Street.

3. Issues

A road closure under section 207 and clause 9 of Schedule 11 of the *Local Government Act 1989* will ensure the road status remains and that the concerns under the Access and Building Regulations described above will be resolved.

Temporary bollards are to remain in place until completion of the hard surface infrastructure, such as bike hoops, bollards, streetscaping, etc.

Rather than placing barriers, in the form of bollards, at either end of Page Street, the design has been amended to have bollards at the Russell Street entrance only. The existing kerb layback at the Sydney Road entrance will be removed and replaced with barrier kerb to restrict the entry of motor vehicles from Sydney Road.

Human Rights Consideration

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

4. Consultation

As part of the statutory process, public notice of the proposal was given in the *Moreland* and *Northern Leader* newspapers on Monday 25 March 2019 and on Council's website. A copy of the notice was placed at either end of Page Street with submissions to be received within 28 days of the date of the notice.

An information letter with a copy of the public notice was also forwarded to the surrounding property owners, tenants, traders and interested community members. No written submissions have been received from the public.

The following external emergency service agencies have been consulted concerning the proposal and no objections have been received:

- Victoria Police;
- Ambulance Victoria;
- Metropolitan Fire Brigade; and
- VicRoads.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

To date, Page Street re-development has involved costs of approximately \$360,000.00 excluding provisional sums allocated for lighting and associated electrical works.

The Council resolution of 8 August 2018 noted:

- A new operating budget of \$30,000 is required to fund a road discontinuance process, with offsets to be identified through the mid-year budget review process.
- Should it determine to proceed with a road discontinuance, a further \$55,000 of new capital works budget will be required to undertake streetscape works (including to close the road, install bollards and additional complimentary landscaping works), to be considered as part of the mid-year budget review process.

The operating budget of \$30,000 is adequate to fund the road closure legal costs.

Costs for the bollard and kerb works will be funded from the Coburg Activity Centre and Russell Street construction budgets.

7. Implementation

If resolved by Council, the necessary permanent barriers will be installed, and kerb replacement works implemented to permanently block vehicles from entering Page Street, Coburg.

Attachment/s

1 [!\[\]\(8bba887393ca45b761e5cb49e755e762_img.jpg\)](#) Page Street Closure - Project Plan D19/180065

EMF20/19 DISCONTINUANCE OF BERNARD STREET, OAK PARK (D19/168438)

Executive Manager Finance

Property

Executive Summary

On 9 August 2017 Council resolved via a General Business item GB36/17 to receive a report about the status of the Council owned land between 71 and 73 Winifred Street, Oak Park, with the report detailing if the land will be required for vehicular entry/exit from John Pascoe Fawkner Reserve and the feasibility of using the land for a community garden or native plantings.

An assessment by Council officers has identified this section between 71 and 73 Winifred Street, Oak Park as a road. It is known as Bernard Street on the title (Volume 5304 Folio 757 and 760, Title Plan LP11526). The remaining section of Bernard Street forms part of many residential lots created as part of a subdivision prior to the Shire of Broadmeadows (Council) acquiring the land (beyond the rear of 73 Winifred Street) in 1955 for open space, namely, John Pascoe Reserve. It is an important link for pedestrians to the Reserve that should be retained.

At the June 2018 Council meeting (DCS28/18), Council resolved to commence the procedures to discontinue the road, Bernard Street, Oak Park in accordance with section 206 and clause 3 of Schedule 10 of the *Local Government Act 1989*. Bernard Street is located between 71 and 73 Winifred Street and runs through John Pascoe Fawkner Reserve, as shown at Attachment 1.

As part of the statutory process, public notice of the proposal was given. No objections were received.

The proposed discontinuance would result in the removal of the road status for the entire length of road, Bernard Street, Oak Park. This section of road is not required for road purposes.

The purpose of this report is to recommend the discontinuance of the road status and retain the land from the former road, at Bernard Street, Oak Park. This will protect Council's open space linkage and pedestrian access link to John Pascoe Fawkner Reserve.

Given the proximity (within 1.5 kilometres) of the Boeing Reserve Community Garden in the Moonee Valley Council, the absence of supporting facilities (water, power, storage) and any existing community group or governance arrangement, this road has not been identified as a priority for a community garden.

Officer Recommendation

That Council:

1. Approves the discontinuance of the road, Bernard Street, Oak Park, as shown at Attachment 1 to this report, in accordance with section 206 and clause 3 of Schedule 10 of the *Local Government Act 1989* and Council's Rights of Way Associated Policies 2011 and the Rights of Way Strategy.
2. Notes that no objections were received, and internal and external referrals provided no objections to the proposed discontinuance of the road and determines the road Bernard Street, Oak Park, is not reasonably required as a road for public use.
3. Authorises the Executive Manager Finance to do all things necessary to affect the discontinuance of road, Bernard Street, Oak Park.
4. Publishes notice of this decision in the *Victoria Government Gazette*.

5. Updates the Register of Public Roads in accordance with section 19 of the *Road Management Act 2004*, following the discontinuance being published in the *Victoria Government Gazette*, without a further report to Council.

1. Policy Context

The Council Plan 2017–2021 articulates Council's provision of a large range of services for our community. These externally facing service areas are supported by a range of Council teams that include the management of the community's Council-owned property and assets.

Council's Rights of Way Associated Policies 2011 and Rights of Way Strategy 2011 have been used in assessing this proposal.

2. Background

On 9 August 2017 Council resolved, via a General Business item GB36/17, to receive a report about the status of the Council owned land between 71 and 73 Winifred Street, Oak Park, the report should detail if the land will be required for vehicular entry/exit from John Pascoe Fawkner Reserve and the feasibility of using the land for community garden or native plantings.

At the June 2018 Council meeting (DCS28/18), Council resolved to commence the procedures to discontinue the entire road, Bernard Street, Oak Park, located at John Pascoe Fawkner Reserve and in particular the section between 71 and 73 Winifred Street, Oak Park in accordance with section 206 and clause 3 of Schedule 10 of the *Local Government Act 1989*, shown at **Attachment 1**.

The road, Bernard Street runs from Winifred Street to Moonee Ponds Creek, the length is approximately 347 metres and the width is 15.4 metres, measuring approximately 5,344 square metres in total.

The road is identified on Volume 5304 Folio 757 and 760, Title Plan LP11526. Bernard Street along with many residential lots was created as part of a subdivision before the Shire of Broadmeadows (Council) acquired beyond the rear of 73 Winifred Street, (the area now known as John Pascoe Fawkner Reserve) in 1953 for recreation purposes.

To discontinue and transfer the land from the former road, will formalise the entire section of road as land for recreation and community purposes and will not affect the current status of this area.

3. Issues

Currently Bernard Street provides carriageway rights to two other properties, these are 71 and 73 Winifred Street, Oak Park. These 2 properties do not currently use Bernard Street for access and there are no current plans to use Bernard Street for access. Statutory planning endorsed plans for the development at 73 Winifred Street approving the continued use of the current driveway for access via Winifred Street for a 3 townhouse development.

Bernard Street is not on Council's Road Register and not currently used as a road. Council's historic records indicate the road has only been used to access John Pascoe Fawkner Reserve.

The Right of Way (ROW) has been assessed by internal units and external referrals and is not required for road purposes.

Given the proximity (within 1.5 kilometres) of the Boeing Reserve Community Garden in the Moonee Valley Council, the absence of supporting facilities (water, power, storage), and any existing community group or governance arrangement, this road is not priority for a community garden.

Officers recommend discontinuing the road in accordance with the procedures under *Local Government Act 1989* and Councils Rights of Way Strategy and Rights of Way Associated Policies.

The land from the discontinued roads would be retained by Council in accordance with:

- Section 3.3.1 of the Council's Rights of Way Associated Policies 2011; and
- Section 3.2.3 the Rights of Way Strategy 2011.

This will protect Councils property interest in retaining the land for its existing and future use as open space.

Human Rights Consideration

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

4. Consultation

Public notice of Council's intention to discontinue the road and retain the land appeared in the Moreland Leader on 9 July 2018 and the Northern Leader on 10 July 2018. The proposal was made available on Council's website and the 2 adjoining road owners were notified in writing.

One submission was received in support of the proposal. No objections were received during the public notice period.

The following external referral authorities were consulted regarding the proposal:

- Yarra Valley Water;
- Melbourne Water;
- Telstra;
- PowerCor;
- Jemena;
- Optus;
- APA Group; and
- AusNet.

The relevant service authorities have been consulted and no objections have been received. A sewer asset runs across Bernard Street in the section JP Fawkner Reserve section and accordingly an easement will be shown and saved in favour of Yarra Valley Water and Melbourne Water on the Certificate of Title.

The following internal Council units and personnel were consulted regarding the proposal:

- Engineering Services;
- Development Engineer;
- Transport Development Engineer;
- Building Services;
- Street Cleansing;
- Open Space Design and Development; and
- Open Space Maintenance.

No objections were received from these units.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The proposed road discontinuation administrative and statutory costs will be resourced through Property Services.

Proposed works to fund the upgrade to the link between 71 and 73 Winifred Street, Oak Park and the broader vicinity are unbudgeted in the current financial year or Councils Capital Works Program and would need to be referred for consideration in future budgets or Councils Capital Works Program.

7. Implementation

Subject to Council's decision, officers will proceed with the formal discontinuance of the road and prepare the transfer documentation.

Open Space officers will need to undertake further scoping for landscaping, vegetation and path plans.

Attachment/s

1 [!\[\]\(de95854c7ee024cfadc48187bbb781b2_img.jpg\)](#) Title Plan - Bernard Street, Oak Park D19/194873

EMF21/19 FINANCIAL MANAGEMENT REPORT FOR THE PERIOD ENDED 30 APRIL 2019 - CYCLICAL REPORT (D19/165979)

Executive Manager Finance

Finance Management

Executive Summary

This report presents the Financial Management Report for the financial year to date (YTD) period ending 30 April 2019.

Council has developed and implemented a financial strategy of generating small surpluses to reinvest in much needed infrastructure projects.

The YTD Income Statement shows that Council is \$9.7 million better than the revised forecast. This comprises overall revenues having ended \$4.1 million better than forecast and overall expenditures having ended \$5.6 million better than forecast.

Council has spent \$60.6 million in capital expenditure which is \$22.0 million more than forecast. This is an increase compared to the same time last year (YTD April 2018) when the actual spend was \$39.2 million. The overspend is primarily due to the unbudgeted purchase of properties totalling \$31.7 million. The delay in capital expenditure of \$9.7 million is primarily project timing. It is anticipated the majority of capital projects will be completed by the end of the financial year, with a small number requiring funds to be carried forward to the 2019/20 financial year.

Officer Recommendation

That Council notes the Financial Management Report for the period ended 30 April 2019 at Attachment 1 to this report.

1. Policy Context

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

2. Background

The Financial Management Report at **Attachment 1** provides Council's financial statements for the year to date (YTD) period ending 30 April 2019. The actual results are compared to the revised forecast which includes carry forwards.

3. Issues

Council ended April 2019 with a surplus operating result of \$38.0 million which is \$9.7 million (34%) better than the YTD budget of \$28.3 million.

Significant variance explanations below identify where the current YTD variances are expected to be a timing issue or permanent by 30 June 2019. A timing variance is a current difference between actual result and budget which is expected to be resolved before the end of the financial year. A permanent variance is a current difference between actual result and budget which will continue to the end of the financial year.

The main items contributing to the overall variance are:

Revenue

- **Statutory fees and fines** ended \$0.8 million better than budget primarily due to new foot patrol areas, better staff management and use of sensor relay technology (permanent).
- **Operating grants** ended \$1.1 million better than budget primarily due to receiving grant funding earlier than anticipated (timing).
- **Capital grants** ended \$0.9 million better than budget primarily due to receiving unbudgeted grants (permanent).
- **Other revenue** ended \$1.0 million better than budget primarily due to funding from VicRoads for Blackspots, revenue from Level Crossing Removal Authority (LXRA) works, and unbudgeted valuation funding from SRO (permanent).

Expenditure

- **Employee Benefits** are \$2.8 million (4%) less than budget. The variance relates primarily to roles that have been vacant for part of this year (permanent).
- **Contracts, Materials and Services** are \$2.6 million (5%) less than budget primarily due to:
 - Consultants and professionals ended \$2.0 million favourable, primarily due to several favourable variances in operating projects (timing).
 - Communications ended \$0.3 million favourable primarily due to an anticipated saving (permanent).
 - Marketing costs ended \$0.3 million favourable primarily due to underspends across the organisation (permanent).

Capital Projects – Capital Expenditure (CAPEX)

The CAPEX program YTD has an actual spend of \$60.1 million which is \$22.0 million more than the YTD budget of \$38.6 million. This is predominately due to the unbudgeted purchase of properties totalling \$31.7 million. The delay in capital expenditure of \$9.7 million is primarily project timing. It is anticipated the majority of capital projects will be completed by the end of the financial year, with a small number requiring funds to be carried forward to the 2019/20 financial year.

Cash

Cash assets are \$103.1 million at 30 April 2019. This is a \$2.3 million decrease on 30 June 2018 cash levels. Cash fluctuates frequently over the year due to several factors including the timing of payments and receipts.

Solvency assessment

Council's liquidity ratio (current assets divided by current liabilities) is 2.4 as at 30 April 2019. The Victorian Auditor-General's Office recommends that this ratio be 1.5 or higher. This ratio is a positive result and shows that Council is in a strong solvency position.

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 Finance and Business Systems Branch has prepared this report based on information provided by managers and reviewed by directors.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The overall corporate objective is to deliver the 2018/2019 budget with the best possible outcome for Council and the community and in line with the approved revised forecast targets.

7. Implementation

The financial position of Council will continue to be monitored and managed.

Attachment/s

1 [!\[\]\(41aea2746216b27a6939d696d8e035da_img.jpg\)](#) Financial Report - April 2019 D19/171051

DBT12/19 GOVERNANCE REPORT - JUNE 2019 - CYCLICAL REPORT (D19/189037)

Director Business Transformation

Corporate Governance

Executive Summary

The Governance Report has been developed as a monthly standing report to Council to provide a single reporting mechanism for a range of statutory compliance, transparency and governance matters.

The Governance Report – June 2019 includes:

- Reports from Committee to Council;
- Assemblies of Councillors records;
- Responses to On Notice items taken at the 10 April 2019 Council meeting;
- Correction of Council meeting minutes;
- Submission to Parliamentary Inquiry into Recycling and Waste Management;
- ESD Annual Achievements Report 2018/19;
- Zero Carbon Evolution – Refresh to 2020 Annual Achievements Report 2018/19; and
- Moreland Heritage Action Plan 2017-2019 update.

This report recommends that Council notes the Reports from Committee to Council, Records of Assemblies of Councillors, On Notice Items, the Submission to Parliamentary Inquiry into Recycling and Waste Management, the ESD and Zero Carbon Moreland 2018/19 Annual Achievement Reports and the Moreland Heritage Action Plan 2017-2019 Update.

Officer Recommendation

That Council:

1. Notes the reports from Committees to Council at Attachment 1 to this report.
2. Notes the Records of Assemblies of Councillors held between 1 December 2018 and 30 April 2019 at Attachment 2 to this report.
3. Notes the responses to Question Time - On Notice items from the 10 April 2019 Council meeting at Attachment 3 to this report.
4. Authorises the correction of the minutes for the 10 April 2019 Council meeting relating to item ON8/19, to reflect the change from David Latino to David Latina.
5. Notes the Submission to Parliamentary Inquiry into Recycling and Waste Management at Attachment 4 to this report.
6. Notes the ESD Annual Achievements Report 2018/19 at Attachment 5 to this report.
7. Notes the Zero Carbon Evolution – Refresh to 2020 Annual Achievements Report 2018/19 at Attachment 6 to this report.
8. Notes the Moreland Heritage Action Plan 2017-2019 Update at Attachment 7 to this report.

1. Policy Context

The appointment of Councillors to specific areas of responsibility and committees provides a framework for relationships between Councillors and the administration of Council and reporting back of these committees to Council is an important transparency mechanism.

Section 80A of the *Local Government Act 1989* (the Act) sets out the context in which the Assembly of Councillors Records must be reported to Council.

The Meeting Procedure Local Law 2018 provides for the Chairperson to take a question On Notice and a written response to be provided to the person, should the question require a detailed answer that is not available at the meeting.

2. Background

The Governance Report has been developed as a standing monthly report to Council to provide a single reporting mechanism for a range of statutory compliance, transparency and governance matters.

In accordance with best practice and good governance principles, and to ensure compliance with the requirements of the *Local Government Act 1989* (the Act), the report incorporates matters including reporting of advisory committees, records of Assemblies of Councillors, items relating to the delegation of Council powers, and policy and strategy reporting.

3. Issues

Reports from Committee to Council

The minutes and/or a summary of the key issues discussed at the following meetings is provided at **Attachment 1** for Council's information:

- Arts Advisory Committee – 30 April 2019.

Assemblies of Councillors

An Assembly of Councillors is a meeting of an advisory committee of the Council, if at least 1 Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and 1 member of Council staff which considers matters that are intended or likely to be the subject of a decision of the Council or delegate.

Some examples include Councillor Briefings, meetings with residents/developers/clients/organisations/government departments/statutory authorities and consultations. Councillors further requested that all Assembly of Councillors Records be kept for Urban Planning Briefing meetings, irrespective of the number of Councillors in attendance.

Records of Assemblies of Councillors and Planning Briefings held during the period 1 April to 30 April 2019 are presented at **Attachment 2** for the following meetings:

- Councillor Briefing - 8 April 2019
- Councillor Briefing - 15 April 2019
- Planning Briefing - 23 April 2019
- Moreland Arts Board - 30 April 2019.

The following Assembly of Councillor records for the period December 2018 – February 2019, have also been received:

- Moreland Library Advisory Committee (MorLac) - 19 February 2019
- Finance Review Committee - 11 February 2019
- Moreland Library Advisory Committee (MorLac) - 4 December 2019.

On Notice Responses

At the 10 April 2019 Council meeting, 2 questions were taken On Notice during question time:

ON8/19 - David Latina - Proposed Substation at Shore Reserve.

ON9/19 - Renato Colangelo - Safety on Newlands Road.

A copy of Council's responses to these questions is included at **Attachment 3**.

Correction of the 10 April 2019 Council meeting minutes

It has been identified that there is an error in the minutes recorded for Public Question item ON8/19, where the resident is recorded as David Latino. The minutes should reflect that residents name is David Latina. Council officers are seeking authorisation to make this correction.

Submission to Parliamentary Inquiry into Recycling and Waste Management

The Victorian Parliament's Environment and Planning Committee invited submissions to an Inquiry into Recycling and Waste Management, with written submissions due 10 May 2019.

Following review of submissions, the Committee will provide a report to Parliament by August 2019 on the crisis in Victoria's recycling and waste management system, partly resulting from the China waste importation ban.

A submission was prepared for authorisation by the CEO that is consistent with Council's Waste and Litter Strategy and makes clear the very high priority Council is placing on our strategic initiatives to progress towards our ambitious target of zero waste to landfill by 2030. Council's submission draws on the MAV Rescue Our Recycling Action Plan and advocacy platform which is highly aligned to Council's strategic objectives.

As per Council's resolution within the April Governance Report (DBT10/19), the final submission **Attachment 4** is presented for noting by Council.

ESD Moreland 2018/19 Annual Achievement Report

The ESD Annual Achievements Report 2018/19 **Attachment 5** provides an overview of Council progress and achievements in relation to environmental strategies / policies for which the ESD Unit is custodian, being: Sustainable Design in the Application Planning Process (SDAPP); Corporate Carbon Reduction Plan (CCRP); Waste and Litter Strategy; Watermap; and Urban Heat Island Effect (UHIE) Action Plan.

The major achievements include:

- Council played a leading role in joint advocacy that has resulted in 'Stormwater Management' (WSUD) provisions being introduced as State planning policy.
- Installation of solar photovoltaic systems at the West Coburg Bowling Club (20kW), Fawkner Bowling Club (18kW), Lake Park Kindergarten (5.5kW), Dawson Street Child Care Centre (14.5kW) and the Denzil Don Kindergarten (9kW) through the Solar on Leased Facilities program (in collaboration with MEFL). By the end of the 2018/19 financial year there will be 764kW installed capacity across Council sites (including leased buildings).
- Adoption of Plastic Wise Policy in April 2019 providing Council with the policy framework to eliminate single use plastics from council festivals, events and facilities.
- Council endorsed an implementation approach for introduction of a municipal-wide ('universal') 3-bin kerbside collection service (being fortnightly garbage, fortnightly recycling, weekly food and garden), with proposed transition in March/April 2021.
- Construction, commissioning and official opening of an enhanced wetland treatment system within Jones Park, Brunswick East.

Zero Carbon Evolution – Refresh to 2020 Annual Achievements Report

The Zero Carbon Evolution – Refresh to 2020 Annual Achievements Report 2018/19 **Attachment 6** provides an overview of MEFL and Council progress and achievements in relation to relevant goals, key programs and initiatives in the ZCE - Refresh to 2020.

The major achievements include:

- As at end-April 2019, Positive Charge (by MEFL) has managed installation of 594kW solar in Moreland with residential installations amounting to 340kW (out of a target of 400 kW).
- MEFL's Solar for Business program supported 23 businesses to get solar quotes, resulting in 250kW installs to the end of March 2019. The largest install was 69kW solar array at Aurora Foods in Coburg.
- Expansion of Council's EV charging infrastructure network, with three new charging bays at the Coburg Civic Centre and two new charging bays at the Walter St Operations Centre, plus upgrade of the existing 'ZapnGo' fast charge station at Coburg Civic Centre and installation of a second public EV fast charge station in North Coburg (scheduled for commissioning by 30 June 2019).

Moreland Heritage Action Plan 2017-2019 Update

The Moreland Heritage Action Plan (MHAP) was adopted by Council in June 2016 and sets out a 5-year action plan (with 46 specific actions) to identify, conserve, manage and celebrate heritage in Moreland.

MHAP Achievements

Attachment 7 sets out those MHAP actions that are either complete or have commenced (19 in total) or are ongoing (17 in total). Only two 2018/19 actions have been delayed in commencing and will commence towards the end of 2019.

The following key actions are highlighted as major achievements of the MHAP:

- The Moreland Heritage Gap Study (MHGS) adopted by Council in November 2017 that identified approximately 500 places in Moreland as having local heritage significance.
- Commencement of the Planning Scheme Amendment (C174) to implement the recommendations of the MHGS to identify and protect approximately 500 places via a heritage overlay.
- Preparation of an Incorporated Plan to set out planning permit exemptions for minor matters.
- Stage 1 Heritage Study of approximately 850 properties publicly nominated in 2016 that recommended a more detailed heritage assessment of approximately 600 places.
- Commencement of the 'Moreland: A Bluestone City' study to recognise the historic and cultural importance of bluestone across Moreland and help inform the ongoing preservation and management of these assets.
- Installation of interpretive heritage signage for Randazzo Park (former Brunswick schools site) and Bush Reserve (former Strangeway Farm).
- Investigating whether Living Heritage Program grants can be utilised in capital works projects.
- Involvement in Heritage Victoria's Heritage Council Local Heritage Review project that aims to improve the way State and local government work together to recognise, protect and manage local cultural heritage.

A full summary of the status of all actions within this reporting period from the MHAP is provided at **Attachment 7**. Actions scheduled to commence in the 2020/21 financial year will be reported in the next bi-annual report to Council on MHAP achievements.

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

Advisory committees provide a valuable communication and consultation link between the organisation, Councillors, Council and the community.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

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

7. Implementation

Governance activity, including reports of committees to Council, Assemblies of Councillors and On Notice items, will continue to be reported to Council monthly.

Attachment/s

| | | |
|--|--|------------|
| <u>1</u>  | Assembly of Councillors - 1 April 2019 - 30 April 2019 | D19/187884 |
| <u>2</u>  | Committee to Council Reports - June 2019 | D19/189034 |
| <u>3</u>  | On Notice Item Responses - April 2019 | D19/201801 |
| <u>4</u>  | Submission - Inquiry into Recycling and Waste Management | D19/201981 |
| <u>5</u>  | ESD Annual Achievements Report (2018/19) | D19/202036 |
| <u>6</u>  | Zero Carbon Evolution (ZCE) Annual Achievements Report 2018/19 | D19/202041 |
| <u>7</u>  | Moreland Heritage Action Plan – Progress of Actions | D19/201944 |

DCF48/19 CITY OVAL STORMWATER HARVESTING SYSTEM - TENDER AWARD (D19/198403)

Director City Futures

City Change

Executive Summary

The 2018/19 Council Action Plan item 33 is to commence construction of stormwater harvesting system at City Oval, Coburg. City Oval is a 'Class A' sportsground and is Council's sportsfield with the greatest use of drinking water for irrigation. The Oval currently uses over 100,000 litres of drinking water for each irrigation cycle, totalling approximately 15 million litres of drinking water for irrigation each year (costing over \$40,000 per year).

City Oval was identified in a stormwater harvesting prioritisation study in 2015 as the top priority site due to its high community value, high profile and high irrigation water consumption. The system design has been modelled as providing on a typical rainfall year 73% of the City Oval irrigation demand, totalling 11 million litres with a 'drinking water backup' providing the remaining irrigation need. The construction tender was open from 14 November 2018 to 17 December 2018. Five tender responses were received, and all were over budget. An extensive tender evaluation process was undertaken including 'value engineering' to reduce costs of the project, redesign of some system components and subsequent tender negotiations. A preferred tenderer has been identified.

The cost of the preferred tenderer fixed lump sum and provisional items is \$1,319,934 (excluding GST). Allowing for a contingency of \$132,000 (excluding GST) (10% of total budget), brings the total budget required to \$1,452,000 (excluding GST).

The total existing budget allocated to the project is \$1,072,000 (excluding GST). This budget comprises of:

| | |
|--|-----------|
| Council rates 2018/19 (CAPEX budget 643-9204) | \$322,000 |
| Council rates 2019/20 (CAPEX budget 643-9204) | \$350,000 |
| Melbourne Water Living Rivers Program grant | \$300,000 |
| State Government (DELWP) Integrated Water Management (IWM) Forum grant | \$100,000 |

Melbourne Water Living Rivers Program have verbally offered an additional \$120,000 of funding towards the project as they see the enormous value in the works and understand the impact that the busy construction industry is having on tenders. Officers have submitted a formal variation request for the additional grant amount to Melbourne Water and at the time of writing are waiting to have formal confirmation of these additional funds. The Department of Environment, Land, Water and Planning (DELWP) is not able to provide any additional funding from the IWM Forum Grant.

Therefore, the remaining budget shortfall of \$260,000 (excluding GST) would need to be made up by Council. Officers have identified where potential reductions in future scope from other Watermap capital budgets may occur to make up this budget shortfall over the 2019/20 and 2020/21 financial years.

Given the project value has increased to be over \$1 million a Planning Permit been subsequently been required and has now been and issued.

Pending approval of the proposed funding approach, officers are seeking Council approval to award the construction contract to the preferred tenderer and immediately commence construction of the stormwater harvesting system at City Oval.

Officer Recommendation

That Council:

1. Accepts the tender from Multipro Civil Pty Ltd for Contract 742T for a fixed lump sum and provisional items of \$1,319,934 (excluding GST), being lump sum plus provisional sum and a contingency of \$132,000 (excluding GST) for the supply, construction and commissioning of a storm water harvesting system for City Oval, Coburg noting that:
 - a) The total value of this contract is \$380,000 above the existing budget.
 - b) That \$322,000 of 2018/19 financial year budget and the grants received this year, will be required to be carried forward to the 2019/20 financial year.
 - c) That Council officers are continuing to pursue additional external funding.
 - d) That Council agrees to fund up to an additional \$260,000 (excluding GST) of project budget in the 2019/20 financial year, by bringing forward future storm water and integrated water management budgets currently budgeted in 2019/20 and 2020/21).
2. Authorises the Director City Futures to execute the contract.
3. Advises all tenderers of Council's decision in this matter.

1. Policy Context

The Council Plan 2017 – 2021 includes a key priority:

- P1m Water Map: implement initiatives which support a water sensitive city and improve water quality and efficiency outcomes.

To meet this Council Plan priority, Council has an ongoing program of design and construction of stormwater harvesting systems aligning with Council's endorsed Watermap 2020 Strategy.

The relevant target is subtarget 1.1 – increase Council's use of alternative water sources through: 30ML/a of community sportsfield or open space irrigation water to be reuse water from local stormwater harvesting infrastructure by 2020. This target translates into the following CAP items:

CAP:33 of the Council Plan 2018 – 2019:

- WaterMap: Progress design and/or delivery of stormwater harvesting systems - Commence construction of stormwater harvesting system at City Oval, Coburg.

2. Background

Benefits of stormwater harvesting systems

Stormwater harvesting systems capture stormwater from the stormwater drainage system, treating the stormwater to remove pollutants and then storing it for reuse for irrigation. These systems can provide the benefits of:

- Reducing drinking water consumption through displacing drinking water with treated stormwater.
- Allowing for continued irrigation of sportsfields during periods of future drought water restrictions.
- Reduced stormwater pollution reaching our creeks (in this case Merri Creek), the bay and the ocean.
- Improved local amenity and activation of space, through careful urban design of the treatment raingarden.
- Localised urban heat island effects through the raingarden and continuation of irrigation through future drought periods.

The high water use and high community value of City Oval make it the highest priority site for a stormwater harvesting system in the City of Moreland. Increased use of City Oval by the local community through an activation project led by Open Space Design and Development is currently underway, aiming to stimulate even more community use and therefore pressure on Council to maintain high levels of irrigation.

System design

City Oval is a 'Class A' ground and hosts high level sporting events including the VFL. The Oval currently uses over 100,000 litres of drinking water for each irrigation cycle, totalling approximately 15 million litres of drinking water for irrigation each year (costing over \$40,000 per year).

City Oval was identified in a stormwater harvesting prioritisation study in 2015 as the top priority site due to its high community value, high profile and high irrigation water consumption. Design of a stormwater harvesting system for City Oval commenced in 2017 with a wide-ranging review of options to supply stormwater to the grouping of City Oval, DeChene Reserve and McDonald Reserve in central Coburg. The recommendation from this investigation was for two stand-alone systems, the priority system at City Oval and a future second system at DeChene Reserve (to service DeChene Reserve and McDonald Reserves).

A concept design for a stormwater harvesting system at City Oval was agreed upon by Council officers and taken to community consultation in June 2018. Final detailed design documentation was completed in October 2018 ready for construction tender.

The concept design was for a stormwater harvesting system consisting of:

- Diversion of stormwater from the Harding Street Main Drain using the existing Gross Pollutant Trap and a new pumping wet well.
- Pumping of stormwater to a new above ground treatment raingarden (biofiltration system) to remove pollutants within the stormwater.
- Storage of treated stormwater in tanks below the treatment raingarden.
- Pumping of stored water via a new UV treatment system to the existing above ground irrigation tanks and therefore irrigation of the reserve using the existing pump and reticulation system.

System reliability

The proposed system has been modelled as providing on a typical rainfall year 73% of the City Oval irrigation demand, totalling 11 million litres with a 'drinking water backup' providing the remaining irrigation need. In years of drought this reliability is expected to drop down to approximately 60%, however this still totals 9 million litres of treated stormwater supplied for irrigation each year. Given the size of the catchment (50 hectares or 500,000 square metres), it will only take 1.2 millimetres of rainfall to completely fill the stormwater harvesting tanks assuming they are empty to begin with. Therefore, even in periods of drought, the tanks will still fill regularly. For example, over the period of January to March 2019, only 55 millimetres of rain fell compared to the long-term average of 126 millimetres. However, during this same time the stormwater harvesting system would have been expected to be able to provide irrigation on 30 out of a total of 34 days where irrigation is required (such as 88 % reliability during the summer season). That is, there has been a reduction in total rainfall, however due to the small amount of rainfall required to fill the tanks, the regular but small rainfall events that have occurred have been sufficient to provide irrigation.

Note that it is for two reasons that stormwater harvesting systems can allow for irrigation during periods of drought. The first is that due to their large catchments they can still harvest large quantities of stormwater as demonstrated above. The second, is that they can still make significant reductions in the total water required for irrigation throughout the 'wetter' autumn, winter and spring months, meaning they can still reduce the total annual water required by over 50%. These annual reductions will trigger these sites for exemptions by water retailers from total water restrictions during future periods of droughts, allowing continuation of some drinking water backup for irrigation during summer. Whereas sites where no significant efforts have been made to save drinking water will most likely not be made exempt from drinking water restrictions during severe drinking water restriction scenarios.

Construction tender

The tender for construction of the system was open from 14 November 2018 to 17 December 2018. Five tender responses were received. All tender responses were over budget. An extensive tender evaluation process was undertaken with the Environmentally Sustainable Design (ESD) Unit, the Procurement Unit and the system designs including 'value engineering', redesign of some system components and tender negotiations.

3. Issues

Project budget

The Tender Evaluation Panel have reviewed all submissions and recommend a preferred supplier as: Multipro Civil (**Attachment 1**). This recommendation has been made based on capability to deliver the project, methodology and value for money. The cost of this tender is \$1,320,000 excluding GST. Maintaining at 10% contingency requires a total budget cost of \$1,452,000 excluding GST. The total budget for construction (including confirmed grants income) is \$1,072,000 excluding GST.

The preferred option from the Tender Evaluation Committee is \$380,000 over budget. The primary reason the tender prices are higher than for other similar projects Council has undertaken is due to the high prices of the current construction market, space constraints of the City Oval site, working in central Coburg and the need to maintain (rather than excluding) key amenity features due to the high profile of the site.

Value engineering

The option of reducing the scope of the below ground storage has been investigated.

However, reducing tank volume will result in a reduced number of irrigation cycles per week meaning the system will supply less stormwater for irrigation and therefore require more drinking water to balance supply. Tank volume has already been reduced from an initial 700 kilolitres (up to 6 irrigation cycles per week) to a reduced 600 kilolitres (up to 5 irrigation cycles per week).

Reducing the storage further to 500 kilolitres will reduce reliability of supply to four cycles per week, however is likely to only save approximately \$40,000 in capital costs. Due to this modest reduction in project cost, but large decrease in supply of stormwater, it is not recommended to reduce storage volume below 600 kilolitres.

A further option of above ground tanks instead of below ground storage was also investigated. However, due to the site contamination being contained in the upper one metre of the soil, this option is likely to result in an increased project cost due to the need for off-site disposal of contaminated soil. This option will also have a negative impact on site amenity, considered unacceptable by the Open Space Design and Development team. Therefore, any above ground tanks would need to be replaced with underground tanks in the long-term, increasing the overall project cost to Council.

Soil contamination

The geo-contamination testing has identified a one metre deep layer of previously imported material, classified as Category B contaminated soil. The preferred supplier has provided a methodology which is aiming to safely contain all this contaminated soil on site, to be used as 'backfill' around the below ground tanks. The cost of off-site disposal of Class B contaminated material is otherwise estimated to be \$216,000.

A 10% contingency on the project budget is \$132,000. This would cover 60% of the contaminated fill being disposed off-site. Given the preferred supplier's methodology of containing the contaminated material onsite, holding contingency that would allow for 60% of the contaminated material to be taken off site is considered sufficient.

Planning Permit

The cost estimate during the design phase was below \$1 million resulting in Council being exempt from the requirement to obtain a planning permit. However, due to construction tenders coming in above the \$1 million threshold, the planning permit exemption no longer applies and a planning permit has been sought. This has delayed the signing of contracts and beginning of construction.

Officers in the ESD Unit have progressed a planning permit application and the public notice period was completed on Tuesday 28 May.

The Urban Planning Unit have indicated that the planning permit application will be determined prior to this Council meeting. In terms of the planning permit:

- Melbourne Water advised on 23 May 2019 that it does not object to the City Oval planning application.
- Urban Planning have received all internal advice responses. The response from the Open Space Branch has recommendations that can form conditions of approval. The ESD Unit is currently pre-emptively actioning these conditions, such as the appointment of an external Project Arborist to supervise the demolition and construction.
- Two objections were received from members of the community, but later withdrawn.

Human Rights Consideration

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

4. Consultation

Development of the design involved Council officers from the ESD Unit, Open Space Design and Development Unit, Open Space Maintenance – Sportsfields, Open Space Maintenance – Parks and the Places teams.

The concept design was taken to community consultation in June 2018.

A public notice period was undertaken as part of the planning permit application process for 2 weeks concluding on 28 May 2018. Two objections were received from members of the community and later withdrawn following consultation on the details of the proposal.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

Current budget

The current project budget consists of:

| | |
|---|--------------------|
| Council rates 2018/19 (CAPEX budget 643-9204) | \$322,000 |
| Council rates 2019/20 (CAPEX budget 643-9204) | \$350,000 |
| Melbourne Water Living Rivers Program grant | \$300,000 |
| DELWP IWM Forum grant | \$100,000 |
| Total budget | \$1,072,000 |

Required budget

The budget required to appoint the preferred supplier is:

| | |
|------------------------------|--------------------|
| Lump sum cost | \$1,320,000 |
| 10% contingency | \$132,000 |
| Total required budget | \$1,452,000 |

Budget gap

The gap between the current budget and the required budget is \$380,000, or \$260,000 assuming the additional \$120,000 funding from Melbourne Water is confirmed.

Proceeding with construction will require the carry forward of remaining capital works budget from 2018/19 to 2019/20 and reallocation of further funds to the project. ESD officers have reviewed the forward Watermap capital works budgets for 2019/20 and 2020/21 to identify proposed funding reallocations to offset the \$260,000 project shortfall in the table below.

| Watermap Capital Works Budgets (ESD) | Proposed 2019/20 Budget | Proposed 2020/21 Budget | Impact of funds reallocation |
|---|---|--|--|
| Sportsfield stormwater harvesting (643 9204) | \$350,000 already allocated for this project | \$100,000 – propose to bring forward for City Oval SWH | Design of next sportsfield stormwater harvesting system delayed by one year (from 2020/21 to 2021/22) |
| Building Water Efficiency (643 9203) | \$50,000 – propose to reallocate to City Oval SWH | \$50,000 – propose to bring forward for City Oval SWH | No dedicated funding for building water efficiency works in 2019/20 to 2020/21 |
| Water Sensitive Urban Design (WSUD) Implementation (643 9045) | Propose to reallocate \$60,000 of \$150,000 budget to City Oval SWH | \$150,000 (no change) | Scaled back work program in 2019/20. Remaining \$90,000 funds in 2019/20 will still enable review and update of Watermap policy and development of Gross Pollutant Trap (including plastic pollution) action plan. |
| Funds reallocation per year | \$110,000 (reallocate) | \$150,000 (bring forward to 2019/20) | Total of \$260,000 Council funds to be reallocated to close 'funding gap' for City Oval SWH |

Note that current forward capital works funding is a continuation of the funds allocated through the 5-year Capital Works Program process in 2015. During 2019/20 the Watermap policy will be reviewed and updated, including a review of targets and budget requirements for capital works, particularly considering increasing construction costs seen across projects in Victoria.

Alternatively, abandoning the tender will require re-allocation of remaining funds allocated to the project from the 2018/19 financial year and alternate plans made for the 2019/20 budget. Abandoning the tender will require 'handing back' \$300,000 of Melbourne Water Living Rivers funding and \$100,000 of DELWP IWM Forum funding for this project.

7. Implementation

The option available to proceed with the project are that Council confirms award of the contract to the preferred tender for the below ground tanks option, working with the project partners to increase the available project budget in 2019/20 by \$380,000 through re-allocation of internal funds and securing maximum additional grant income. This would mean a carry forward of remaining 2018/19 capital works budget of \$322,000. If no additional external funds are made available, Council funds the \$380,000 gap itself through re-allocation of internal funds.

Alternatively:

- The current tender is abandoned and the project “put on ice” until such time as additional external funds can be secured to proceed with the underground tank design.

Or:

- The current tender is abandoned. The design team revisits the design including ‘stepping back’ to reassess site options such as long-term plans for the Bowls Club, Trugo Club and Senior Citizens Building, which may allow for an alternate design to be developed without the constraints of the existing site.

Officers recommend that Council proceeds with the below ground tanks option. Pending Council decision, the project team is ready to engage the preferred contractor and proceed to construction. ESD officers will continue to pursue additional funding opportunities through DELWP and Melbourne Water’s Living Rivers Program.

Attachment/s

- | | | |
|---|---|------------|
| 1 | Contract 742T - Coburg City Oval SWH - Tender evaluation report | D19/199092 |
| | <i>Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.</i> | |

EMF22/19 PROVISION OF VALUATION SERVICES TENDER (D19/185588)

Executive Manager Finance

Finance Management

Executive Summary

Council has invited and assessed tenders for the provision of property valuation services. These services do not include the valuation of properties for rating purposes. These valuation services are provided by the Valuer-General Victoria as of 1 July 2018.

The initial contract term is for 2 years to cover 2019 and 2020 Open Space Valuations, Asset Valuations and other related services.

At the sole discretion of Council, similar contracts may be offered for the 2021-22 and 2023-24 financial years respectively.

Council received 9 conforming tender submissions. The tender evaluation criteria included cost, capacity, capability, and social and environmental sustainability and local considerations.

Opteon Property Group, Councils current contract provider, achieved the highest score against the evaluation matrix and are the recommended supplier for this contract.

The tender complies with Section 186 of the *Local Government Act 1989*.

Officer Recommendation

That Council:

1. Accepts the tender from Opteon (Victoria) Pty Ltd Trading as Opteon Property Group (ABN 73 140 547 600) for the provision of valuation services for a period of 2 years, with 2 extension options of 2 years duration each, at Council's sole discretion.
2. Authorises the Executive Manager Finance to do all things necessary to execute contracts and any other required documentation.
3. Advises all tenderers of Council's decision in this matter.

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 186 of the *Local Government Act 1989*, which requires Council to conduct a public tender process where the contract value is more than \$150,000.

2. Background

The purpose of the report is to award a tender for the provision of valuation services for a two-year period with 2 x 2-year extension options.

The contract provides valuation services for the 2019/20 and 2020/21 financial years. The current contractor providing the service is Opteon Property Group and the contract expired in December 2018.

The tender was advertised in *The Age* newspaper on 26 January 2019 and closed on 21 February 2019.

Council received 9 conforming tenders:

- Westlink Consulting (Westlink) ABN: 71 093 308 466
- Opteon (Victoria) Pty Ltd Trading as Opteon Property Group (OPG) ABN: 73 140 547 600
- Australia Pacific Valuers Pty Ltd ABN: 2 089 058 775
- E3 Valuations ABN: 35 605 057 341
- Herron Todd White ABN: 97 121 868 362
- Jardine Lloyd Thompson Pty Ltd ABN: 97 121 868 362
- JLL Public Sector Valuations Pty Ltd ABN: 39 167 493 889
- Liquid Pacific Holdings Pty Ltd ABN: 50 077 770 542
- WBP Rating Valuations Services Pty Ltd ABN: 74 625 256 993

The tender evaluation criteria included cost, capacity, capability, and social/environmental/local considerations. In particular, tenderers were asked questions which covered the consideration of capacity, capability, and social/environmental/local aspects

| Criterion | Description | Measure | Weighting |
|----------------------|---|--|--------------------|
| Capability (Quality) | Ability to provide works and services that meet the specified requirements, including the performance criteria. | Proven record of specification compliance in past contracts, and quality of systems employed. | =35% |
| Capacity (resources) | Ability to supply works and services in the quantities required within the timeframes required. | Sufficient resources to ensure reliability of supply of services. Ability to carry out work within the required timeframes. | =35% |
| Price | Competitive bid in comparison to other tenders. | Tendered prices. | =30% |
| Financial viability | Ability to maintain service for the life of the contract. | Evidence of financial stability. | Pass fail criteria |
| Tender Compliance | Tenderer's compliance with the requirements in the Tender document and consideration of any non-conformance. | | Pass fail criteria |

The tenderers were asked to address social and sustainability issues in accordance with Council's procurement policy. This includes social and economic issues and sustainability and environment.

Opteon Property Group addressed the social and sustainability requirement by outlining their policies for Major Socio-Economic Contributions, Infrastructure Development, Environment, Community and Cultural Heritage and Corporate Social Environment.

The membership panel was in line with Council's procurement policy and included the Coordinator Revenue Services, the Asset Accountant and the Open Space and Facilities Asset Planner.

The summary of the initial scoring for shortlisting:

| Initial scoring for Shortlisting | | | |
|----------------------------------|-----------------|---------------------|-------------|
| Company | Financial score | Non-financial score | Total score |
| Opteon Property Group (OPG) | 248 | 587 | 835 |
| Tender B | 232 | 591 | 823 |
| Tender C | 258 | 449 | 707 |
| Tender D | 132 | 486 | 618 |
| Tender E | 215 | 450 | 665 |
| Tender F | 215 | 455 | 670 |
| Tender G | 106 | 534 | 640 |
| Tender H | 211 | 336 | 547 |
| Tender I | 129 | 450 | 579 |

3. Issues

Evaluation process

All 9 tenders are considered to be conforming tenders and the evaluation panel assessed them against the evaluation criteria that were recommended in the Valuation Best Practice Specifications guidelines published in the tender document.

Opteon Property Group and Tenderer B scored highly in terms of quality and capability however, the point of difference is that Opteon Property Group demonstrated the best value for money.

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

This tender was subject to a public tender process and the evaluation team included three Council officers from 3 different business units.

Reference checks were conducted by the Coordinator Revenue Services to ensure thorough evaluation of the tenders.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The current budget for valuation services is \$375,000 per annum. By seeking the preferred suppliers best and final price there will be savings of approximately \$25,000 per financial year.

7. Implementation

Opteon Property Group currently supply valuation services to Council. Once the contract is signed, services provided by Opteon Property Group will continue as they are currently delivered.

Attachment/s

¹ Contract 763T

D19/210743

Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.

EMF23/19 STATE PURCHASING CONTRACT FOR THE PROVISION OF NATURAL GAS - LARGE SITES (D19/189576)

Executive Manager Finance

Finance Management

Executive Summary

Council requires the supply of large market gas for Council's 3 leisure centres – Coburg, Brunswick and Fawkner.

To achieve best value for money outcomes, Council enters group buying deals to purchase these services.

At the conclusion of the AGL Gas Contract in June 2018, Council temporarily joined the Department of Treasury and Finance, State Purchasing Contract (SPC) for large sites gas supply. This was to enable sufficient time to evaluate options for a new contract without paying higher retail rates.

Officers have analysed the options available to Council for the supply of large market gas for Council's 3 indoor leisure centres.

This report is recommending Council continue with the SPC for large sites gas supply until the expiry of 30 September 2023, as this will yield Council the best financial outcome.

Officer Recommendation

That Council:

1. Continues as a contract member of the Department of Treasury and Finance, State Purchasing Contract.
2. Authorises the Executive Manager Finance to do all things necessary to execute contracts, exercise the option to extend contracts in accordance with the provisions within the contracts and any other required documentation.
3. Advises the Department of Treasury and Finance of Council's decision in this matter.

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 186 of the *Local Government Act 1989*, which requires Council to conduct a public tender process where the contract value is more than \$150,000 or to enter in to a State Purchase Contract (SPC).

2. Background

Council's contract with Procurement Australia for bundled gas and electricity expired on 30 June 2018. Electricity supply had been transitioned to the Melbourne Renewables Energy Project (MREP) contract, and the need to enter a new contract for gas supply was realised.

Municipal Association Victoria (MAV) and Procurement Australia (PA) both ran tender processes in 2018, however, if Council were to commit to one of these tender processes, we would have been committed to a 'locked-in' contract at potentially less competitive rates. The State Purchasing Contract was with our current gas supplier and had 3 months remaining on the contract, which was flexible and allowed 'roll in, roll out' arrangements. Officers took the opportunity to join the SPC for 3 months to enable an analysis of the offerings in the market for gas supply before recommending a supplier to Council for approval.

A yearly increase for each site is expected to increase costs by 1-2%. The rate reductions achieved under the current SPC Gas Contract will assist to offset these costs.

3. Issues

Natural Gas is considered a contestable commodity and therefore is subject to the *Local Government Act 1989* and Council's Procurement Policy.

The 'pass through' costs associated with infrastructure are not contestable and are set by the Regulator. These form approximately 50% of any gas invoice.

Officers have undertaken market analysis and benchmarking of three major Procurement Agents to understand the rates being offered and other potential consequences of the contracts available to Council. Council uses Agents where the group buying power of the Agent delivers better value for money outcomes for Council. The 3 Agents assessed were:

- The Department of Treasury and Finance (DTF) as the Agent responsible for the State Purchasing Contract;
- Municipal Association of Victoria (MAV); and
- Procurement Australia (PA).

As the SS-06-2015 contract expired on 30/09/2018, The Department of Treasury and Finance completed a public tender process for large market only and established a new contract (Contract reference SS-02-2018). The new contract is a future buying model. The new SPC contract commenced on 1 October 2018 and Red Energy Pty Ltd has been appointed as the sole supplier to the natural gas contract – large sites.

MAV do not offer large market gas supply and could not meet Council's needs.

PA do offer large market gas supply; however, it would require Council to be 'locked-in' to the contract and they were offering less competitive rates than the DTF.

Officers have determined that the best option is the SPC with Red Energy, managed by DTF. This contract expires on 30 September 2023 unless it is extended.

Key benefits of this SPC are:

- secure and reliable supply of natural gas to Victorian Government large sites;
- negotiated future tariffs; and
- the ability to add new sites (subject to conditions).

Council is entering a new type of energy Contract known as future buying which is currently offered for large market electricity and gas customers. This allows the Contract owner to buy their energy for future use at the most favourable market price available as negotiated by the retailer.

With SPC's significant buying power, Council as a member will benefit overall.

Economic implications

This contract will provide savings on the retail cost of gas for Moreland City Council's leisure centres. The commercially in confident pricing of the SPC is detailed in the confidential **Attachment 1**.

Human Rights Consideration

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

4. Consultation

Advice was sought from officers across Council including Council's ESD Unit Manager, Executive Manager Finance and Procurement Unit Manager. Advice was also sought from the Department of Treasury and Finance Senior Category Manager.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The Gigajoule (GJ) rate for the first year of the SPC is lower than anticipated costs in the 2019/20 proposed annual budget. It is anticipated that savings will be realised. The contract is estimated to cost approximately \$1,700,000 over the remaining 4.25 years of the contract term. The contract is roll in and roll out, so Council has the option of exiting the contract before the expiry date if a more competitive rate is offered.

7. Implementation

The Executive Manager Finance will take all actions necessary to execute the SPC and will consider any reports and advice available before deciding upon future extensions.

Attachment/s

- 1** State Purchase Contract for Large Market Gas Supply

D19/200670

Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.

DCI10/19 CONTRACT 789T – PROVISION OF ASPHALT, QUARRY PRODUCTS AND PROFILING TENDER AWARD (D19/187783)

Director City Infrastructure

Roads Fleet and Waste

Executive Summary

Council has an extensive network of asphalt roads (531 kilometres) and footpaths (166 kilometres) across the municipality that require periodical maintenance. The maintenance of these roads and footpaths is carried out by Council's in-house asphalt crew as well as a suite of contractors that assist with the large-scale road re-sheeting and footpath renewal works. These works are currently covered by three Contracts 110T, 132T and 139T all of which expire on 1 July 2019. To simplify the tender process, the three contracts have been combined, which also creates a larger contract, potentially attracting more tenderers.

Tenders were advertised publicly on 13 April 2019 seeking a panel of suitably experienced and qualified contractors to provide materials and services under the Contract 789T – Provision of Asphalt, Quarry Products and Profiling. The tender closed on 8 May 2019 and consisted of the following 3 categories:

- Part A – Asphalt Supply
- Part B – Asphalt Road and Footpath Construction
- Part C – Profiling.

1250 emails were sent to registered companies via the supplier portal, alerting them that the contract tender was open. A total of 11 submissions were received. Six companies were selected to provide services for some or all 3 categories.

Establishment of this panel of contractors allows for the transition from the expiring asphalt and profiling contracts into one combined contract.

The purpose of this report is to seek approval to enter into contracts with various suppliers for the provision of the materials and services listed above.

The tender complies with Section 186 of the *Local Government Act 1989*.

Recommendation

That Council:

1. Awards Contract 789T - Provision of Asphalt, Quarry Products and Profiling for the period of 3 years, with two further 1-year options, to the following suppliers under the following categories:

Part A – Asphalt Supply:

- a) Asphaltech Pty Ltd – ABN: 42 105 883 154
- b) Citywide North Melbourne Asphalt Pty Ltd – ABN: 19 608 698 700
- c) Downer EDI Works – ABN: 66 008 709 608
- d) Fulton Hogan Industries Pty Ltd – ABN: 54 000 538 689

Part B – Asphalt Road and Footpath Construction:

- a) Asphaltech Pty Ltd – ABN: 42 105 883 154
- b) Bitumill Road Maintenance Pty Ltd – ABN: 28 097 282 981
- c) Fulton Hogan Industries Pty Ltd – ABN: 54 000 538 689
- d) Victoria Asphalt Pty Ltd – ABN: 80 633 466 905

Part C – Profiling:

- a) Asphaltech Pty Ltd – ABN: 42 105 883 154
 - b) Bitumill Road Maintenance Pty Ltd – ABN: 28 097 282 981
 - c) Fulton Hogan Industries Pty Ltd – ABN: 54 000 538 689
 - d) Victoria Asphalt Pty Ltd – ABN: 80 633 466 905
- 2. Authorises the Director of City Infrastructure to do all things necessary to execute the contracts.
 - 3. Advises the tenderers of Council's decision in this matter and all other tenderers be notified of the outcome.

1. Policy Context

Council's Procurement Policy is the guiding document regarding procurement of goods and services.

2. Background

Moreland City Council has an extensive network of asphalt roads (531 kilometres) and footpaths (166 kilometres) across the municipality that require periodical maintenance. The maintenance of these roads and footpaths is carried out by Council's in-house asphalt crew as well as a suite of contractors that assist with the large-scale road resheeting and footpath renewal works. These works are currently covered by three Contracts 110T, 132T and 139T all of which expire 1 July 2019. To simplify the tender process the three contracts are being combined which also creates a larger contract, potentially attracting more tenderers.

Services provided under contract 789T are as follows;

In accordance with Council's procurement policy, a public tender for Contract 789T – Provision of Asphalt, Quarry Products and Profiling was advertised on 13 April 2019 in *The Age* newspaper, inviting tenders via the Council Procurement Portal. The tender closed on 8 May 2019 and received the following services:

- Supply of recycled crushed concrete (various classes);
- Supply of asphalt (various types);
- Construction of asphalt footpaths;
- Re-sheeting of asphalt roads; and
- Road profiling services.

These services were grouped under 3 main parts;

- Part A – Asphalt Supply;
- Part B – Asphalt Road and Footpath Construction;
- Part C – Profiling.

1250 emails were sent out to registered companies via the supplier portal, alerting them that the contract tender was open. A total of 11 submissions were received from:

- Asphaltech Pty Ltd
- Bitumill Road Maintenance Pty Ltd
- Boral Resources Pty Ltd
- Citywide North Melbourne Asphalt Pty Ltd
- Downer EDI Works
- Fulton Hogan Industries Pty Ltd
- P&C Construction & Maintenance
- Robada Asphalt Solutions Pty Ltd
- Silman Bros Asphalting
- The David Speranza Family Trust
- Victoria Asphalt Pty Ltd

A total of two non-conforming tenders were received from:

- Downer EDI Works – Part B only (non-conforming)
- Boral Resources Pty Ltd – Part B only (non-conforming)

Whilst most contractors met the criteria of parts A, B and C there were two submissions under Part B that could not provide the whole service for asphalt lay on roads and footpath and as a result they were non-conforming.

3. Issues

The tenders have been evaluated in accordance with Council's Procurement Policy and all tenders were assessed against the following evaluation criteria.

- Price – Assessed based on schedule of rates received in the tender process;
- Experience – Demonstration of relevant experience, reference checks and approved relevant industry certifications;
- Quality – Contractor's quality assurance program and warranty;
- Resources – The ability to complete the works according to the contract and project schedule including the number of resources to be made available;
- Occupational Health and Safety – Documentation of contractor's health and safety plan, processes and certification;
- Sustainability – Locality of supplier(s), environmental management systems, and equal employment opportunity.

Tenders were assessed against the above criteria by the evaluation panel, which comprised of an officer from Engineering Services, an officer from the Roads Unit and a Contracts and Procurement officer.

A summary report is provided in **Confidential Attachment 1**.

Social/environmental/local implications

As a requirement of this contract all tenders were asked to provide pricing for environmentally sustainable asphalt mixes which include recycled products and the tender also requested pricing of recycled concrete material.

Tenderers who were located locally were scored highly to ensure Council has a responsive panel of supplier to undertake supply and maintenance services.

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/Recommendation from Management

Advice was sought from Engineering Services and staff within the Roads Unit.

5. Declaration of Conflict of Interest

Council officers, external consultants and all other parties involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The total value of the contract over its 5 year life, will exceed Chief Executive Officer delegation and will therefore, require Council endorsement. All expenditure against this contract is covered from existing Base and CAPEX budget allocations.

7. Implementation and Timeline

The implementation of this contract by July 2019 will ensure a smooth transition into the new financial year.

It is proposed that the Director of City Infrastructure be authorised to do all things necessary to execute the contracts and any other required documentation.

The contracts will commence as soon as possible following Council endorsement.

Attachment/s

- 1 Contract 789T - Tender Summary Sheet

D19/190607

Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.

DCD15/19 CONTRACT 776T FOOD SUPPLY AND PACKAGING SERVICES (D19/149676)

Director Community Development

Aged and Community Support

Executive Summary

Tenders were called for a panel of appropriately experienced and qualified suppliers to provide the following food supplies and packaging services to Council's Food Services program:

- Meat.
- Dry goods.
- Fruit and vegetables.
- Packaging materials.
- Dairy.
- Beverages and bakery.

Tenderers were invited to submit tenders through a public advertisement for all or any part of the tender specification.

The allocated budget for the above services is \$4,000,000 over the life of the contract of 6 years.

This report seeks approval from Council to enter into contracts with the tenderers identified within this report.

The tender complies with Section 186 of the *Local Government Act 1989*.

Recommendation

That Council:

1. Accepts Schedule of Rates Tender from all successful tenderers listed below for the provision of food supplies and packaging services to Council's Food Services program.
 - AR Foodservices Pty Ltd 39 614 538 484
 - Hong Aust Corp P/L t/as Merchant P/L 16 000 307 540
 - P Manettas & Co Technical Pty Ltd 95 003 044 997
 - PFD Food Services Pty Ltd 29 006 972 381
 - Sealane Food Services 49 249 143 387
 - Tasty Chips Pty Ltd 52 453 980 316
 - Yarra Valley Farms Aust Pty Ltd 60 161 721 320
 - Confoil Pty Ltd 80 005 176 429
 - Metwood Aust Pty Ltd 95 114 192 782
 - Glenroy Bakery Pty Ltd 54 007 168 998
 - BRC Meats Pty Ltd t/as West St Meats 64 618 388 980
 - Lea Enterprises Pty Ltd t/as 360 Degree Meat and Poultry 45 967 980 964
 - Top Cut Food Industries Pty Ltd 96 628 117 564
 - University Meat 43 723 358 212
2. Awards the panel of preferred suppliers the contract, for a period of 2 years, with further 2 x 2-year options for extension.
3. Authorises the Director Community Development to do all things necessary to execute the contracts.
4. Advises all tenderers of Council's decision in this matter.

1. Policy Context

This report is in keeping with Council's commitment to accountability and sound financial management. It also addresses the requirement under Section 186 of the *Local Government Act 1989*, which requires Council to conduct a public tender for services where the contract value is more than \$150,000 as well as the policy commitments contained in the Procurement Policy.

2. Background

The purpose of the report is to award a panel of tenderers for the provision of Food Supply and Packaging services to Council's Food Services Program for 2 years with two, 2-year extension options.

Council's Food Services Program provides approximately 400 meals daily to local residents and approximately 100 meals daily on a contractual basis to 2 other councils, Whittlesea and Nillumbik.

The program is funded through Commonwealth Home Support Program (CHSP) and Home and Community Care Program - Program for Younger People (HACC-PYP). Service users pay a small fee per meal and Council meets the remaining cost. There are also meals purchased at full fee under the Home Care Packages program, and private clients.

Meals are provided 7 days per week and are prepared using three production methods:

- Cook fresh – cooked and delivery the same day;
- Cook chill – prepared and blast chilled in advance for later reheating; and
- Frozen – meals frozen for later use.

Meal services is currently undertaking a pilot to deliver cook chill meals to Moreland residents, with the aim of transitioning to a single food production method, and only providing cook chill and frozen meals. This is the method used to produce and deliver meals on a contractual basis to external Councils.

The contracts provide Food Supply and Packaging services to Council's Food Services program and the current contracts expired 30 April 2019 and costs \$4 million over the life of the contract.

The tender was advertised in *The Age* newspaper on 9 February 2019 and closed at 3 pm on 6 March 2019.

Council officers made contact with all providers that have existing relationships with Moreland City Council to advise them of this tender opportunity.

The following 15 conforming tenders have been received and there were no non-conforming tenders received.

| Name | ABN |
|--|----------------|
| AR Foodservices Pty Ltd | 39 614 538 484 |
| Hong Aust Corp P/L t/as Merchant P/L | 16 000 307 540 |
| P Manettas & Co Technical Pty Ltd | 95 003 044 997 |
| PFD Food Services Pty Ltd | 29 006 972 381 |
| Sealane Food Services | 49 249 143 387 |
| Tasty Chips Pty Ltd | 52 453 980 316 |
| Yarra Valley Farms Aust Pty Ltd | 60 161 721 320 |
| Confoil Pty Ltd | 80 005 176 429 |
| Metwood Aust Pty Ltd | 95 114 192 782 |
| Reward Supply Co Pty Ltd | 40 010 183 669 |
| Glenroy Bakery Pty Ltd | 54 007 168 998 |
| BRC Meats Pty Ltd t/as West St Meats | 64 618 388 980 |
| Lea Enterprises Pty Ltd t/as 360 Degree Meat and Poultry | 45 967 980 964 |
| Top Cut Food Industries Pty Ltd | 96 628 117 564 |
| University Meat | 43 723 358 212 |

The tender evaluation criteria included price, experience, resources, capacity, social/environmental/local considerations, food safety/quality assurance and OHS compliances/relevant insurances. In particular tenderers were asked questions which cover the consideration of all these aspects.

The evaluation panel was made of representatives from procurement, assessment, social support, quality management and kitchen production.

Detailed evaluation criteria and weighting are provided in the following table:

| Criteria | Weighting |
|----------------------------------|------------------|
| Experience | 15% |
| Resources | 15% |
| Social/local | 10% |
| Sustainability/ environmental | 10% |
| Food safety/quality assurance | 30% |
| Price | 20% |

The membership of the tender evaluation panel was as follows.

| Title and/or company | Project Manager / Generalist or nominated speciality | Full Voting/Advisory Member |
|---------------------------------|---|------------------------------------|
| Quality Management Co-ordinator | Project Manager (Chair) | Full |
| Unit Manager Social Support | Generalist | Full |
| Unit Manager Assessment | Generalist | Full |
| Executive Chef | Chef | Full |
| Senior Procurement Partner | Finance | Advisory |

| Initial scoring for Shortlisting | | | | |
|---|--|--|----------------------------|--------------------|
| Area | Company | Financial score (Refer to note 2) | Non-financial score | Total score |
| Dry Goods Supply | AR Foodservices Pty Ltd | 120 | 445 | 665 |
| | Hong Aust Corp P/L trading as Merchant P/L | 100 | 515 | 615 |
| | P Manettas & Co Technical Pty Ltd | 100 | 540 | 640 |
| | PFD Food Services Pty Ltd | 100 | 495 | 595 |
| | Sealane Food Services | 100 | 530 | 630 |
| Fruit and vegetables supply | AR Foodservices Pty Ltd | 40 | 545 | 585 |
| | PFD Food Services Pty Ltd | 40 | 495 | 535 |
| | Tasty Chips Pty Ltd | 120 | 550 | 670 |
| | Yarra Valley Farms Aust Pty Ltd | 120 | 550 | 670 |
| Packaging materials supply | AR Foodservices Pty Ltd | 0 | 545 | 545 |
| | Confoil Pty Ltd | 100 | 520 | 620 |
| | Metwood Aust Pty Ltd | 100 | 480 | 580 |
| | P Manettas & Co Technical Pty Ltd | 0 | 580 | 580 |
| | PFD Food Services Pty Ltd | 140 | 495 | 635 |
| | Reward Supply Co Pty Ltd | 80 | 495 | 575 |
| | Sealane Food Services | 140 | 530 | 670 |

| Initial scoring for Shortlisting | | | | |
|--------------------------------------|--|-----|-----|-----|
| Dairy supplies | AR Foodservices Pty Ltd | 100 | 545 | 645 |
| | P Manettas & Co Technical Pty Ltd | 100 | 540 | 640 |
| | PFD Food Services Pty Ltd | 100 | 495 | 595 |
| | Sealane Food Services | 140 | 530 | 670 |
| Beverages and bakery supplies | AR Foodservices Pty Ltd | 100 | 545 | 645 |
| | Glenroy Bakery Pty Ltd | 180 | 185 | 365 |
| | P Manettas & Co Technical Pty Ltd | 140 | 220 | 360 |
| | PFD Food Services Pty Ltd | 140 | 175 | 315 |
| | Reward Supply Co Pty Ltd | 80 | 235 | 315 |
| | Sealane Food Services | 100 | 220 | 320 |
| Meat supply | BRC Meats Pty Ltd t/as West St Meats | 100 | 500 | 600 |
| | Lea Enterprises Pty Ltd t/as 360 Degree Meat and Poultry | 100 | 530 | 630 |
| | P Manettas & Co Technical Pty Ltd | 0 | 495 | 495 |
| | PFD Food Services Pty Ltd | 100 | 525 | 625 |
| | Sealane Food Services | 0 | 530 | 530 |
| | Top Cut Food Industries Pty Ltd | 100 | 525 | 625 |
| | University Meat | 100 | 485 | 585 |

Note 2: this score includes an assessment of both lump sum pricing and schedules of rates.

3. Issues

As the cost of products to be ordered in some categories is not fixed, and prices can change significantly during the term of the contract, based on availability and seasonality (such as fruit, vegetables, meat prices), high use products were selected in each category to allow for a consistent approach to cost comparison.

The preferred panel are being recommended as they met the requirements for price, experience, resources, capacity, social/environmental/local considerations, food safety/quality assurance and OHS compliances/relevant insurances. Having a panel of suppliers in each category provides flexibility and allows us to obtain competitive pricing when purchasing goods.

Social/Environmental/Local Implications

In selecting contractors, the following implications were assessed:

- Sustainability/environmental – products/services produced to ethical standards (where possible) and minimal impact on the environment.
- Social and local content – suppliers to use local providers and food sourced locally (where possible).

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/Recommendation from Management

Social Support as the leading service unit for this tender process consulted with Procurement with respect to tender evaluation.

The recommendation is that Council endorses the awarding of the contract for the provision of food supplies and packaging services to Council's Food Services program for a term of 2 years and the proposed commencement date is May 2019 (subject to Council approval) with two, 2-year extension options for an annual contract sum of approximately \$650,000 and otherwise in accordance with the negotiated terms and conditions of contract.

5. Declaration of Conflict of Interest

Council officers and all other parties involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The award of this contract does not have any direct financial implications as works will be funded through ongoing operational budgets.

In some cases, there will be contract variations required due to latent conditions outside of Council's and contractor's control. In these instances, the delegated Council representative will have the authority to approve variations up to 10% of the value of the contract.

7. Implementation and Timeline

It is proposed that the Director of Community Development be authorised to do all things necessary to execute the contract/s and any other required documentation.

The contracts will commence as soon as possible following Council endorsement.

Attachment/s

- 1 Contract 776T - Evaluation Matrix Summary

D19/183530

Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.

DCI11/19 CONTRACT 788T: DRAINAGE - CCTV SURVEYS, DRAINAGE AND GPT CLEANING AND ASSOCIATED WORKS TENDER AWARD (D19/156836)

Director City Infrastructure

Open Space and Street Cleansing

Executive Summary

Council manages a large portfolio of drainage assets, including 20,000 pits and a network of approximately 500 kilometres of underground drainage pipes. The management of these assets is largely conducted by a supply of panel contractors under Contract 84T. This contract expires in June 2019.

Tenders were called for a panel of appropriately experienced and qualified contractors to Contract 788T – The Provision of Drainage CCTV Surveys Drain Cleaning and Associated Works on 16 March 2019, closing 15 April 2019. Tenderers were invited to submit tenders through a public advertisement for all or any part of the tender specification including;

- CCTV Investigations;
- Drainage pipe cleaning;
- Cleaning of gross pollutant traps (GPT);
- Non-destructive digging, such as hydro-excavation;
- Maintenance works and repairs;
- Pipe relining and rehabilitation.

924 emails were sent to registered companies via the supplier portal, alerting them that the contract tender was open. Fifteen submissions were received with 4 being recommended after being assessed against weighted criteria.

Establishment of this panel contract allows for the transition from the current contract relating to Drainage CCTV Surveys, Drain Cleansing and Associated Works, upon its expiry.

The purpose of this report is to seek approval to enter into contracts with various suppliers for the provision of the services as described above.

The tender complies with *section 186 of the Local Government Act 1989*.

Officer Recommendation

That Council:

1. Awards Contract 788T for the Provision of Drainage CCTV Surveys, Drain Cleaning and Associated Works, for the period of 3 years, with two further 1 year options, to the following suppliers:
 - a) Veolia Water Technologies – ABN: 20 051 316 584
 - b) RMC Reservoir Maintenance Contractors Pty Ltd – ABN: 72 496 603 141
 - c) Environmental Services Group – ABN: 43 145 149 971
 - d) CSA Specialised Services Pty Ltd – ABN: 11 757 908 807
2. Authorises the Director of City Infrastructure do all things necessary to affect this decision, including the exercising of any further contract options.
3. Advises the tenderers of Council's decision in this matter and all other tenderers be notified of the outcome.

1. Policy Context

This report is in keeping with Council's Procurement Policy and the requirements of section 186 of the *Local Government Act 1989*.

2. Background

Council manages a large portfolio of drainage assets, including 20,000 pits and a network of approximately 500 kilometres of underground drainage pipes. The management of these assets is largely conducted by a supply of panel contractors under Contract 84T.

In accordance with Council's Procurement Policy, a public tender for Contract 788T – The Provision of Drainage CCTV Surveys, Drain Cleaning and Associated Works was advertised on 16 March 2019 in *The Age* newspaper, inviting tenders via the Council Procurement Portal, from suitably experienced and qualified contractors to provide the below services:

- CCTV Investigations
- Drainage pipe cleaning
- Cleaning of gross pollutant traps (GPT)
- Non-destructive digging, such as hydro-excavation
- Maintenance works and repairs
- Pipe relining and rehabilitation.

924 emails were sent to registered companies via the supplier portal, alerting them that the contract tender was open. Tenders closed on 15 April 2019, and 15 tenders were received from the following tenderers:

- Patriot Tankers Pty Ltd
- Environmental Services Group
- Eldarin Services Metro Pty Ltd
- Rangedale Drainage Services Pty Ltd
- Veolia Water Technologies
- RMC Reservoir Maintenance Contractors Pty Ltd
- CSA Specialist Services
- Toxfree
- Interflow Pty Ltd
- Total Drain Cleaning Services Pty Ltd
- ELS Environmental Locations Services
- The Drain Man Pty Ltd
- M. Tucker & Sons Pty Ltd
- Leading Plumbing Solutions
- Controltech Solutions Pty Ltd

The current contract, Contract 84T, expires 30 June 2019. The need to appoint companies to provide various drainage services provided Council with the opportunity to seek competitive prices in the market and also allows for the use of the latest industry methods to maintain and repair the drains within the municipality.

3. Issues

The tenders have been evaluated in accordance with Council's Procurement Policy and all tenders were assessed against the following evaluation criteria:

- Price – Assessed based on schedule of rates received in the tender process.
- Experience – Demonstration of relevant experience and reference checks, approved relevant industry certifications.
- Quality – Contractor's quality assurance program and warranty.
- Resources – The ability to complete the works according to the contract and project schedule including the number of resources to be made available.
- Occupational Health and Safety – Documentation of contractor's health and safety plan, processes and certification.
- Sustainability – Locality of supplier(s), environmental management systems, equal employment opportunity.

Tenders were assessed against the above criteria by the evaluation panel, which comprised of two officers from the Street Cleansing unit, an officer from Engineering Services, an officer from the Roads unit and a Contracts and Procurement officer.

A summary report is provided in **Confidential Attachment 1**.

All new contractors have been interviewed and briefed on Moreland's requirements under the contract (including contract KPIs). Referee checks on the proposed new contractors were also undertaken, which provided positive feedback and reaffirmed the tender evaluations.

Environmental implications

As a requirement of this tender and contract, all successful tenderers are required to dispose all drain and GPT waste at an EPA (VIC) approved waste facility.

Social implications

Tenderers were encouraged to employ locally. Tenderers who were located locally were also awarded top points to ensure Council has a responsive panel of suppliers to undertake a diverse range of work.

Human Rights Consideration

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

4. Consultation

Advice was sought from internal stakeholders from other units involved in drainage.

5. Officer Declaration of Conflict of Interest

Council officers involved in the preparation of this report have no conflict of interest in this matter.

6. Financial and Resources Implications

The total value of the contract over its 5-year life, will exceed Chief Executive Officer delegation and will therefore, require Council endorsement. All expenditure against this contract is covered from existing Base and CAPEX budget allocations.

7. Implementation

It is proposed that the Director City Infrastructure be authorised to do all things necessary to execute contracts and any other required documentation.

Attachment/s

1 Tender Evaluation Matrix - Contract 788T

D19/176327

Pursuant to sections 77(2)(c) and 89(2)(d) this attachment has been designated as confidential by the Chief Executive Officer because it relates to contractual matters.

NOM22/19 WAIVING HALL HIRE FEE IN SUPPORT OF THE WEST PAPUAN RADIO PROGRAM ANNUAL FUND RAISING (D19/205064)

Cr Mark Riley

1. Background

Cr Riley's background:

The West Papuan Radio Program Annual Fund Raising needs to raise \$1400 to maintain as a part of the 3CR Radio schedule. The program is a key element of the community's own development across Melbourne. It is also an important part of the political and social effort by the small Papuan refugee community in Victoria to continue to tell the history of the Papuan people's attempt to seek to give the people of West Papua the freedom to choose their own destiny through a fair and transparent referendum.

This freedom they have always been denied since the Netherlands colonised the region in 1898 and again in 1961 when during the self-determination and independence process Indonesia took control of the region. This resulted in the 1969 Act of No Choice, otherwise referred to the 'Act of Free Choice', when only 1,026 West Papuans were chosen to 'represent' the West Papuan indigenes in this UN sponsored process.

The serious lack of media freedoms in West Papua and the reports of gross human rights abuses that continue to emerge from the province are also an important feature of the radio program's efforts to raise awareness of the daily treatment of Papuans and their lack of political freedom under the Indonesian government. The radio program team propose to run a forum at Brunswick Town Hall (in the Atrium) to raise awareness of the plight of Papuans and other independence movements around the globe that seek to exercise democratic principles. The event is planned for Saturday 29 June at the Atrium, Brunswick Town Hall.

2. Policy Context

Officer's comments:

The intended benefits of Council's community venue hire spaces include:

- Strengthening of our community through connections and opportunities for enhanced participation in public life and community groups;
- Contribute to the social, cultural, environmental and economic development of our community; and
- Achieve higher levels of social cohesion for our multicultural, established and newly arrived community, by fostering opportunities for shared learning and celebration.

This event is in line with the intended benefits of Council's community spaces.

The Council managed community venues policy recognises the legitimacy of charging fees for use of community facilities. There is a provision in the policy for Council to reduce fees, stating 'any discretion to reduce fees or provide additional subsidy due to hardship is subject to consideration by the Council prior to the event.'

3. Financial Implications

Officer's comments:

Fees for use of the Brunswick Town Hall Atrium are \$186.05 per hour, with a minimum of 3 hours, or \$1857.10 per day.

The bond for the Brunswick Town Hall is \$562.75. A bond is charged as a form of insurance against damage or other costs which may be incurred due to the hire of the hall. Provided there is no damage or other issues arising, bonds are returned to the hirer shortly after their event.

Bonds are not typically waived to any group, regardless of their hire fee. If the bond is waived as part of this motion, it is not clear who would be liable for payment of any damages that may occur during this event.

4. Resources Implications

Officer's comments:

Facilities staff are always rostered on for bookings at the Brunswick Town Hall Atrium to assist with any issues and ensure the protection and safety of people and our prime buildings.

Night time bookings require facilities staff to be rostered on specifically for the booking. One team member would be required for this event for approximately 5 hours. These costs are normally offset by the hiring fees.

Crowd controllers (Security guards) are required where the expected attendance is 100 or more guests. It is the responsibility of the hirer to engage the services of licensed crowd controllers for the entire duration of the function. Two crowd controllers are required for the first 100 patrons and one additional for up to every 100 patrons thereafter. i.e. 350 people require 4 crowd controllers.

Crowd controllers are charged at \$45.25 per hour for a minimum of four hours per guard.

Motion

Council resolves to waive all fees and charges associated with the booking for the West Papuan 3CR Radio Program Fund Raising event and community forum expected to be held on 29 June 2019, at the Atrium, Brunswick Town Hall.

NOM23/19 GREEK STORY TIME AT MORELAND LIBRARIES (D19/201597)

Cr Sue Bolton

1. Background

Cr Bolton's background:

Pre-school story time at Moreland's libraries is very popular and important for the development of young children. Moreland's libraries also offer story time in particular community languages. Story time in one's parents' language is particularly important so that young children can communicate with their parents and grandparents while growing up in an English-speaking society.

The top 5 languages spoken at home in Moreland (other than English) are:

- Italian (7.9%);
- Arabic (4.9%);
- Greek (4.6%);
- Urdu (2.4%); and
- Mandarin (2%).

Currently, Greek story time at Moreland libraries is only offered once a month. There is a desire among some parents for an increased frequency of Greek story time.

2. Policy Context

Officer's comments:

Priority population groups identified in The Library Services Strategy 2019 include culturally and linguistically diverse (CALD) communities and families with young children. Programs with both a literacy and cultural focus, such as story times in community languages, are presented by Moreland's library service and deliver benefits for both these priority cohorts. With a wide range of cultures represented in Moreland, consideration needs to be given to providing services in a variety of languages to ensure equity.

The libraries also offer the Word Play program where parents from different cultural backgrounds can learn English alongside their children to encourage communication in English as well as a family's first language. The library has a role in nurturing the range of first languages spoken in Moreland as well as building competency in English through programs for children and adults.

Story time is offered in community languages where there are a significant number of speakers within Moreland, as well as those languages which are emerging within the Moreland community.

3. Financial Implications

Officer's comments:

- Short term financial implications

Relief staff would be required at the libraries to cover staff redeployed to research provision of story times in languages other than English.

- Ongoing financial implications

Greek story time sessions are presented by a paid facilitator, therefore an increased frequency of these sessions would have a direct ongoing cost.

4. Resources Implications

Officer's comments:

Community language story times in Urdu, Nepali and Italian are also programmed monthly and all regularly attract a larger audience than the Greek story times. During 2019 the average attendances per session were:

- Greek story times – 9 children
- Italian story times - 11 children
- Urdu story times – 12 children
- Nepali story times – 16 children.

In the interests of equity, investigation of increased frequency of Greek story times would not be recommended without establishing if there is demand for another monthly story time session in a language which is not already on offer. Moreland's Library Service can benchmark with neighbouring municipalities and engage with the Moreland Libraries Advisory Committee (MorLAC) to inform recommendations. It is anticipated that library staff time would be required over a period of 8 weeks to investigate and develop recommendations regarding story times in community languages.

Motion

That Council investigates the possibility of increasing the frequency of Greek story time at Moreland's libraries.

NOM24/19 FINANCIAL SUPPORT FOR UNDRRESS RUNWAYS (D19/201585)

Cr Natalie Abboud

1. Background

Cr Abboud's background:

Edda Hamar is a United Nations Young Leader for the Sustainable Development Goals and cofounder of sustainable fashion event, Undress Runways. Undress runways has announced that it has chosen to host its next event in Moreland City. Undress Runways is a multi-faceted sustainable fashion platform that elevates fashion designers, both local and international, to showcase their collections and share their ideas. Undress runways are on a mission to accelerate humanity towards a respectful, balanced relationship with fashion.

Undress Runways was born out of a pop-up runway show in a Brisbane car park. Since then it has developed into an experiential organisation on a mission to educate and inspire people to adopt respectful relationships towards clothing and motivates people to change the way they shop.

In Australia, 6 tons of clothing is sent to landfill every 10 minutes. Unfortunately, this is just one sobering statistic alongside many others in the fashion industry. We're here to change that. Undress exists at the intersection of sustainability, tech and creativity. Undress Academy hosts workshops, networking events and online courses in major cities around Australia. These workshops accelerate our understanding of sustainable fashion and how to be part of the many solutions. Undress Runways celebrate the positive progress in fashion and push the boundaries of mainstream runway.

Diverse representation, sustainability and ethics - this is default at Undress. By showcasing innovative textiles, wearable tech and emerging design techniques, we set a new standard for the industry. Popping up in a nearby warehouse, sparking important conversations and showcasing progressive fashion design, Undress is creating an atmosphere for change.

2. Policy Context

Officer comments:

Broadly this sits within Council's Plan 2017-21 vision that Moreland will be known for its proud diversity and for being a connected, progressive and sustainable city in which to live, work and play.

It also sits within the Economic Development Strategy 2016-2021 objective:

- to support a local economy that is growing and productive, and which is socially inclusive and environmentally sustainable.

3. Financial Implications

Officer comments:

This Notice of Motion requires a Council contribution of \$3,000 to support the delivery of a three-day sustainable fashion event to be held in November 2019 at Batman Royale in Coburg.

4. Resources Implications

Officer comments:

Council's Economic Development and Communications departments will provide a range of suitable social media and network support to ensure that the event is widely advertised and promoted.

Motion

That Council:

1. Contributes \$3000 to Undress Runways as financial support to go towards the delivery of a 3-day sustainable fashion conference to be held at Batman Royale.
2. Promotes the event through Council's Communication and Economic Development networks.

NOM25/19 CONSISTENT HERITAGE SIGNAGE IN THE PENTRIDGE PRISON PRECINCT (D19/201607)

Cr Sue Bolton

1. Background

Cr Bolton's background:

While the Pentridge Prison is listed on the state heritage list, and a museum has been promised for at least 20 years, multiple developers own different parts of the heritage buildings and are proceeding with development. There are also separate planning-related requirements for various parts of the heritage precinct.

The Pentridge Masterplan relates to the section on the northern side of Pentridge Boulevard, while there are separate planning frameworks for various parts of the southern side of Pentridge Boulevard, including a Heritage Council Covenant attached to the titles for heritage buildings in the Southern section.

Unless there is some intervention, there is a risk of there not being any consistency of heritage signage across the entirety of the Pentridge Prison precinct and the adjoining Council-listed Champ Street heritage streetscape, which would enable visitors to be able to traverse the whole site, regardless of ownership of the various heritage buildings.

2. Policy Context

Officer's comments:

Council approved the *Heritage Interpretation Strategy for the former Coburg Prisons Complex* in March 2003. The preparation of this Strategy was a requirement of a Section 173 Agreement (S173 Agreement) that applies to both development sites north and south of Pentridge Boulevard. The Strategy contemplates the use of materials and finishes for new buildings, landscape, markers, sculpture and interpretive signage.

The S173 Agreement also required the preparation of a management plan for the implementation of the Heritage Interpretation Strategy. The heritage interpretation management plan for the northern portion of Pentridge formed part of the Heritage Interpretation Strategy approved by Council in 2003. One of the clauses of the management plan requires the landowner of the northern portion of Pentridge to liaise with the landowner of the southern portion of Pentridge to ensure integration of heritage interpretation devices. A management plan for the southern portion has not been approved.

The preparation and implementation of heritage interpretation plans that are coordinated across both sites can be included as requirements of heritage permits issued by Heritage Victoria or planning permits issued by Council.

Heritage interpretation elements have been approved by Heritage Victoria for the northern portion of the site associated with permits that they have issued for new internal roads, as well as for A Division. This is separate to the commercial and wayfinding signage that is proposed as part of a planning application that has been lodged with Council.

It is also noted that there is a Heritage Audit Management Plan for the southern portion of the site which forms part of a covenant imposed by Heritage Victoria.

These represent existing mechanisms to enable the consideration of a consistent approach to heritage interpretation devices.

The proposed commercial signage along Champ Street sits within the boundaries of the Pentridge site and also within Heritage Victoria's extent of registration. Heritage Victoria have issued a Heritage Permit for these signs. A planning permit is also separately required for these signs.

Council is currently considering a planning permit application for the signs which due to the objections received will be reported to a future Planning and Related Matters Council meeting.

3. Financial Implications

Officer's comments:

The cost associated with officer time spent preparing and sending correspondence and any follow up meetings and/or correspondence can be met within the existing City Development Branch budget.

4. Resources Implications

Officer's comments:

The resources associated with the preparation and sending correspondence and any follow up meetings and/or correspondence can be met by existing resources within City Development Branch.

Motion

That Council:

1. Writes to the owners of Pentridge Coburg site requesting an update on the timing of the implementation of the Heritage Interpretation Strategy and Management Plan that apply to their land and in particular how they intend to meet the obligations of the Management Plan relating to integration of heritage interpretation devices between their site and that part of Pentridge to the south of Pentridge Boulevard.
2. Writes to Future Estate as the main land owner of the Pentridge site south of Pentridge Boulevard, reminding them of their outstanding obligation in relation to the preparation of a Heritage Management Plan for the heritage interpretation of the site. The letter to request that this management plan be prepared without delay and must include provision for integration of heritage interpretation devices between their site and that part of Pentridge to the north of Pentridge Boulevard.

NOM26/19 SUPPORT FOR HOMELESS AND PEOPLE WITH DRUG OR MENTAL HEALTH CHALLENGES (D19/201623)

Cr Natalie Abboud

1. Background

Cr Abboud's background:

The recent state budget has shown that there is nothing of substance in the way of investment into social and affordable housing or mental health facilities. We are seeing massive waiting lists of over 80,000 people with over a quarter of that list applying to children. We have known for decades that having a home provides the basic foundation where from people can start to create community and that without the stability of a home people are falling through the cracks and are unable to access even the most basic community support.

The royal commission into Victoria's mental health system states:

Every year, one in five Victorians experiences some form of mental illness or disorder. Almost half of us – 45 per cent – will directly experience a mental health condition in our lifetime and yet we see no substantial investment into providing efficient mental health services for the community.

Everyday people from all walks of life whether they have mental illness, are experiencing homelessness or drug addiction or not, are falling victim to the fact that the system is failing all of us. Support agencies and community groups and individual people who try to do the work that needs to be done to support vulnerable people in the community are failing under the massive burden they shoulder without adequate support.

2. Policy Context

Officer Comments:

Human Rights Policy 2016-2026

Theme 2 of Moreland's Human Rights Policy has been developed to address equitable and accessible services. Some individuals and groups require additional assistance and targeted programs to enjoy full, equitable access to Council Services and programs.

Municipal Public Health and Wellbeing Plan 2017-21

Housing is a key social determinant of health and Council is committed to addressing the factors and conditions that create inequalities.

Affordable housing strategy 2014-2018

Whilst this strategy is under review it is based on the recognition that access to safe and secure housing is a basic human right, protected by a number of international treaties.

Royal Commission in to Victoria's Mental Health System

Will commence receiving public submissions in July 2019. The Commission have been charged with providing the community with a clear and ambitious set of actions that will change Victoria's mental health system and enable Victorians to experience their best mental health. The Commission will focus on identifying and solving system-wide issues, rather than investigating individual cases or incidents.

3. Financial Implications

Officer Comments:

There are no financial implications.

4. Resources Implications

Officer Comments:

This will require officer time which is within Community Wellbeing base budget.

Motion

That Council:

1. Writes to the Premier of Victoria and Minister of Housing to express Council's deep concern that there is insufficient investment and budget allocation for social housing and request a substantial investment at the next budget.
2. Writes to the Premier of Victoria and Minister of Mental Health to urge the government to commit and ensure that an appropriate financial commitment is made in responding to the findings of the Royal Commission into Victoria's Mental Health System.
3. Makes a submission to the Royal Commission into Victoria's Mental Health System (closing 5 July 2019).

NOM27/19 CALL FOR RE-DIRECTION OF FEDERAL GOVERNMENT FUNDS FROM EAST – WEST LINK TO PUBLIC TRANSPORT INFRASTRUCTURE (D19/201627)

Cr Natalie Abboud

1. Background

Cr Abboud's background:

Council's position on East West Link had not changed since 2014, when it opposed the project at the East West Link Project Assessment Committee hearings and joined Supreme Court legal action against the road. Since the project was cancelled in late 2014, the subsequent release of the business case demonstrated very little justification for the project.

2. Policy Context

Officer's comments:

Since the cancellation of the East West Link project in late 2014, Council has adopted the Moreland Integrated Transport Strategy (MITS) 2019, a strategy that places a high priority on sustainable travel mode shift. Whilst Council can directly facilitate mode shift through cycling and pedestrian investment, substantial investments are needed across a number of public transport projects that only other tiers of government can provide.

With rapid population growth occurring in Moreland and most other northern municipalities, substantial investment is urgently needed across a raft of bus, train and tram projects to maintain liveable urban environments. It is therefore considered appropriate to request the Prime Minister consider releasing Federal funds held for 5 years, that had previously been allocated to the East West Link, so that they can be redirected to meaningful public transport investment.

3. Financial Implications

Officer's comments:

The correspondence to action this motion can be accommodated within the existing budget.

4. Resources Implications

Officer's comments:

The correspondence can be generated using existing internal officer resources.

Motion

That Council writes to the Prime Minister Mr. Scott Morrison informing him that Moreland City Council calls on the Federal Government to divert the \$4 billion earmarked for East West Link to investment in public transport infrastructure across Melbourne.