

# ORDINARY COUNCIL MEETING

Tuesday 20 November, 2018 6.30pm

# Council Chamber Level 1 Maribyrnong Council Offices Corner Hyde and Napier Streets, Footscray

# AGENDA

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## Agenda Item 6

### CONFIRMATION OF THE MINUTES OF THE PREVIOUS COUNCIL MEETING - 23 OCTOBER 2018 AND SPECIAL COUNCIL MEETING – 7 NOVEMBER 2018

Director:	Celia Haddock Director Corporate Services
Author:	Lisa King Manager Governance and Commercial Services

## PURPOSE

To present for confirmation, the minutes of the Ordinary Council Meeting held on 23 October 2018 and Special Council Meeting held on 7 November 2018.

### **ISSUES SUMMARY**

• Section 93 of the *Local Government Act 1989* requires Council to keep minutes of each meeting of the Council and Special Committees, and for minutes to be submitted to the next appropriate meeting for confirmation.

## ATTACHMENTS

- 1. Minutes of the Ordinary Council Meeting held on 23 October 2018 J
- 2. Minutes of the Special Council Meeting held on 7 November 2018 <u>J</u>

## OFFICER RECOMMENDATION

That Council confirms the minutes of the Ordinary Council Meeting held on 23 October 2018 and Special Council Meeting held on 7 November 2018.

# BACKGROUND

The minutes of meetings remain unconfirmed until the next appropriate meeting of Council.

# DISCUSSION/KEY ISSUES

## 1. Key Issues

The *Local Government Act 1989* requires Council to confirm its minutes at the next appropriate meeting.

# 2. Council Policy/Legislation

## Council Plan 2017-2021

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021 by considering:

• Strong leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

# Legislation

Local Government Act 1989

## **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

## **Human Rights Consideration**

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

## 3. Engagement

Not applicable.

## 4. Resources

Not applicable.

## 5. Environment

Not applicable.

## CONCLUSION

The unconfirmed minutes of the Ordinary Council Meeting held on 23 October 2018 and Special Council Meeting held on 7 November 2018 are presented for confirmation.



**Maribyrnong City Council** 

# **ORDINARY MEETING OF COUNCIL MINUTES**

Tuesday 23 October, 2018 6.30pm

Council Chamber Level 1 Maribyrnong Council Offices Corner Hyde and Napier Streets, Footscray

### **MEMBERSHIP**

Mayor Councillor Cuc Lam (Chair) Councillor Sarah Carter Councillor Simon Crawford Councillor Catherine Cumming Councillor Gina Huynh Councillor Mia McGregor Councillor Martin Zakharov

> To be confirmed at the Ordinary Council Meeting to be held on 20 November, 2018

# 1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.33pm.

The Chair, Mayor Cr Cuc Lam made the following acknowledgement statement:

"We acknowledge that we are on traditional lands of the Kulin Nation. We offer our respect to the Elders of these traditional lands, and through them to all Aboriginal and Torres Strait Islander peoples past and present".

## PRESENT

Mayor Councillor Cuc Lam (Chair) Councillor Sarah Carter Councillor Simon Crawford Councillor Catherine Cumming Councillor Gina Huynh Councillor Mia McGregor Councillor Martin Zakharov

## IN ATTENDANCE

Chief Executive Officer, Stephen Wall Director Community Services, Clem Gillings Director Corporate Services, Celia Haddock Director Infrastructure Services, Steve Hamilton Director Planning Services, Nigel Higgins Manager Public Affairs and Community Relations, Deidre Anderson Manager Governance and Commercial Services, Lisa King Manager Community Development, Positive Ageing and Inclusion, Bridget Monro-Hobbs Coordinator Governance, Danny Bilaver Governance Support Officer, Adele Woolcock

## 2. APOLOGIES

Nil.

# 3. LEAVE OF ABSENCE

Cr Catherine Cumming requested a leave of absence from 31 October 2018 to 25 November 2018.

## **Council Resolution**

That Council grants the request for a leave of absence from Cr Catherine Cumming commencing from 31 October 2018 and concluding on 25 November 2018.

Moved:	Cr Sarah Carter
Seconded:	Cr Mia McGregor

# 4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

# SUSPENSION OF STANDING ORDERS

A motion was moved by Cr Gina Huynh, seconded by Cr Catherine Cumming, that Council suspend standing orders.

## CARRIED

The Chief Executive Officer, Mr Stephen Wall, present Councillors Sarah Carter and Martin Zakharov with certificates recognising 10 years of service as Councillors.

Mr Bon Nguyen, President of the Vietnamese Community in Australia, Ms Vivian Nguyen, President of the Vietnamese Community in Australia Victoria Chapter, and Mr Phong Nguyen, Chair of the Vietnamese Cultural and Heritage Centre, addressed the Council to give thanks to the outgoing Mayor, Cr Cuc Lam, and Councillors for their support of the Vietnamese Community.

## **RESUMPTION OF STANDING ORDERS**

A motion was moved by Cr Catherine Cumming, seconded by Cr Gina Huynh, that Council resume standing orders.

## CARRIED

## 5. PUBLIC QUESTION TIME

### Question

Ms Claire Halford, resident of Yarraville asked the following questions:

1. Since Maribyrnong took over the Recovery of Stony Creek community engagement has been minimal, with closed meetings and sparse updates released on a poorly designed webpage with no link. Many residents who live in proximity to the creek have had no say and feel shut out by the lack of transparency. We have serious questions about many facets of the recovery and deserve answers. I have written to council twice complaining about the lack of transparency and communication and received no reply, as of three weeks ago.

Does the Council realise that the residents who live near Stony Creek have a right to contribute to the discussion, a right to full disclosure of information considering the seriousness of even potential exposure to some of the chemicals involved? Does Council realise consultation should have already occurred broadly and that 'sometime in the future' is not good enough?

2. Has the Council employed or consulted with professionals who have the relevant knowledge of what is the safest and most effective way of cleaning Stony Creek? If not, why not? If so, who are they?

### Response

The Director Planning Services, Mr Nigel Higgins confirmed that Council is working with other agencies including the EPA and Melbourne Water on the recovery of the creek. Since Council has become the responsible authority for coordinating the recovery, there has been extensive community consultation at the Yarraville Community Centre, at shopping centres, ScienceWorks and at Cruickshank Park. In addition, Council are issuing weekly bulletins through our website. The EPA is continually providing advice to Council as to the risks and Council is advising residents accordingly. The EPA have also been regularly publishing the results of their monitoring on their website. Council will be calling for expressions of interest for a Stakeholder Advisory Group where Council will be looking for community representatives from community organisations and from the community. Council invites all residents to take part in that process.

The Chief Executive Officer, Mr Stephen Wall noted that there have been two community information sessions at Council, and at the request of the Friends of Stony Creek and the Friends of Cruickshank Park, a smaller round table was set up with the EPA and Melbourne Water. Stony Creek is the responsibility of Melbourne Water. Melbourne Water is leading the cleaning of the creek in consultation with the EPA who are undertaking the water testing. Melbourne Water employ specialists in this area.

### Question

Ms Shari Liby, resident of Yarraville asked the following questions:

- 1. Can you advise regarding what is being done to remediate the park and Stony Creek and what the anticipated costs are to restore it?
- 2. Can you explain how the method used for calculating rates compares to the used in other municipalities? (how much does the cost of rubbish removal, etc add to the rates charge in other Municipalities).

## Response

The Chief Executive Officer, Mr Stephen Wall advised that the process for remediating the park and Stony Creek is an ongoing and costly one. The remediation of the creek is being led by Melbourne Water with their focus being on moving the bulk contamination. EPA testing has suggested that there is no threat to human health. Melbourne Water have been on site constantly since the fire and Council officers are working actively with Melbourne Water around Council's Parks and Green Space. Council is now the lead agency in the recovery action and in the consultation process. Advice has been coming from the MFB, Melbourne Water and the EPA as the situation has progressed.

# EXTENSION OF PUBLIC QUESTION TIME

A motion was moved by Cr Mia McGregor, seconded by Cr Sarah Carter, that Council extend Public Question Time for 15 minutes.

## CARRIED

Council is one of six Councils that use the Net Annual Value system for calculation of rates. The NAV system looks at rental values of properties and that becomes the basis

of the calculation of the rates. The rental return is actual rental return for commercial and industrial properties but is a flat 5% of the CIV rate for residential properties, which acts as a built in differential system as the actual rate of commercial return can vary across the city. Council has used the NAV system since Council was formed. 73 other Councils use the Capital Improved Value as the basis for their rates. The difference between these systems is that they have differential rating categories, as well as different charges like general charges, waste charges, and municipal charges. When comparing rates between Councils it is important to note what components are included in the rates charge.

Mr Wall continued by saying that the total amount of revenue that Council can generate from rates is capped in Victoria. For the current financial year, the rate cap was set at 2.25%; therefore the sum of funds that Council can raise from rates could only grow by 2.25%. The re-valuation process sees the valuations moving in different proportions across the City, which leads to changes in the distribution of the rates burden.

### Question

Mr Kiro Manceski, resident of Seddon asked the following questions:

- 1. How has valuation increased by \$500,000 from last year on my property?
- 2. How did Council make this valuation real estate agents have advised that my house will not sell for the price it has been valued at?

### Response

The Chief Executive Officer, Mr Stephen Wall noted that Council's rates collection is governed by two pieces of legislation, the Valuation of Land Act 1960 and the Local Government Act 1989. Council doesn't assign the valuation on properties within the municipalities, the Valuer-General does. If residents are concerned with an increase in property valuation, through Council, residents can contest the valuation with the Valuer-General. The Valuer-General will then review the valuation on the property.

## **EXTENSION OF PUBLIC QUESTION TIME**

A motion was moved by Cr Sarah Carter, seconded by Cr Martin Zakharov, that Council extend Public Question Time for 15 minutes.

## CARRIED

# Question

Mr Steve Meddis, resident of West Footscray asked the following questions:

- 1. Valuations are not (real time) should consider current economic status.
- 2. Property valuations out of whack with the rest of Melbourne Councils.
- 3. Elderly residents should not be forced to sell their homes so as to pay rates

### Response

The Chief Executive Officer, Mr Stephen Wall noted that valuations are a lag indicator. The methodology of the Valuer-General is to look at property sales in prior years and assess the valuation on the basis of that market. Mr Wall continued that there are a variety of valuations from Yarraville to Braybrook and Maidstone. There is wide-spread difference in valuations both across the municipality and across Melbourne. Mr Wall confirmed that Council has a Hardship Policy which can assist those who are having difficulty paying their rates.

The Director Corporate Services, Ms Celia Haddock noted that Council has the highest pensioner rebate in Victoria, and also offers payment plan to any resident. The other opportunity for ratepayers is for those who cannot pay their rates at all, Council will withhold the rate payments until the property is sold.

### Question

Ms Irene Bongetti, resident of Yarraville asked the following questions:

- 1. Why do the community survey always ignore the level of rates in this municipality?
- 2. For years Council has told ratepayers that there are many unrateable properties in this area that no longer apply why haven't the rates been reduced?
- 3. Is the Council willing to have a referendum or vote on the level of rates in this Municipality?

### Response

The Chief Executive Officer, Mr Stephen Wall confirmed that there are questions in the community satisfaction survey in relation to rates and services provided. Council receives that feedback from the residents.

Mr Wall noted that the Local Government Act 1989 sets out the properties that are rateable and those that are not rateable. Those that are not rateable include churches and universities. Further development in the municipality increases the number of developments and means that the rates burden is shared amongst a greater portion of properties within the municipality.

# **EXTENSION OF PUBLIC QUESTION TIME**

A motion was moved by Cr Martin Zakharov, seconded by Cr Catherine Cumming, that Council extend Public Question Time for 15 minutes.

## CARRIED

## Question

Ms Michelle Thomas, resident of Footscray asked the following questions:

- 1. Is there a strategy to remove single dwelling properties from the Footscray Activity Centre Zone
- 2. Could single dwelling properties be revalued at a reasonable market value that recognises the value of a family home rather than a potential development site

### Response

The Director of Planning Services, Mr Nigel Higgins noted that there a range of plans for Footscray and none of them include removing single dwelling properties. There is a focus on Footscray to protect Council's heritage and neighbourhood character. Demographics show that there is a need for a diverse range of housing types and Council are planning accordingly.

### Question

Ms Joanne Canny, resident of Seddon asked the following question:

1. What can the Council do to cap individual properties at the CPI overall cap of 2.5% rather than the total rates income capped where some properties rates increase disproportionately to others?

### Response

The Chief Executive Officer, Mr Stephen Wall confirmed that Council is currently reviewing its rates system, and modelling rates distribution models.

# **EXTENSION OF PUBLIC QUESTION TIME**

A motion was moved by Cr Martin Zakharov, seconded by Cr Sarah Carter, that Council extend Public Question Time for 15 minutes.

# CARRIED

Mr Wall continued by noting that Council would implement a community forum to talk through the issue of rates, increase the understanding of the rating system, and get representatives from the State Government and the Valuer-General's office to discuss what options might exist for Council to consider. Mr Wall also noted that in the rate capping environment, Council was looking at an \$86 million reduction in income over a 10 year period. Mr Wall confirmed that Council spending is under constant review, and Council is looking at its core services and service delivery within the rate capping context.

## Question

Mr Robert Wiatrowski, resident of Maribyrnong asked the following questions:

- 1. With the clear over development policy this Council promotes compared to Councils in the inner East that have far stricter planning overlays, at what stage does this council expect the over represented number of dwellings to reach a point where this Council will become a financially viable and self-sustaining entity that can comfortably meet its budgetary requirements like the majority of Victorian Councils and charge CIV rates using a rate percentage formula that is more in line with mainstream Victorian Councils budgetary targets. If there are no firm expectation of meeting financial sustainability targets and simply continuing to over tax its rate payers, then is the financial sustainability of this council up in the air and you address the issue by adopting tangible strategies such as extending council boundaries or amalgamate the council altogether.
- 2. Can this council explain why it feels the need to charge its residential rate payers the same charges as commercial and business entities who place a higher strain on municipality services and infrastructure which works out to be at least twice those of neighbouring councils who charge an added differential tax charge on these higher polluters to keep their residential rates lower, Is this council charging blanket

commercial rates charges to compensate for its smallest municipal boundaries, higher on average to other council social costs and aged infrastructure compared to more viable councils in these matters and if that's the case, why are councillors here claiming around twice the average expenses of other metro councils? Recent press articles stated that Maribyrnong Councillors have claimed the second highest expense claims out of all Melbourne Councils in the last 12 month period which begs the question 'if we're such a financially stressed council to begin with, why are Councillors lodging virtually the highest expense claims in the State when our rates charges are virtually the highest as well?

3. Do you agree to a rates review forum where rate payers look at your financial health and decide on your behalf what is the appropriate action to take? We do not wish to have council members make any financial or long term strategic decision on our behalf such as deciding to recently try and increase your councillors wages but only have rate payers make those decision who are the prime benefactors of your core revenue stream (something like 75% at last count) and are given the council to operate on their behalf. If so, we would like a guide as to what times and dates this forum will implemented.

### Response

The Chief Executive Officer, Mr Stephen Wall noted that while there had not initially been a decision to have a community forum on rates, following the feedback from the Council meeting, it has been suggested that it would be a good idea.

Mr Wall continued by noting that all major Council decisions involve consultation with the community prior to adoption. Items such as Council's budget and community plans are put up for weeks of community consultation to ensure proper feedback is received.

Cr Mia McGregor left the Chamber at 8.15pm and returned at 8.18pm

# EXTENSION OF PUBLIC QUESTION TIME

A motion was moved by Cr Mia McGregor, seconded by Cr Gina Huynh, that Council extend Public Question Time for 15 minutes.

## CARRIED

### Question

Mr Kevin Pritchard, resident of Yarraville asked the following question:

1. Given the ratepayer has borne the cost of paying Maribyrnong's historic debt, why isn't the Council seeking every opportunity to reduce expenditure and reward the ratepayer with significant reductions? Why doesn't the Council live within its means?

### Response

The Chief Executive Officer, Mr Stephen Wall confirmed that Council is debt-free. Mr Wall also noted that he felt that Council is living within its means. Mr Wall continued by noting that Council does set the level of rate increase each year and in doing so,

would argue that the rate cap isn't enough to meet Council costs that are going up in excess of CPI. While Council can set the rate increase at a level that is lower than the rate cap, the cost of Council materials and other associated costs is increasing at a greater rate than recent rate caps.

### Question

Ms Wil Stracke, resident of Yarraville asked the following question:

1. Will Council commit to keeping services in house due to the level of community concern and need for community consultation?

### Response

The Chief Executive Officer, Mr Stephen Wall noted that Council has not made a decision to outsource or move away from the home support service. Council has made the decision to look at options, and run a tender process. At this stage there is no decision to outsource that service. There will be a decision coming to Council in the coming months regarding that service.

### Question

Ms Ann Beck, resident of Footscray asked the following question:

1. Are Councillors aware that Maribyrnong has sought at rate payers expense a federal court interpretation, in an attempt to deny redundancy payments to long standing, hardworking predominately mature aged women?

### Response

The Chief Executive Officer, Mr Stephen Wall confirmed that Councillors are aware of a decision to seek a legal interpretation of Council's Enterprise Bargaining Agreement. Mr Wall noted that Council and the Australian Services Union could not come to an agreement on the interpretation of the Agreement, and as such Council has gone to the Federal Court to receive an interpretation.

### Question

Ms Fran Ryan, resident of Maidstone asked the following question:

1. In the event that there is no suitable tender or Council decide to delay a decision – has Council applied for an extension of federal funding as most Council's appear to have till June 2020?

### Response

The Chief Executive Officer, Mr Stephen Wall confirmed that Council is looking to subcontract the service but maintaining the contract over the next two years.

The Manager Community Development, Positive Ageing and Inclusion noted that Council has funding allocated until 30 June 2019. The current service agreement ends on 30 June 2019, there has been no offer from the Federal Government for an extension after June 2019. There is no opportunity to request an extension, as there is no offer to apply for additional funding as yet.

### Question

Ms Tess Jolley, resident of Footscray asked the following question:

1. What does Council anticipate their withdrawal from homecare delivery will have on the aged care system – particularly in light of concerns that have led to the announcement of the royal commission?

### Response

The Chief Executive Officer, Mr Stephen Wall noted that Council is constantly reviewing Council services, and the home care service is one that is heavily subsidised by rate payers. Council is reviewing all the options to understand what is the best future for the Home and Community Care Services.

The Director Community Services, Ms Clem Gillings further noted that Council made a decision to test the market to see what other providers are out there. Council made the decision in order to offer the most efficient, effective and best value services for the community and to see what other options are available. Council is concerned about the quality of the service and ensuring that rate payers money is spent in a responsible way.

### Question

Mr Bill Atanasovski, resident of Seddon asked the following question:

1. Parking issues in Charles Street Seddon – a non-resident, commercial vehicle was initially given a visitors permit and has now been given a two residential parking permits.

### Response

The Director Planning Services, Mr Nigel Higgins advised that he would take Mr Atanasovski's details and contact him after the meeting to discuss this issue further.

# EXTENSION OF PUBLIC QUESTION TIME

A motion was moved by Cr Mia McGregor, seconded by Cr Sarah Carter, that Council extend Public Question Time for 15 minutes.

# CARRIED

Question

Mr Mike St Clair - Miller, resident of Seddon asked the following question:

 According to my calculations based on the 2016 census and current Budget papers, Maribyrnong Council charges around 20% more per head on average than other Councils. Maribyrnong = \$1214, Moonee Valley = \$968, Brimbank \$842, Bayside = \$1060, Port Phillip = \$1239. Can the Councillors explain the relative expense in a predominantly working class area? How is this justified?

### Response

The Chief Executive Officer, Mr Stephen Wall noted that although it was a great exercise to benchmark against other Council's, Council has not done a expenditure

per head of population as Mr St Clair-Miller had done. Mr Wall noted that Council's population is likely to double over the next 25-30 years so the metrics are changing all the time. Development and apartment blocks are bringing in more rating assessments into the mix and will again change the rating metrics.

Mr Wall confirmed that Council is regularly benchmarking average rates charged against other Councils, and on a service by service basis. For example, Council has recently undertaken benchmarking on the costs of delivered meals per head; and costs of grass mowing in open space per area.

### Question

Ms Gemma Cafarella, resident of Seddon asked the following questions:

- 1. How is it possible that the cost of delivering services has increased at the same rate that rates have increased?
- 2. What are you doing to combat the incredibly rapid gentrification in the area? ie, by making sure long-time residents on pensions aren't forced out by rate increases?
- 3. Is your council a case study in support of the abolition of local government?

### Response

The Chief Executive Officer, Mr Stephen Wall confirmed that the cost of delivering services is increasing at a greater rate than the rate cap. Mr Wall noted that Council's home support services had seen a reduction in clients, but the cost to Council has increased by over 2%. Other material costs used by Council, including emulsion, aggregate and cement, have seen an increase of 80-100% due to their short supply.

Mr Wall continued by noting that there was nothing the Council could do regarding the gentrification of the municipality. Mr Wall noted that Council has deferred payment plans for pensioners and other options available to them.

# **EXTENSION OF PUBLIC QUESTION TIME**

A motion was moved by Cr Martin Zakharov, seconded by Cr Sarah Carter, that Council extend Public Question Time for 15 minutes.

# CARRIED

## Question

Mr Neil Brewster, resident of Footscray asked the following question:

1. What are the Councillors thoughts on "Quiet enjoyment of home" with reference to the rezoning of homes which were purchased as houses and are not yet used as developed.

### Response

The Director Planning Services, Mr Nigel Higgins noted that the changes in Footscray to an activity centre underwent extensive community consultation, with many people involved in setting the direction for the town centre. Mr Higgins confirmed that following

the community input, Council approved the process and the changes were further assessed by the State Government.

Councillor Simon Crawford noted the Activity Zones are designed in areas that are close to employment and transport linkages. Activity Zones allow Council to guide development in the right direction and to make decisions for the whole City that are as fair as possible. Development decisions cannot be made based on the potential changes to rates for some areas of the City.

### Question

Mr Eugene Milograd, resident of Yarraville asked the following question:

1. Is Council prepared to review its current rating approach in order to arrive at a fairer/equitable imposition of rates on ratepayers? If not, why not? And if so, when and in what manner will such a review be undertaken?

### Response

The Chief Executive Officer, Mr Stephen Wall noted that the rating system is a system that is governed by legislation imposed by the State Government. The Council has advocated to the State Government to consider making changes to the legislation. Mr Wall further noted that the Council is looking for ways to support residents through the peaks and troughs of the market valuations of properties.

Mr Wall confirmed that in recent years, Council has taken the total permitted rate cap every year. Mr Wall noted that many of Council's services are struggling because Council's costs have been increasing at a greater level than the rate cap.

# **EXTENSION OF PUBLIC QUESTION TIME**

A motion was moved by Cr Martin Zakharov, seconded by Cr Mia McGregor, that Council extend Public Question Time for 15 minutes.

# CARRIED

## Question

Mr Craig Mercer, resident of Footscray asked the following questions:

- 1. Why aren't our council representatives advocating for their residents by trying to get the State Government to apply a universal 2.25% cap on rate increases?
- 2. Are Council representatives aware of the political consequences for them as a result of their defeatist attitude and inaction in regards to the issue of rates?
- 3. Is this simply land tax by stealth?

### Response

Councillor Sarah Carter noted that the Council had made submissions under the Local Government Act review, along with making individual submissions. In addition, the Municipal Association of Victoria has received motions and is coordinating Councils to approach the State Government collectively. Councillor Carter noted that the Councillors are ratepayers as well, and that the Council was working with a system that is outdated. Councillor Carter continued by saying that the community forum was

a good idea to discuss the different ideas around the rating system, and will help mobilise the community alongside Council. Question

Mr Simon Wilkins, resident of Seddon asked the following questions:

- 1. Are Seddon residents subsidizing business and commercial ratepayers with our personal rates increasing 35%?
- 2. Why are there so few public toilets in the Municipality, with these staggeringly high rates?
- 3. How much were the Commercial and Industrial rates in 2017? How much were the Commercial Rates and Industrial Rates in 2018?

### Response

The Chief Executive Officer, Mr Stephen Wall confirmed that Mr Wilkins would be provided with information on the Commercial and Industrial Rates comparison between 2017 and 2018.

Mr Wall continued by noting that residents are not subsidising businesses and commercial ratepayers.

### Question

Mr George Hatzikostas, resident of Yarraville asked the following questions:

- 1. Media tells us that property values are dropping and will continue to drop into the next financial year. What is the likelihood of reduced rates into the future?
- 2. We are often reminded that one of the reasons for high council rates is due to a small population base compared to other councils. What is the Council doing to expand this base and thus redress the imbalance and to avoid the unfair and unjust situation for the rate payers of the City of Maribyrnong?
- 3. What is the total sum that the City of Maribyrnong has collected in Council rates for 2016, 2017? What is the projection for 2018?

# **EXTENSION OF PUBLIC QUESTION TIME**

A motion was moved by Cr Mia McGregor, seconded by Cr Martin Zakharov, that Council extend Public Question Time for 15 minutes.

# CARRIED

## Response

The Chief Executive Officer, Mr Stephen Wall noted that he did not have exact figures with him at the meeting, but would be happy to forward the information on. Mr Wall continued by stating that Council's total sum of rates to be collected for this financial year is approximately \$99 million. Mr Wall confirmed that sales history is the major measure in developing property values, and that this is a lag indicator. Mr Wall noted that this year's valuations were being prepared from January to May looking at previous sales data, and rates notices aren't issues until August and September. There is a chance that the market has moved since the initial valuations. Mr Wall continued stating that moving to an annual valuation system may help level out some of the peaks and troughs associated with the valuation data.

### Question

Ms Maria Stogiannis, resident of Yarraville asked the following questions:

- 1. Please explain the justification for the use of the NAV system over the CIV for determining your Council rates and why this differs to other Council who use exclusively the CIV system.
- 2. When did the Valuer General come into existence as the entity that created the valuations on our properties. Who is he (name) and who elected him to that position and who does he answer to. Who do we address correspondence to directly when we don't want to do it via the Council. Can a meeting with the Valuer General be organised to discuss matters directly?
- 3. What is the justification for increased rates when the CPI is 2.5%. Why should we link increased rates to property values in a way that is unjustifiable and inequitable. This is grossly unfair and disadvantaging for rate payers.

### Response

The Chief Executive Officer, Mr Stephen Wall noted that Victoria's Valuer-General is Robert Marsh who is the government's authority on statutory valuations. Mr Wall further noted that Council would be hosting a forum and inviting Mr Marsh to attend to provide residents with further information on the rating system.

# 6. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The purpose of this report was to present for confirmation, the minutes of the Ordinary Council Meeting held on 11 September 2018.

## **Council Resolution**

That Council confirms the minutes of the Ordinary Council Meeting held on 11 September 2018.

Moved:	Cr Sarah Carter
Seconded:	Cr Martin Zakharov

## CARRIED

## 7. REPORTS FROM COMMITTEES

## 7.1. Noting of Confirmed Minutes of Special Committees

The purpose of this report was to present for noting the confirmed minutes of the Council's Special Committees established under section 86 of the *Local Government Act 1989*.

# **Council Resolution**

That Council notes the confirmed minutes of the Inner Melbourne Action Plan Meeting held on 25 May 2018 and the City Development Special Committee held on 26 June 2018.

Moved:	Cr Gina Huynh
Seconded:	Cr Mia McGregor

CARRIED

### 7.2. Noting of Confirmed Audit and Risk Committee Meeting Minutes - 26 June 2018 & 21 August 2018

The purpose of this report was to present for noting the confirmed minutes of the Council's Audit and Risk Committee established under section 139 of the *Local Government Act 1989*.

## **Council Resolution**

That Council notes the adopted minutes of Audit and Risk Committee Minutes of 26 June 2018 and 21 August 2018.

Moved:	Cr Sarah Carter
Seconded:	Cr Mia McGregor

# CARRIED

## 8. PETITIONS

## 8.1. Petition: Keep Cycle Saloon in Pipemaker's Park

The purpose of this report was to table a petition received in relation to a request to keep the Cycle Saloon operating in Pipemaker's Park.

## **Council Resolution**

That Council:

- 1. Receives and notes the petition requesting Petition: Keep Cycle Saloon in Pipemaker's Park.
- 2. Requests the Chief Executive Officer to consider the petition and determine the appropriate response.

Moved:	Cr Gina Huynh
Seconded:	Cr Sarah Carter

CARRIED

### 9. OFFICER REPORTS

### 9.1. Public Art Strategy 2019 - 2029

The purpose of this report was to present the Public Art Strategy 2019 - 2029 for consideration by Council.

### **Council Resolution**

That Council endorse the Draft Public Art Strategy 2019 – 2029 to be exhibited for public comment for a period of four weeks.

Moved:	Cr Martin Zakharov
Seconded:	Cr Mia McGregor

## CARRIED

# 9.2. Consideration of the Maribyrnong City Council Annual Report 2017/2018

The purpose of this report was to allow Council to consider the Maribyrnong City Council Annual Report 2017/2018, including a report of operations, and audited Performance and Financial Statements.

## **Council Resolution**

That Council:

- 1. Receives and notes the Maribyrnong City Council Annual Report 2017/2018.
- 2. Pursuant to S133 (2) of the Local Government Act 1989, gives public notice that the Maribyrnong City Council Annual Report 2017/2018 has been prepared and can be inspected at Council Offices and on Council's website.

Moved:	Cr Sarah Carter
Seconded:	Cr Martin Zakharov

## CARRIED

## 9.3. Review of Risk Management Policy

The purpose of this report was to provide Council with the updated Risk Management Policy.

### **Council Resolution**

That Council adopts the Risk Management Policy 2018.

Moved: Cr Catherine Cumming

Seconded: Cr Mia McGregor

## CARRIED

## 9.4. Assembly of Councillors - September 2018

The purpose of this report was to receive and note the record of Assemblies of Councillors for September 2018.

### **Council Resolution**

That Council notes the record of Assemblies of Councillors for September 2018.

Moved:Cr Simon CrawfordSeconded:Cr Catherine Cumming

## CARRIED

## 9.5. Delegates Report - September 2018

The purpose of this report was to present the Councillor delegates' reports for the period September 2018.

### **Council Resolution**

That Council notes the Councillor delegates' reports September 2018 which will be made available on Council's website for the term of the current Council.

Moved: Cr Gina Huynh Seconded: Cr Mia McGregor

### CARRIED

### **10. NOTICES OF MOTION**

In accordance with clause 20.16 of Council's Meeting Procedures, the Mayor, Cr Cuc Lam, vacated the Chair to the Deputy Mayor, Cr Sarah Carter, in order to move Agenda Item 10.1.

### 10.1. Notice Of Motion: Solar Access Program

Council is aware of the growing problem of energy hardship for our most vulnerable residents, including our pensioners. The cost of energy has increased significantly in the past ten years and those on the lowest incomes have the greatest exposure to financial stress from energy bills, and are also the least likely of our community members to be able to access affordable forms of finance to enable them to purchase renewable energy systems. This program will provide affordable options for low income households to access renewable energy systems, and at the same time address the issue of energy hardship community by reducing energy bills in their homes. We currently have 4,200 pensioner homes in the city which could be eligible to participate in such a program over time.

The program also directly supports Council's commitment to mitigating greenhouse gas emissions. Maribyrnong City Council became a Zero Carbon Council in 2015 and has a target to assist our community to become Zero Carbon by 2020.

# **Council Resolution**

That Council request the Chief Executive to prepare a Business Case and indicative Implementation Timeline, as soon as practicable, for the introduction of a Council supported Solar Panel Access program for pensioner households to assist them in gaining access to renewable energy sources and reduce their household energy costs.

Moved:	Cr Cuc Lam
Seconded:	Cr Catherine Cumming

# CARRIED

The Mayor, Cr Cuc Lam resumed the Chair.

Cr Sarah Carter left the Chamber at 9.55pm and returned at 9.56pm.

### 10.2. Notice Of Motion: Council Support for transition to Renewable Energy Powered Trains in the Melbourne Metropolitan Rail Network

The energy sector is undergoing a transition as investment moves away from coal, oil and gas towards clean sources of energy including wind, solar and energy storage.

The transport sector is the second largest emitter of carbon pollution and Melbourne's trains are the second largest consumer of electricity in Victoria.

The PTUA estimates the train network currently consumes roughly 450-500 gigawatt hours of electricity annually. This is likely to increase in coming years as new train lines & services become active.

By contracting a combination of wind, solar and energy storage projects Melbourne's Metropolitan train network can source its electricity from renewable energy sources.

The initiative will assist the Metropolitan train network both to promote and to take advantage of the transition to renewable energy in the electricity sector, with cost savings as well as reduced pollution.

# **Council Resolution**

That Council:

- 1. Welcomes the State Government's recent action in transitioning Melbourne's Tram network to run on renewable power.
- 2. Proposes that the State Government commits to necessary actions to extend this transition to the Melbourne Metropolitan train network.
- 3. Notes that such an initiative will assist in reducing the carbon footprint of travel within the City of Maribyrnong, and is consistent with Council's Environmental Policies.

Moved:	Cr Simon Crawford
Seconded:	Cr Martin Zakharov

CARRIED

# 11. URGENT BUSINESS

Nil.

## **12. CONFIDENTIAL BUSINESS**

## **Council Resolution**

That Council, in accordance with section 89(2)(a) of the Local Government Act 1989, close the meeting to members of the public at 9.56pm to consider Confidential Agenda item 12.1, Personnel Matter, as it contains information in relation to personnel matters.

Moved: Cr Catherine Cumming Seconded: Cr Martin Zakharov

# CARRIED

## 13. MEETING CLOSURE

The Chair, Mayor Cr Cuc Lam, declared the meeting closed at 10.03pm.

To be confirmed at the Ordinary Council Meeting to be held on 20 November, 2018.

Chair, Mayor Cr Cuc Lam



**Maribyrnong City Council** 

SPECIAL MEETING OF COUNCIL MINUTES

Wednesday 7 November, 2018 6.30pm

Council Chamber Level 1 Maribyrnong Council Offices Corner Hyde and Napier Streets, Footscray

### **MEMBERSHIP**

Councillor Cuc Lam Councillor Sarah Carter Councillor Simon Crawford Councillor Catherine Cumming Councillor Gina Huynh Councillor Mia McGregor Councillor Martin Zakharov

> To be confirmed at the Ordinary Council Meeting to be held on 20 November, 2018

# 1. COMMENCEMENT OF MEETING AND WELCOME

The meeting commenced at 6.33pm.

The Chair, Chief Executive Officer, Stephen Wall made the following acknowledgement statement:

"We acknowledge that we are on traditional lands of the Kulin Nation. We offer our respect to the Elders of these traditional lands, and through them to all Aboriginal and Torres Strait Islander peoples past and present".

# PRESENT

Councillor Sarah Carter Councillor Simon Crawford Councillor Gina Huynh Councillor Cuc Lam Councillor Mia McGregor Councillor Martin Zakharov

# IN ATTENDANCE

Chief Executive Officer, Stephen Wall Director Community Services, Clem Gillings Director Corporate Services, Celia Haddock Director Infrastructure Services, Steve Hamilton Director Planning Services, Nigel Higgins Manager Public Affairs and Community Relations, Deidre Anderson Manager Governance and Commercial Services, Lisa King Coordinator Governance, Danny Bilaver

# 2. APOLOGIES

Nil.

# 3. LEAVE OF ABSENCE

Cr Catherine Cumming was previously granted a leave of absence for this meeting.

# 4. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

# 5. OFFICER REPORTS

## 5.1. Confirmation of the Mayoral Term

The purpose of this report was to confirm that the next Mayoral term will be for a period of one year.

## **Council Resolution**

That Council confirms that the Mayoral term be for a period of one year commencing from the declaration of the election result of the Mayoral election by the Chief Executive Officer.

Moved: Cr Cuc Lam Seconded: Cr Mia McGregor

# CARRIED

## 5.2. Election of the Mayor

The purpose of this report was to elect a Mayor of Maribyrnong City Council.

The Chair, Chief Executive Officer, Stephen Wall, advised that the election of the Mayor was to be held in accordance with the Local Government Act 1989, and the Maribyrnong City Council Governance Law 2011, and called for nominations for the Mayor.

Cr Martin Zakharov was nominated by Cr Cuc Lam. There being no other nominations, the Chair, Chief Executive Officer, Stephan Wall, declared Cr Martin Zakharov the Mayor of Maribyrnong City Council for a period of one year.

## 5.3. Election of the Deputy Mayor

The purpose of this report was to elect a Deputy Mayor for a period of one year to coincide with the Mayoral term.

The Chair, Mayor Cr Martin Zakharov, advised that the election of the Deputy Mayor was to be held in accordance with the Maribyrnong City Council Governance Law 2011, and called for nominations for the Deputy Mayor.

Cr Gina Huynh was nominated by Cr Sarah Carter. There being no other nominations, the Chair, Mayor Cr Martin Zakharov, declared Cr Gina Huynh the Mayor of Maribyrnong City Council for a period of one year to coincide with the Mayoral term.

## 5.4. Appointments to Council's Audit Committee and Special Committees established Under Section 86 of the Local Government Act 1989

The purpose of this report was to appoint Chairs of the City Development Special Committee (CDSC), the Enterprise Maribyrnong Special Committee, and members of the Audit Committee for a period of one year to coincide with the terms of Mayor and Deputy Mayor, and to note representation on the Inner Melbourne Action Plan Implementation Committee.

# **Council Resolution**

That Council:

- 1. Appoints Councillor Simon Crawford as Chair of the City Development Special Committee for a one year term, to coincide with the Mayoral/Deputy Mayor term.
- 2. Appoints the Mayor (ex-officio) and Councillors Sarah Carter and Cuc Lam as members of the Enterprise Maribyrnong Special Committee for a one year term, to coincide with the Mayoral/Deputy Mayor term.
- 3. Appoints the Mayor (ex-officio) and Councillors Gina Huynh and Mia McGregor as representatives to the Audit Committee.
- 4. Notes the appointment of the Mayor and the Chief Executive Officer to the Inner Melbourne Action Plan Implementation Committee.

Moved:	Cr Sarah Carter
Seconded:	Cr Gina Huynh

CARRIED

# 6. URGENT BUSINESS

Nil.

# 7. MEETING CLOSURE

The Chair, Mayor Cr Martin Zakharov, declared the meeting closed at 6.40pm.

To be confirmed at the Ordinary Council Meeting to be held on 20 November, 2018.

Chair, Mayor Cr Martin Zakharov

### Agenda Item 7.1

## NOTING OF THE CONFIRMED MINUTES OF SPECIAL COMMITTEES

Director:	Celia Haddock Director Corporate Services
Author:	Lisa King Manager Governance and Commercial Services

### PURPOSE

To present for noting the confirmed minutes of the Council's Special Committees established under section 86 of the Local Government Act 1989.

### **ISSUES SUMMARY**

- Council has established Special Committees in accordance with section 86 of the • Local Government Act 1989.
- The Terms of Reference for each of the Special-Committees require the minutes to be presented to Council for noting.
- Minutes of Special Committees are confirmed at the next scheduled meeting of that Special Committee.

## **ATTACHMENTS**

- 1. Confirmed Minutes of the Enterprise Maribyrnong Special Committee held on 7 August 2018 J
- Confirmed Minutes of the City Development Special Committee held on 18 2. September 2018. J

## OFFICER RECOMMENDATION

That Council notes the confirmed minutes of the Enterprise Maribyrnong Special Committee held on 7 August 2018 and the City Development Special Committee held on 18 September 2018.

# Agenda Item 7.1

# BACKGROUND

In accordance with section 86 of the *Local Government Act 1989,* Council has established Special Committees. As part of the Terms of Reference for the Special Committees, the confirmed minutes are presented to Council for noting.

# DISCUSSION/KEY ISSUES

# 1 Key Issues

The *Local Government Act 1989* requires Council to confirm its minutes at the next appropriate meeting.

# 2 Council Policy/Legislation

## Council Plan 2013-2017

This report contributes to Council's strategic objectives contained in the Council Plan 2013-2017 by considering:

• Strong leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

# Legislation

• Local Government Act 1989.

# **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

## Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006.* 

## 3. Engagement

Not applicable.

## 4. Resources

Not applicable.

## 5. Environment

Not applicable.

# Agenda Item 7.1

## CONCLUSION

The confirmed minutes of the Enterprise Maribyrnong Special Committee held on 7 August 2018 and the City Development Special Committee held on 18 September 2018, established in accordance with section 86 of *the Act* are presented to Council for noting.



**Maribyrnong City Council** 

# ENTERPRISE MARIBYRNONG SPECIAL COMMITTEE MINUTES

Tuesday 7 August, 2018

Functions Room Level 1 Maribyrnong Council Offices Corner Hyde and Napier Streets, Footscray

## **MEMBERSHIP**

Councillor Cuc Lam Councillor Gina Huynh Councillor Martin Zakharov James Fitzgerald (Chair) Rob Brown Jose Ramos Julius Rath Pradeep Tiwara Sasha Wicker Ben Needham Ying Zhang

> To be confirmed at the Enterprise Maribyrnong Special Committee Meeting to be held on 9 October, 2018

# 1. COMMENCEMENT OF SPECIAL MEETING AND WELCOME

The meeting commenced at 4.41pm.

The Chair, James Fitzgerald made the following acknowledgement statement:

"We acknowledge that we are on traditional lands of the Kulin Nation. We offer our respect to the Elders of these traditional lands, and through them to all Aboriginal and Torres Strait Islander peoples past and present".

New members welcomed: Ying Zhang and Ben Needham.

### PRESENT

Councillor Cuc Lam Councillor Gina Huynh Councillor Martin Zakharov James Fitzgerald (Chair) Rob Brown Pradeep Tiwara

### **IN ATTENDANCE**

Chief Executive Officer, Stephen Wall Director Corporate Services, Celia Haddock Director Planning Services, Nigel Higgins Manager City Business, Katy McMahon Director Infrastructure Services, Steve Hamilton

## 2. APOLOGIES

Apologies were received from Pradeep Tiwari and Jose Ramos.

## 3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

## 4. PUBLIC QUESTION TIME

Nil.

## 5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The purpose of this report was to present for confirmation, the minutes of the Enterprise Maribyrnong Special Committee Meeting held on 8 May 2018.

## **COMMITTEE RESOLUTION**

That the Special Committee confirms the minutes of the Enterprise Maribyrnong Special Committee Meeting held on 8 May 2018 2018.

Moved: Cr Cuc Lam Seconded: Julius Rath

CARRIED

Rob Brown left the meeting at 5.25 pm.

### 6. OFFICER REPORTS

### 6.1. Verbal Presentation: Westgate Tunnel Project

The purpose of this report was to receive a presentation on the Westgate Tunnel Project, Business Opportunities from the Business Engagement Manager, Megan Walker.

### COMMITTEE RESOLUTION

That the Enterprise Maribyrnong Special Committee note the presentation and thank Megan Walker for her presentation.

Moved: Julius Rath Seconded: Cr Martin Zakharov

## CARRIED

### 6.2. Business Improvement District Grant 2017/18 Program Update

The purpose of this report was to provide an end of year summary on the acheivements of the 2017/18 Business Improvement District grant program.

### **OFFICER RECOMMENDATION**

That the Enterprise Maribyrnong Special Committee note the update.

Moved:	Cr Martin Zakharov
Seconded:	Julius Rath

CARRIED

# 7. OTHER/URGENT BUSINESS

Nil.

## 8. CONFIDENTIAL BUSINESS

### **Committee Resolution**

That the Enterprise Maribyrnong Special Committee, in accordance with section 89(2)(h) of the Local Government Act 1989, close the meeting to members of the public to consider Confidential agenda item 8.1, Business Improvement District Grant 2018/19 Program, as it contains information in which Council considers prejudicial to Council or any person.

Moved:	Cr Gina Huynh
Seconded:	Cr Martin Zakharov

# CARRIED

# **CLOSURE OF PUBLIC MEETING**

The Chair, James Fitzgerald, declared the meeting closed to members of the public at 5.33pm for consideration of confidential agenda item 8.1.

## **REOPENING OF PUBLIC MEETING**

The meeting was reopened to the public at 5.58pm.

The Chair, James Fitzgerald, advised that in accordance with the resolution of confidential agenda item 8.1, Business Improvement District Grant 2018/2019 Program, the following resolution is considered to be released to the public:

- 1. That the Enterprise Maribyrnong Special Committee endorsed the Business Improvement District Grant 2018/2019 Program for the following projects:
  - a) Footscray Advertising Campaign \$20,084
  - b) Night Music \$25,200
  - c) Barkly Village Activation and Promotion \$17,068
  - d) Passport to Seddon \$8,019
  - e) Celebrating Yarraville \$4,800
  - f) Welcome to Little Africa \$10,800
  - g) Chambers District (Maddern Square) \$29,890
- 2. Note that the remaining funds will be used to enhance the delivery outcomes of the BID grant projects.

## 9. SPECIAL MEETING CLOSURE

The Chair, James Fitzgerlad, declared the meeting closed at 5.59pm.

To be confirmed at the Enterprise Maribyrnong Special Committee Meeting to be held on 9 October 2018.

Chair, James Fitzgerald



# **Maribyrnong City Council**

# **CITY DEVELOPMENT SPECIAL COMMITTEE MINUTES**

Tuesday 18 September, 2018 6.30pm

Council Chamber Level 1 Maribyrnong Council Offices Corner Hyde and Napier Streets, Footscray

## **MEMBERSHIP**

Councillor Catherine Cumming (Chair) Councillor Sarah Carter Councillor Simon Crawford Councillor Gina Huynh Councillor Cuc Lam Councillor Mia McGregor Councillor Martin Zakharov

> To be confirmed at the City Development Special Committee Meeting to be held on 30 October, 2018

#### 1. COMMENCEMENT OF SPECIAL MEETING AND WELCOME

The meeting commenced at 6.33pm.

The Chair, Cr Catherine Cumming made the following acknowledgement statement:

"We acknowledge that we are on traditional lands of the Kulin Nation. We offer our respect to the Elders of these traditional lands, and through them to all Aboriginal and Torres Strait Islander peoples past and present".

#### PRESENT

Councillor Catherine Cumming (Chair) Councillor Sarah Carter Councillor Gina Huynh Councillor Cuc Lam Councillor Mia McGregor Councillor Martin Zakharov

#### IN ATTENDANCE

Chief Executive Officer, Stephen Wall Director Corporate Services, Celia Haddock Director Infrastructure Services, Steve Hamilton Director Planning Services, Nigel Higgins Manager Public Affairs and Community Relations, Deidre Anderson Manager Governance and Commercial Services, Lisa King Coordinator Governance, Danny Bilaver

#### 2. APOLOGIES

An apology for the meeting was received from Councillor Simon Crawford.

#### 3. DISCLOSURES OF CONFLICTS OF INTEREST

Nil.

#### 4. PUBLIC QUESTION TIME

The following questions were raised by Greg Mason and Warren Penna, residents of West Footscray:

A majority of randomly petitioned residents living in Errol and Buckingham Streets, West Footscray, are tired of the amount of traffic pouring down their one way streets at peak hours via Cross Street. The streets are not pedestrian safe and some residents require risky manoeuvres to get access in and out of drive ways. Can Council please invest some time and money into finding a better way to manage the traffic? We would like our streets to be for locals and not a major thoroughfare shortcut. Will Council consider closing Cross Street connection, work

closely with residents, and the Western Oval redevelopments plans for win-win solution for our community regarding liveability and better use of parkland, i.e. under the Geelong bypass? The time and opportunity could never be better.

The Chief Executive Officer, Mr Stephen Wall, advised Councillors that there is a petition from residents regarding Cross Street as item 6.1 of the Agenda, which does suggest the closure of Cross Street, West Footscray. Mr Wall further advised that the recommendation to Council is to refer the petition to himself and that he would bring a report back to Council at a later date. The CEO state that it was difficult for Council to respond to the questions without Council having the appropriate officers and experts providing a response to the proposition.

#### 5. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

The purpose of this report was to present for confirmation, the minutes of the City Development Special Committee Meeting held on 26 June 2018.

#### **Committee Resolution**

That the Special Committee confirms the minutes of the City Development Special Committee Meeting held on 26 June 2018.

Moved:	Cr Cuc Lam
Seconded:	Cr Gina Huynh

#### CARRIED

#### 6. OFFICER REPORTS

#### 6.1. Petition: Cross Street, West Footscray

The purpose of this report was to table a petition received in relation to ceasing through traffic to and from Cross Street, West Footscray.

#### **Committee Resolution**

That the City Development Special Committee:

- 1. Receives and notes the petition titled "Petition Cross Street, West Footscray".
- 2. Requests the Chief Executive Officer consider the petition and determine an appropriate response.

Moved:	Cr Martin Zakharov
Seconded:	Cr Sarah Carter

#### CARRIED

#### 6.2. Basset Reserve Landscape Plan

The purpose of this report was to brief Council on a draft Landscape Plan for

Basset Reserve, West Footscray.

#### **Committee Resolution**

That the City Development Special Committee:

- 1. Endorse the draft Basset Reserve Landscape Plan for consultation.
- 2. Receive a further report on the consultation outcomes for the plan.

Moved: Cr Cuc Lam Seconded: Cr Mia McGregor

#### CARRIED

#### 6.3. Urban Planning Activity Report 2018

The purpose of this report was to provide an update on planning permit activity within the City of Maribyrnong during the financial year of 2017/18 (17/18 FY).

#### **Committee Resolution**

That the City Development Special Committee note the Urban Planning Activity Report for the 2017/18 financial year.

Moved:	Cr Gina Huynh
Seconded:	Cr Martin Zakharov

#### CARRIED

#### 7. URGENT BUSINESS

Nil.

#### 8. SPECIAL MEETING CLOSURE

The Chair, Cr Catherine Cumming, declared the meeting closed at 6.50pm.

To be confirmed at the City Development Special Committee Meeting to be held on 30 October, 2018.

Chair, Cr Catherine Cumming

#### PETITION: AGED CARE SERVICES

Director:	Celia Haddock Director Corporate Services
Author:	Lisa King Manager Governance and Commercial Services

#### PURPOSE

To table a petition received in relation to Aged Care Services.

#### **ISSUES SUMMARY**

- A petition has been submitted to Council containing 573 signatures. •
- The petition presented to Council included the following text: •

We, the undersigned petition Council to maintain and continue to deliver quality in home support services for our frail and elderly residents. We urge Council to continue direct delivery of this vital community service providing care from Council workers to vulnerable and older residents in their home.

#### **ATTACHMENTS**

1. Aged Care Services Petition 4

#### OFFICER RECOMMENDATION

That Council:

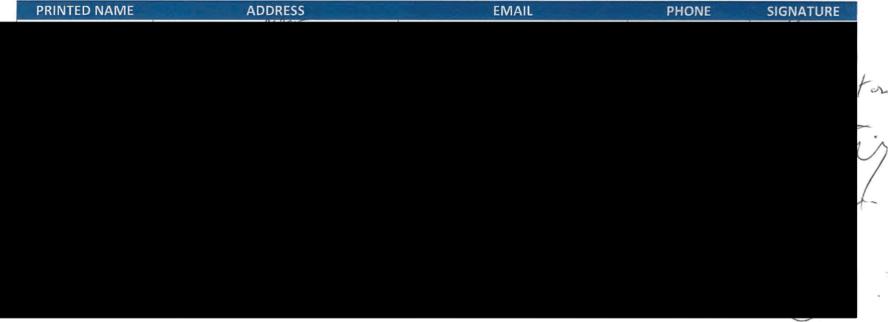
- Receives and notes the petition in relation to Aged Care Services. 1.
- 2. Requests the Chief Executive Officer consider the petition and determine the appropriate response.

### **MARIBYRNONG CITY COUNCIL**

We, the undersigned, petition Council to maintain and continue to deliver quality in home support services for our frail and elderly residents. We urge Council to continue direct delivery of this vital community service providing care from Council workers to vulnerable and older residents in their homes.

**Return hard copy petitions to:** Australian Services Union Level 1, 116 Queensberry Street, Carlton South, 3053





Authorized by Branch Secretary Lies Darmania ASIIV/inTae 116 Ouesnehorny St. Carlton South Vis 2052

### **MARIBYRNONG CITY COUNCIL**

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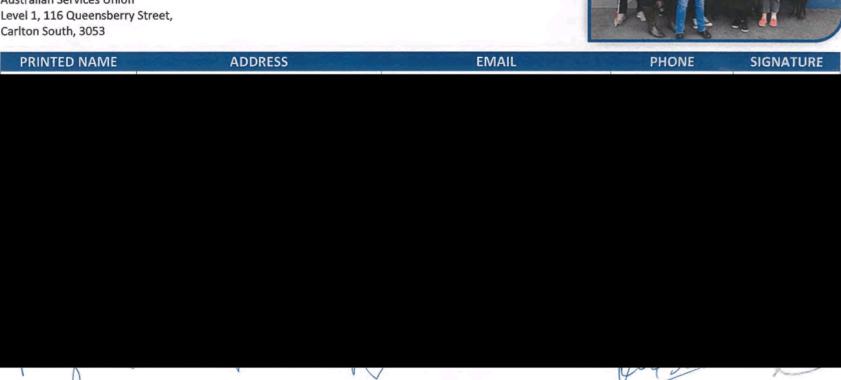
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Authorised by Branch Secretary Lisa Darmanin ASI IVicTas 116 Queensherry St. Cartton South Vic 3053

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PRINTED NAME	ADDRESS	EMAIL	PHONE	SIGNATURE

Authorised by Branch Secretary, Lisa Darmanin, ASUVicTas, 116 Queensberry St., Carlton South Vic 3053

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**Return hard copy petitions to:** Australian Services Union Level 1, 116 Queensberry Street, Carlton South, 3053



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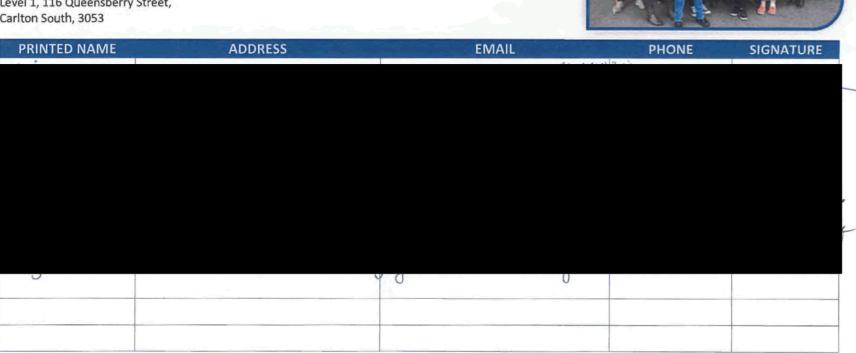
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Return hard copy petitions to: Australian Services Union

Level 1, 116 Queensberry Street, Carlton South, 3053



Authorised by Branch Secretary Lisa Darmanin ASI WicTas 116 Queensherry St. Carlton South Vic 3053

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#### Agenda Item 8.1 - Attachment 1

### **MARIBYRNONG CITY COUNCIL**

We, the undersigned, petition Council to maintain and continue to deliver quality in home support services for our frail and elderly residents. We urge Council to continue direct delivery of this vital community service providing care from Council workers to vulnerable and older residents in their homes.

Return hard copy petitions to: Australian Services Union Level 1, 116 Queensberry Street Carlton South VIC 3053



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# MARIBYRNONG CITY COUNCIL

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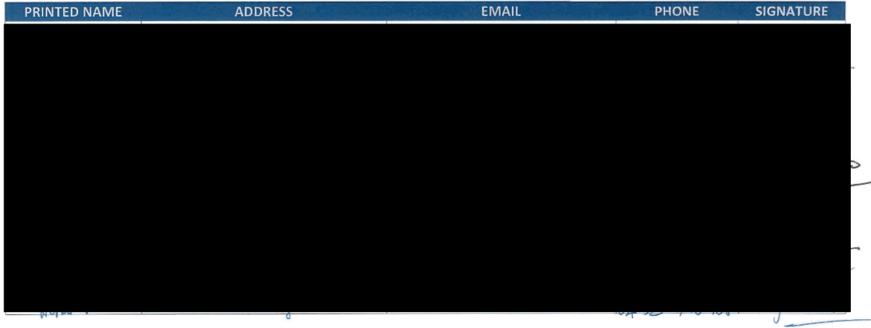
Authorised by Branch Secretary. Lisa Darmanin. ASUVicTas. 116 Queensberry St.. Carlton South Vic 3053

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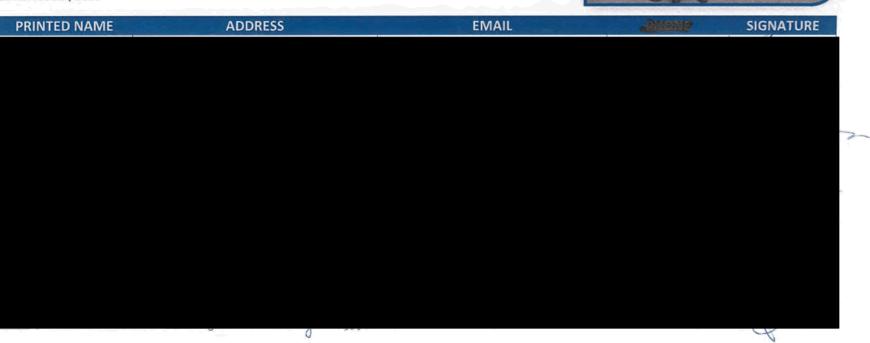


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#### MARIBYRNONG LIBRARIES PLAN 2019 - 2023

# Director: Clem Gillings Director Community Services

Author: Michael Byrne Manager Community Learning and Libraries

#### PURPOSE

To provide Council with the draft Maribyrnong Libraries Plan 2019 - 2023 and outline proposed priorities for action.

# **ISSUES SUMMARY**

- The Maribyrnong Libraries Plan 2019 2023 (Attachment 1) articulates the library service's mission and key directions in serving and supporting a growing and highly diverse community over the next four years and into the future. The plan:
  - describes the important role contemporary public libraries play in building community capacity and connections
  - positions Maribyrnong Libraries to align with the City's emerging social, economic and cultural context
  - o identifies the service's strategic priorities and significant actions
  - articulates Council's commitment to investment in public library services and facilities that are in line with community needs and expectations
- Library services are highly valued by the community, with the 2017 Community Satisfaction Survey ranking public libraries second in satisfaction (8.5) for Council services and facilities.
- Maribyrnong Libraries are well utilised. In 2017-18 Maribyrnong Libraries ranked 4<sup>th</sup> of the 46 public library services across Victoria in visits per capita, with 7.6 visits to our libraries on average per resident across our five libraries.
- A report completed by SGS Economics and Planning (2018) revealed that every dollar spent on Maribyrnong Libraries delivers four times its value in social and economic benefits to our community and is key to supporting whole of life learning.
- The development of this plan has been informed by extensive consultation with both internal and external stakeholders including detailed research and analysis in the local context and broader benchmarking of national and global library service delivery.
- A set of **four guiding principles** are proposed to underpin and inform the strategic planning and direction of the Maribyrnong Libraries. These include:
  - Inclusive Our libraries are safe, welcoming and accessible to people of all ages, interests, cultural backgrounds, abilities and incomes.
  - Responsive Our library collections, programs, services and facilities are designed to meet community needs and expectations and delivered to create great customer experiences.

Page 100

- Connected Our libraries contribute to urban vitality, local identity and a sense of place and are important focal points and gathering places for the community.
- Coordinated Our municipal and neighbourhood libraries form an integrated network of service points that works with Council and non-Council partners to empower the community.
- Five strategic community-focused priorities have been identified throughout this process that will guide the direction of Maribyrnong Libraries over the next four years. These include:
  - o places for all
  - o opportunities to learn, create and belong
  - o stronger and more connected communities
  - o productive community and stakeholder partnerships, and
  - o great customer experiences
- A total of 18 action areas have been identified that respond to the five strategic priorities (Attachment 1), and specific actions will be put forward in annual action plans at the commencement of each financial year (Attachment 2).

A Libraries Building Strategy is currently in final stages of development, being informed by the precinct based Community Infrastructure Planning process, and will be presented to Council early in 2019.

# ATTACHMENTS

- 1. Maribyrnong Library Strategic Plan 2018-2022 Final Draft Attachment 1 &
- 2. Libraries Strategy Action Plan 2018-19 Attachment 2 😃

# OFFICER RECOMMENDATION

# That Council:

- 1. Note the key priorities and actions of the Maribyrnong Libraries Plan 2019 2023
- 2. Endorse the Maribyrnong Libraries Plan 2019 2023 to be released for public comment

# Agenda Item 9.1

# BACKGROUND

Today's libraries provide free, essential services that are not only highly valued by their communities but are often life changing. In addition to their traditional role of housing book and media collections, libraries provide lifelong learning opportunities through the delivery of education and creative programs, access to technology and information, accessible and safe community spaces and tailored staff expertise.

Libraries are uniquely placed to deliver important services to all members of the community regardless of their socio-economic standing.

The transformation of public library services in Australia and globally is being driven by evidence that investment in libraries is an investment in the strength, capability and resilience of the community. An independent report produced by SGS Economics and Planning found that for every dollar Maribyrnong City Council invested in its public library service, four dollars in social and economic benefits were returned to its communities (State Library and Public Libraries Victoria, 2018).

The nett cost of delivering the library service to the Maribyrnong Community in 2017-18 was \$3,587,000. According to the 2017-18 Victorian Local Government Performance Reporting Framework indicators contained within knowyourcouncil.vic.gov.au, Maribyrnong Libraries outperforms most library services in cost per library visit across the State. Maribyrnong Libraries direct cost per library service visit is \$5.95, well under the \$6.65 cost per library visit compared with similar councils. This is also well under the State-wide cost to council per library service visit of \$6.82.

Maribyrnong communities are undergoing rapid change. Population growth, redevelopment, gentrification and a transitioning economy is leading to an influx of new residents, business and opportunities. The city has a relatively young population with a large proportion of infants and young adults.

The vision and strategic priorities within the Library Plan are evidence driven:

- The population in the City of Maribyrnong is expected to increase substantially over coming years from 91,000 in 2018 to 157,000 in 2041 (72%)
- Maribyrnong's cultural diversity is constantly evolving, with recent new arrivals from India, Vietnam, Myanmar and China, adding to the 40% of residents born overseas, and speaking languages other than English
- 14% of the 654,000 loans of our physical and digital resources were in community languages, our collection houses items in eleven languages
- In 2017-18 Maribyrnong Libraries ranked 4<sup>th</sup> of the 46 public library services across Victoria in visits per capita, with 7.6 visits to our libraries on average per resident
- A total of 677,000 visits in 2017-18 across our five libraries at Braybrook, Footscray, Maribyrnong, West Footscray and Yarraville
- Over 27,000 people attended library programs and events, with 400 children and adults attending a story time or rhyme time early years literacy program in our libraries every week
- Use of our libraries continue to evolve in new directions, with over 36,000 Wi-Fi sessions in 2017-18. This is an increase of nearly 40% on the previous year.

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The impact of population growth and greater urban density and will create a high demand on these services and facilities and increase the need for flexible, multipurpose, adaptable facilities as well as services and programing to cater for these communities into the foreseeable future.

#### DISCUSSION/KEY ISSUES

#### 1. Key Issues

Maribyrnong Libraries balance regional efficiency with local demand through an integrated network of library service points. The Footscray Library acts as the Municipal library and the centre for collection management, program development and library administration. This supports the neighbourhood libraries of Braybrook Maribyrnong, West Footscray and Yarraville. All libraries provide access to collections, programs and services that meet the unique characteristics of each of the city's six planning precincts.

In 2017, the Library Service conducted extensive consultation with both internal and external stakeholders, including detailed research and analysis in the local context and broader benchmarking in library service delivery.

The community survey with over 2000 respondents found that residents value the library service for learning, recreation and social connection opportunities. These include broad themes around spaces and rooms, programs and activities and resources and technology. Survey responses also showed that while formal programs and activities were important equally valued was the sense of belonging, provision of support, companionship and community connection.

Over the next four years Maribyrnong Libraries will concentrate on five communityfocused strategic priorities, these include:

1. Places for all

Precinct-based planning to provide safe, welcoming and inclusive library places and spaces – onsite and online – that are well-known, well-used and accessible to all.

2. Opportunities to learn, create and belong

Deliver collections, programs, information services and technology access that meets the diverse needs of the community and actively encourages inquiry, exploration and discovery.

3. Stronger and more connected communities

Empower our community by increasing free and universal access to knowledge and information supporting learning and literacy through all life stages and celebrating languages and cultures.

4. Productive community and stakeholder partnerships

Engage with our community to understand their library needs and collaborate with Council, community, government and business partners to enhance service options, reach, quality and outcomes.

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# 5. Great customer experiences

Maintain a professional, innovative and accountable workforce culture that is focused on exceeding customer and community expectations.

The Library Plan identifies a list of 18 actions against these Strategic Priorities. Maribyrnong Libraries will develop, implement and review annual action plans that detail short and medium term actions that respond to our strategic priorities. We will be accountable to our community for delivering against these plans.

The Maribyrnong Libraries Plan 2018-2022 and the context contained within will be used to guide the delivery of the Maribyrnong Libraries Building Strategy 2019.

# Community Infrastructure Planning Tool

Recent analysis of future library facilities requirements demonstrates that 4 of our 5 libraries are now "under-provided" or will be within 5 years. In our two fastest growing precincts we need to begin considering the options for expansion or redevelopment.

The Maribyrnong Libraries Building Strategy 2019 is expected to be delivered in February 2019 and will investigate each existing facility and the capacity to support service delivery now and into the future. It will also explore opportunities to consider alternative sites including the potential for shared services through co-location as part of the broader context within the Maribyrnong City Council community infrastructure plan..

# 2. Council Policy/Legislation

# Council Plan 2017-2021

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Healthy and inclusive communities provide and advocate for services and facilities that support people's wellbeing, healthy and safe living, connection to community, cultural engagement and whole of life learning.
  - Quality places and spaces lead the development of integrated built and natural environments that are well maintained, accessible and respectful of the community and neighbourhoods.

# Legislation

N/A

# **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

# Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006.* 

# 3. Engagement

Maribyrnong Libraries have conducted extensive consultation with both the community and Council staff to better understand local wants and needs relating to future libraries within Maribyrnong.

In 2017 the following consultation activities were conducted:

- Community Survey (Over 2000 responses)
- Focus groups
- Library and Community Centres staff workshop
- Consultation with other Council service areas

# 4. Resources

The Maribyrnong Libraries Plan 2019 - 2023 will support the direction of the library service throughout that period. Actions against strategic priorities will be implemented mostly through existing resourcing. Should additional resources be required, proposals will be submitted through Council's annual budget process.

# 5. Environment

This Strategic Plan aims to deliver on actions which support Council's sustainable environment objectives and targets.

# CONCLUSION

The Maribyrnong Libraries Plan 2019 - 2023 is the result of an analysis led process. The examination of the resulting data and consideration of consultation feedback clearly confirm the strong levels of utilisation of our library services and also the high value placed on this network by our communities.

The Library Plan provides the direction that responds to significant expected growth across Maribyrnong and positions Maribyrnong Libraries to effectively respond to the changing needs of our diverse communities now and into the future.

The Library Plan directions and the Community Infrastructure Planning Tool will together inform and set the direction for the Maribyrnong Libraries Building Strategy 2019.

# Maribyrnong Libraries Plan 2019-2023

# Libraries for All, Libraries for Life

The transformation of public library services, in Australia and around the world, is being driven by evidence that investment in libraries is an investment in the strength, capability and resilience of the community. Every dollar spent on Maribyrnong Libraries delivers four times its value.<sup>1</sup>

**Purpose**: The Maribyrnong Libraries Plan 2019-2023 articulates the libraries' mission in serving and supporting a growing and evolving community over the next four years. The Plan:

- describes the important role contemporary public libraries play in building community capacity and connections
- positions Maribyrnong Libraries to align with the City's emerging social, economic and cultural context
- identifies the libraries' strategic priorities and significant actions
- articulates Council's commitment to investment in public library services and facilities that are in line with community needs and expectations.

#### **Council vision and values**

"A vibrant, diverse and progressive city striving for a sustainable future."<sup>2</sup>

Maribyrnong Libraries contribute to the achievement of Council's vision and strategic objectives, in particular Objective 2: Healthy and Inclusive Communities – "Council will provide and advocate for services and facilities that support people's wellbeing, healthy and safe living, connection to community, cultural engagement and whole of life learning."

#### Library mission

Maribyrnong Libraries provide access for all to contemporary library collections, programs, information resources, services and facilities. We:

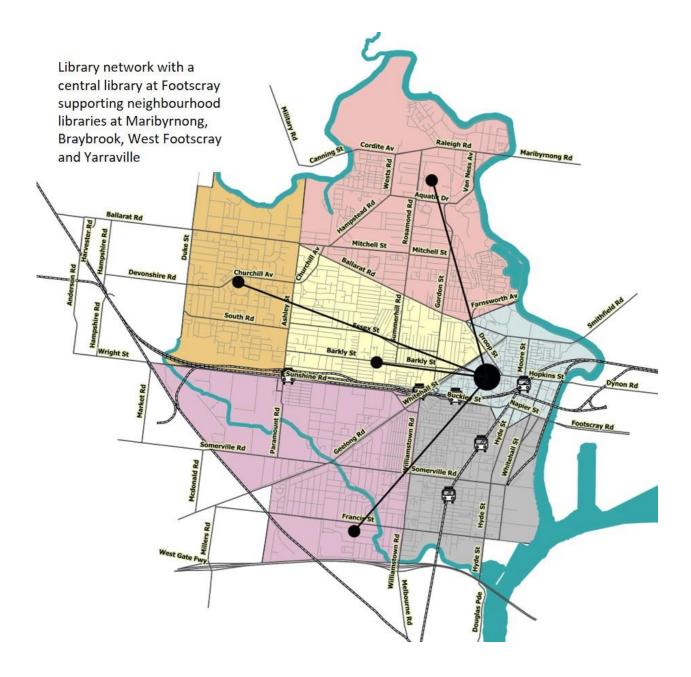
- enable reading, learning and personal growth
- connect people with one another and the world of information and ideas
- build the capacity of our diverse community
- foster social, digital and cultural inclusion.

#### **Guiding principles**

Principle	Description
Inclusive	Our libraries are safe, welcoming and accessible to people of all ages, interests, cultural backgrounds, abilities and incomes.
Responsive	Our library collections, programs, services and facilities are designed to meet community needs and expectations and delivered to create great customer experiences.
Connected	Our libraries contribute to urban vitality, local identity and sense of place, and are important focal points and gathering places for the community.
Coordinated	Our municipal and neighbourhood libraries form an integrated network of service points, that works with Council and non-Council partners to empower the community.

#### Integrated service network

Maribyrnong Libraries balance regional efficiency with local demand through an integrated network of library service points. All neighbourhood libraries provide access to collections, programs and services that meet the unique characteristics of each population precinct. The Footscray Library is the municipal centre for collection management, program development and library administration. Future network planning will recognise the population and growth characteristics of each of the City's six planning precincts.



#### 21<sup>st</sup> century libraries

Public libraries around the world are places for discovery and connection. They democratise access to knowledge and facilitate access to the information skills needed for a digital future. Libraries are centres of community culture and act as a barometer for the health and vitality of a community.

"The public library, the local gateway to knowledge, provides a basic condition for lifelong learning, independent decision-making and cultural development of the individual and social groups. ... The public library is the local centre of information, making all kinds of knowledge and information readily available to its users. Library services are provided on the basis of equality of access for all, regardless of age, race, sex, religion, nationality, language or social status."<sup>3</sup>

New library models are shifting the focus of library services from traditional measures like the number of visits and loans to the outcomes that are achieved for individuals and the community. In promoting universal literacy and closing gaps in access to information, 21<sup>st</sup> century libraries contribute to achievement of the United Nation's 2030 Agenda and Sustainable Development Goals – notably in relation to quality education, reducing inequalities, sustainable communities and strong civic institutions.<sup>4</sup> Australian Library and Information Association's national public library guidelines<sup>5</sup> describe the difference that participation in and use of library services can make in people's lives, in terms of:

- literacy and lifelong learning including early years' literacy and adult learning
- digital inclusion especially for those in the community who do not have internet access or lack the skills to use digital services
- stronger and more creative communities building on community spirit captured in libraries
- personal development and wellbeing being places where people can nourish their soul
- economic and workforce development supporting job-readiness, literacy and digital skills.



The latest phase of the global evolution of public libraries is occurring in response to major population and social trends, new workforce skill needs and rapid technological advancements. In the coming years Maribyrnong Libraries will be faced with increasing demand for 24/7 access to physical and virtual library collections, services and support.

The libraries must respond to:

- increased demand for use of libraries as a safe, welcoming and culturally inclusive space at the heart of the community where people can read, relax, connect, learn and work
- increased use of the library website, apps and digital technologies to access ebooks and library services
- increased expectations of libraries as a partner in delivery of lifelong learning opportunities.

This will involve a shift in staff responsibilities from transactional roles undertaken behind the library desk to more transformative information, learning and support roles that take place on the library floor and in community locations, delivered collaboratively with partner organisations and other Council Departments.

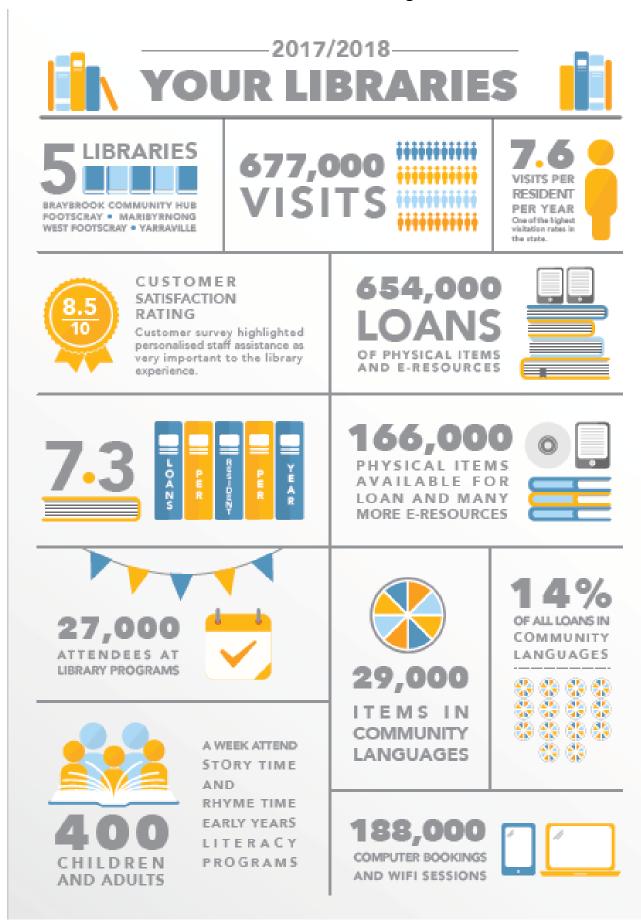
#### **Today's library**

Maribyrnong Libraries are a well-used and well-loved part of the City's social fabric. The central library at Footscray, open 7 days a week, is a meeting place, a reading space, somewhere to study or dig into the past, and a place to reflect under the trees in the courtyard. It offers extensive lending collections, a large LOTE collection and activity spaces. The new library at Braybrook Community Hub is also open 7 days a week, and is located within a multi-purpose hub. Smaller branch libraries at West Footscray, Maribyrnong (Highpoint) and Yarraville provide their local communities with access to collections, programs, computers, wifi and reading/study spaces. Branch services are complemented by the library website, a Home Library Service, inreach and outreach services delivered in community locations.

The libraries are well-supported by Council, which makes a significant investment in collections and staffing each year to ensure that the libraries continue to meet emerging community needs.

"The library meets my needs very well. The staff are always courteous and helpful. I am a senior citizen who lives alone and the only time I have human contact is at this library. They are always willing to help me and take an interest in my wellbeing." (Library user, 2017 Community survey)





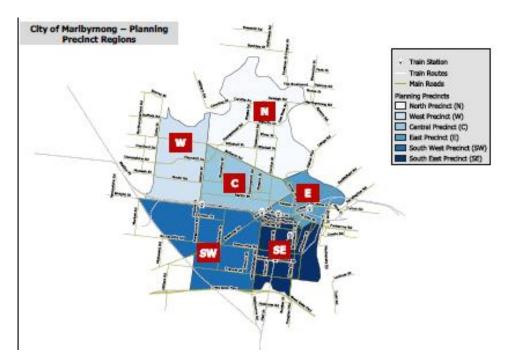
### Maribyrnong Libraries in a growing and evolving City

Maribyrnong is a diverse and dynamic city in Melbourne's inner west. It has undergone rapid population change in the past 10 years and is forecast to change even more dramatically in the next 10 to 20 years. Population growth, urban redevelopment, gentrification and a transitioning economy are leading to an influx of new residents, businesses and opportunities – all changes which will influence demand for and provision of library services.

Census data and other research highlight the changing face of Maribyrnong<sup>6</sup> and the implications for provision of local library services.

#### Population and demographic characteristics

A municipal population approaching 90,000 in 2018 is forecast to increase to 123,000 by 2028 and 157,000 in 2041 (+72%). The highest **long-term population growth** rates from 2018 will be seen in the East (+260%) and North (+98%) planning precincts which take in Footscray and Maribyrnong, with more modest growth in Yarraville, Seddon and Braybrook. Closure of large industrial sites (e.g. Maribyrnong, Braybrook) has provided a **supply of land for new residential developments** to accommodate some of the population growth. **Gentrification** in the south-eastern parts of the City has seen the arrival of new residents with higher median household incomes and often different service needs and interests to longstanding residents.



Maribyrnong Libraries must plan for infrastructure to accommodate increased service demand, noting that four of Maribyrnong's five libraries are currently at or over capacity. Flexible spaces ensure that a single facility can be used by multiple community members and groups for a variety of activities and reasons. Co-location of service points in activity centres (e.g. Council, education, retail, community, recreation) enhances user access and increases service utilisation and return on public investment. **Increased housing density** will also create demand for libraries to be a 'third space' (an alternative to home or work) where people can recreate and congregate, supporting social connections in a safe inviting environment

Average levels of education, employment and income have risen over the last decade, however, the City now experiences greater **socio-economic inequality** with higher proportions of households at both ends of the income spectrum. Braybrook, Maidstone, West Footscray and Footscray rank below the City average on the SEIFA index of disadvantage<sup>7</sup>, with Braybrook in the 4<sup>th</sup> percentile of disadvantage nationally. Seddon, Yarraville and Maribyrnong have above average rankings. Consequently, the libraries will need to identify, respond to and manage different service needs and expectations in different parts of the City, including internet access, literacy support, reader development, and learning and social engagement programs. To help address **education inequality**, Maribyrnong

libraries can collaborate with education providers at all levels (early years, schools, university, VET) to complement education programs through access to relevant collections, study spaces, homework clubs and tutoring spaces.



In the 1950s large numbers of migrants settled in the Maribyrnong area, and it remains one of the most ethnically diverse areas of Victoria. Maribyrnong's **multicultural diversity** is constantly evolving, with recent new arrivals from India, Vietnam, Myanmar, China and the Horn of Africa. These communities are in constant transition with around 40% of residents born overseas and speaking languages other than English. Maribyrnong Libraries have a large collection in community languages, and provide English language support programs and opportunities for cross-cultural and cross-generational engagement.

While the Australian population is ageing, with Baby Boomers leaving the workforce and increased life expectancy, new residential developments have meant that Maribyrnong also has a relatively young population with a large proportion of infants and young adults (e.g. Kingsville, Seddon, Yarraville). **Young families** look to their library for early years' literacy programs and collections – onsite and in community locations. The City has a high proportion of young adults attending Victoria University and other tertiary institutions. **Tertiary students** typically seek 24/7 access to individual and group study spaces, as well as reliable internet access. **Ageing communities**, with a wide range of financial circumstances, family arrangements, cultural backgrounds and life preferences, need access to a diverse range of community facilities, including support services and programs for recreation and participatory learning. Baby Boomers are also likely to be more educated, articulate and opinionated, and be more demanding of choice and quality in their services and opportunities. **Intergenerational learning** will be a feature of our future, with libraries a place where all can come together as one.



#### A changing economy

**Rapid technological change** and a shift to eGovernment and **digital economy** will require libraries to work with community and education providers to facilitate access to current and emerging technologies, and assist people at risk of digital exclusion to develop skills needed to participate in a digital society. The nature of work is also changing, with increasing labour market demands for **21**<sup>st</sup> **century skills**, a 24/7 workforce and the rise of the **gig** 

**economy**. Maribyrnong Libraries will be faced with demand from families with dual working parents and people working less traditional hours to efficiently access library services at different times and in different ways. This requires libraries to look at different service models from a '9 to 5 library branch'.



#### Council planning for the future

Maribyrnong City Council is planning to enhance civic and social infrastructure in partnership with State and Federal Government programs and other sector partners. Projects where enhanced infrastructure may be considered include:

- Footscray Activity Centre and Footscray Library, Community and Cultural Hub (the NeXT Project)
- Footscray Learning Precinct championing excellence in all stages of education in Melbourne's inner west
- Footscray University Town an innovative partnership between Victoria University and Council to revitalise Footscray as a hub of knowledge, learning, creativity and opportunity
- Department of Defence site and the Highpoint Activity Centre
- Bradmill and Kinnears sites creating opportunities for innovative approaches to delivery of communitycentred library services.

These projects will require master planning processes in which community needs will be clearly documented to ensure any planned social infrastructure produces wide community benefits. Funding and delivery partnerships with developers may incorporate access to library services at activity centres.



#### Complementing Commonwealth and State Government initiatives

The introduction of the NDIS, the NBN roll-out, and the continued shift from service access at Centrelink offices to eGovernment place new demands on different population cohorts that have implications for provision of public library services in population



centres (e.g. access to the internet and one-on-one assistance in completing government forms).

The Victorian Government's *Education State* targets commit the education system to giving each student the opportunity to excel, higher rate of language and STEM literacy, development of creative and critical thinking skills, and breaking the link between disadvantage and education and employment outcomes. Public libraries, especially with their role in early years' literacy, can support learning and skill outcomes in many different ways.



Victoria's first creative industries strategy, *Creative State*, aims to engage more Victorians in cultural and creative endeavours. The strategy notes the role of local government in supporting arts and culture and providing access to,

and increasing participation in, cultural and creative industries. This could include provision of co-working spaces and hubs, leveraging partnerships with property owners, philanthropists and other stakeholders to unlock creative spaces in suburban areas.



#### **Strategic priorities**

In the next 4 years Maribyrnong Libraries will concentrate on five strategic community-focused priorities.

1.	Places for all	Precinct-based planning to provide safe, welcoming and inclusive library places and spaces – onsite and online – that are well-known, well-used and accessible to all
2.	Opportunities to learn, create and belong	Deliver collections, programs, information services and technology access that meet the diverse needs of the community and actively encourage inquiry, exploration and discovery
3.	Stronger and more connected communities	Empower our community by increasing free and universal access to knowledge and information, supporting learning and literacy through all life stages, and celebrating languages and cultures
4.	Productive community and stakeholder partnerships	Engage with our community to understand their library needs, and collaborate with Council, community, government and business partners to enhance service options, reach, quality and outcomes
5.	Great customer experiences	Maintain a professional, innovative and accountable workforce culture that is focused on exceeding customer and community expectations.

### Action plan

Maribyrnong Libraries will develop, implement and review annual action plans that detail short and medium-term actions that respond to our strategic priorities. These plans will be complemented by the Library Building Strategy 2019 which sets out guidelines for future investment in the City's library facilities. Our annual action plan will articulate measureable actions and we will be accountable to our community for delivering against these plans.

1. Places for all
Precinct-based planning to provide safe, welcoming and well-designed library places and spaces – onsite and

online – that are well-known, well-used and accessible to all

- Provide spaces that encourage social connections and use of Council facilities as 'third spaces'.
- Facilitate the renewal and development of contemporary community infrastructure that is multi-purpose and multi-generational.
- Future-proof libraries with involvement from Council teams and external experts to ensure facilities are adaptable and can incorporate new technologies and services.

2. Opportunities to learn, create and belong

Deliver collections, programs, information services and technology access that meet the diverse needs of the community and actively encourage inquiry, exploration and discovery

Collections

- Develop and implement Collection Management Guidelines which define principles by which library collections are managed.
- Develop innovative and flexible planning, purchasing and provision models relevant to our diverse communities and responsive to all life stages.

Programs

- Adopt a community needs-based approach to assessing our program provision.
- Explore meaningful service partnerships which provide mutually beneficial outcomes in program delivery.
- Ensure that programs enhance social and economic participation.
- Information technology
- Provide relevant, contemporary information technology resources and programs at all libraries, that reflect national and global trends and community needs.

3. Stronger and more connected communities

Empower our community by increasing free and universal access to knowledge and information, supporting learning and literacy through all life stages, and celebrating languages and cultures

- Develop and implement a Libraries Marketing and Communications Strategy.
- Engage and be led by the community in developing and informing the future direction of library services.

4. Productive community and stakeholder partnerships

Engage with our community to understand their library needs, and collaborate with Council, community, government and business partners to enhance service options, reach, quality and outcomes

- Pursue and build on partnerships that give access to resources, learning and events that respond to feedback and address community needs.
- Improve formal/informal collaboration and partnerships with other Council services and external partners.
- Explore innovative partnerships with neighbouring local government areas to identify collaborative regional network opportunities.

5. Great customer experiences

Maintain a professional, innovative and accountable workforce culture that is focused on exceeding customer and community expectations

- Build a community development culture through targeted communication and opportunities for learning.
- Provide greater opportunities for community feedback to inform enhanced customer service.
- Be a learning organisation that learns and innovates to thrive in a rapidly changing environment.
- Continue to invest in and resource a library service that reflects and responds to the growth and changing needs of the community.

#### **Tomorrow's libraries**

Through implementation of this Library Plan our libraries will be well-positioned to respond to the emerging demands of a vibrant, diverse and growing Maribyrnong community. The delivery of the Library Building Strategy 2019 will set out guidelines for future investment in the City's library facilities.

Agenda item 9.1 - Attachment 1	Agenc	la Item 9.1 - Attachme	nt 1
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		5
Footscray Library	Today	Tomorrow
	80,000 collection items 323,000 visits per year 332,000 loans per year 4,600 program attendees 47,000 computer sessions 36,000 wifi sessions (across all branches) 1,500 m <sup>2</sup> library space	An expanded library as an integral part of the revitalised city centre and Community and Cultural Hub (the NeXT Project).
Braybrook Library	Today	Tomorrow
	28,000 collection items 171,000 visits per year 97,000 loans per year 3,400 program attendees 16,000 computer sessions 750 m <sup>2</sup> library space	Fully activated library spaces and service provision in line with community needs and broader cultural expectations.
West Footscray Library	Today	Tomorrow
	18,000 collection items 83,000 visits per year 79,000 loans per year 5,700 program attendees 9,000 computer sessions 488 m <sup>2</sup> library space	Future exploration to optimise the capacity of the facility within the context of the West Footscray Neighbourhood Framework.
Maribyrnong Library	Today	Tomorrow
	19,000 collection items 51,000 visits per year 52,000 loans per year 3,300 program attendees 6,000 computer sessions 565 m <sup>2</sup> library space	Exploration of all options within the precinct to develop a larger and more flexible library on a new site when the current leasing arrangement expires in 2028.
Yarraville Library	Today	Tomorrow
	13,000 collection items 49,000 visits per year 77,000 loans per year 10,000 program attendees 2,800 computer sessions 242 m <sup>2</sup> library space	Exploration of options to expand capacity to support growth of local community.
Library website	Today	Tomorrow
Borrow Box.	<ul> <li>6,000 digital resources</li> <li>17,000 downloads of ebooks</li> </ul>	Dynamic user-friendly online opportunities to access digital collections, learning programs, databases and local information resources.

#### References

1. State Library of Victoria and Public Libraries Victoria Network, Libraries Change Lives, 2018.

2. Maribyrnong City Council, Council Plan 2017/21.

3. IFLA/UNESCO Public Library Manifesto, 1994.

4. ALIA, Australian Libraries support the Sustainable Development Goals, 2018.

5. APLA/ALIA, National Guidelines, Standards and Outcome Measures for Australian Public Libraries, 2016.

6. ABS 2016 Census, ABS 2011 Burden of Disease survey, and Commonwealth Department of Education, Employment and Workplace Relations labour market data.

7. ABS Socio-Economic Indexes for Areas (SEIFA) index of disadvantage.

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Maribyrnong Libraries Plan 2019-2023		
2019 Action Plan		
Aim: To identify priority actions that respond to the strategic priorities as described in the		
Maribyrnong Libraries Plan 2019-2023 for delivery within the year 2019.		
Deliverable	Strategic Priority - Action	Timeframe
Completion of the feasibility study for the NeXT project at Footscray Library, Community and	1. Places for all - Facilitate the renewal and development of	
Cultural Hub and subsequent Business Case (pending on Council endorsement to move to that	contemporary community infrastructure that is multi-purpose	
1 stage)	and multi-generational	March/April 2019 (Business Case)
	1. Places for all - Facilitate the renewal and development of	
	contemporary community infrastructure that is multi-purpose	e de la companya de l
	and multi-generational	
	1. Places for all - Future-proof libraries with involvement	
	from Council teams and external experts to ensure facilities	
	are adaptable and can incorporate new technologies and	
2 Delivery of the Draft Maribyrnong Libraries Building Strategy 2019 for consideration of Council	services.	Council report expected Feb-2019
	3. Stronger and more connected communities - Develop and	
	implement a Libraries Marketing and Communications	
3 Development of the Maribyrnong Libraries Marketing and Communications Strategy	Strategy.	Jun-19
	2. Opportunities to learn, create and belong - Information	
	Technology - Provide relevant, contemporary information	
	technology resources and programs at all libraries, that reflect	t
4 Analysis of Information Technology hardware and software across library service	national and global trends and community needs.	Jan 2019 - June 2019
	2. Opportunities to learn, create and belong - Information	
	Technology - Develop and implement Collection	
	Management Guidelines which define principles by which	
5 Development of Collection Management Guidelines	library collections are managed	Jun-1
Deliverables in year 1 = 5	Actions addressed year 1 = 6	

### GENDER EQUITY STRATEGY

Director:	Clem Gillings Director Community Services
Author:	Patrick Jess Manager Leisure, Health and Wellbeing

### PURPOSE

To seek Council endorsement to place the City of Maribyrnong Gender Equity Strategy 2030 on public exhibition.

### **ISSUES SUMMARY**

- As a result of the Royal Commission into Family Violence (RCFV) 2015, Councils are now required to report on the measures they propose to take to reduce family violence and respond to the needs of victims.
- As the level of government closest to the community, local government can play a pivotal role in promoting gender equality and preventing violence against women and family violence.
- The draft Gender Equity Strategy 2030 (the strategy) has been prepared to meet Council's current legislative requirements, as well as the requirements for Local Government that have been outlined in the Gender Equality Bill Exposure Draft, recently put forward by the Victorian Government.
- The strategy has been informed by; a review of the current policy context, legislative requirements, relevant evidence and data, extensive Council engagement and alignment with existing strategic and partnerships commitments.
- The strategy sets out themes, objectives and strategies that have been developed in line with the OurWatch Change the Story Framework. It is also the framework that guides the Victorian Government's gender equity and violence prevention policies, as well as our regional prevention policy Preventing Violence Together 2030.
- Where our previous Gender Equity Strategy 2013-2016 primarily focused on building a more gender-equitable organisation, the proposed strategy widens the focus to a whole-of-community approach.
- The Strategy will be accompanied by a detailed 2-year action plan and an evaluation plan that will be developed and published internally in early-mid 2019.
- A monitoring and evaluation framework with clear evaluation points for the life of the Strategy will be developed in early 2019. This will complement the regional activity occurring through PVT to measure and evaluate the partnership's collective work.

### Agenda Item 9.2

### ATTACHMENTS

1. DRAFT Gender Equity Strategy Maribyrnong City Council 2018-2030 J

### **OFFICER RECOMMENDATION**

That Council:

- 1. Endorses the release of the Draft Gender Equity Strategy 2030 for community consultation, the outcomes of which will inform the final Strategy.
- 2. Notes that a further report will be presented to Council following community consultation, seeking adoption of the Maribyrnong City Council *Gender Equity Strategy 2030.*

### BACKGROUND

Despite the commitments at all levels of government, violence against women and gender inequality continue to cause substantial harm in the community.

MCC has been actively and consistently working for more than a decade to meet its goal of 'creating a community in which women are able to live free from violence and fear of violence'. Substantial investment has taken place to improve gender equity and prevent violence against women, particularly within the Council as an employer, and in formal and informal partnership with other councils and partner organisations. This has provided a solid basis on which to develop the next MCC Gender Equity Strategy.

The next stage of Maribyrnong's work in this space should be to widen the focus to a whole-of-community approach, to influence community attitudes and awareness, and the actions taken by local organisations and partnerships. Simultaneously, it is important to continually work to build capacity internally to ensure that current staff feel confident in their work to implement Council's Strategies and Action Plans.

### DISCUSSION/KEY ISSUES

### 1. Key Issues

The City has been actively working towards and advocating for the prevention of violence against women for many years, guided by the research demonstrating that the key determinant of violence against women is the persisting inequities and the unequal distribution of power between women and men.

In recognition of Council's commitment to promoting gender equity and preventing violence against women (PVAW) and their children, the MCC Council Plan 2017-2021 states that MCC will strengthen PVAW programs, respond to the needs of victims and promote gender equity.

The approach of this strategy is informed by *Change the Story: a shared framework for the primary prevention of violence against women and their children in Australia* (Our Watch, 2015) which illustrates the link between gender inequity and violence against women.

The Strategy acknowledges that Council cannot achieve our vision on our own;

- The City is a member and signatory to Preventing Violence Together (PVT), the regional partnership and strategy that guides the primary prevention of men's violence against women in Melbourne's Western region and is involved in a number of advisory and working groups associated with the partnership.
- Council propose a long-term, 2018-2030 strategy and accompanying bi-annual action plans that will align with the Preventing Violence Together regional approach.

The strategy demonstrates Council's long term vision and the steps that the organisation will take to address gender inequality as the root cause of violence against women. It also outlines how we will meet the recommendations for Local Government

from the RCFV; presenting an evidence based approach to responding to the needs of victims and preventing violence against women before it occurs.

The Strategy will be both internally and externally focused. It is intended that the Strategy and Action Plan will build internal capacity to promote and embed gender equitable practice and the PVAW in policies, programs and services, with the intent of making a significant contribution to achieving gender equity across the City of Maribyrnong.

In line with the role Council can play, six objectives have been formed to drive the strategy:

- 1. Strengthen our response to violence against women and family violence (to meet the requirements of the RCFV).
- 2. Work alongside the community to prevent violence and normalise gender equality in public and private life.
- 3. Increase women's independence and role in decision making.
- 4. Ensure that the development of policy, programs and services considers the specific impacts on the health, wellbeing and safety of women and men.
- 5. Increase the number of safe and gender-equitable facilities and public environments to facilitate equal participation in Community and civic life.
- 6. Take steps to be a safer and more gender equitable organisation.

For more information regarding these objectives, please refer to pages 11-12 of the Draft Gender Equity Strategy 2030.

### Monitoring and Evaluation

A detailed Evaluation Plan will be developed to accompany the Strategy in early 2019. We will monitor trends in population level outcomes over the life of the plan and review and amend our actions accordingly. We will apply the following three levels of evaluation at defined intervals (set out on page 14 of the Strategy):

- Progress Have we done what we said we would do?
- Impact Are we having the influence we expected?
- Outcome Have we achieved the change we sought?

In addition, the evaluation of the Strategy will align with the Preventing Violence Together 2030 Shared Measurement and Evaluation Framework: Implementation Plan (2018) and associated projects, as well as the Victorian Public Health and Wellbeing Outcomes Framework (2016) and other relevant Victorian Legislation (such as the Gender Equality Bill, currently in draft).

The implementation and evaluation of the strategy will be overseen by Council's Health and Wellbeing Development team.

### Agenda Item 9.2

### 2. Council Policy/Legislation

### Council Plan 2017-2021

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, and the wellbeing priorities contained in the Municipal Public Health and Wellbeing Plan by considering:

- Strategic Objective:
  - Healthy and inclusive communities provide and advocate for services and facilities that support people's wellbeing, healthy and safe living, connection to community, cultural engagement and whole of life learning.
- Health and Wellbeing Priority:
  - Prevention of violence against women
  - Community safety

### Legislation

- Public Health and Wellbeing Act 2008 Amendment to Section 26. 2017(Vic)
- Draft Gender Equality Bill 2018 proposed enactment date, June 2019 (Vic)
- Local Government Act 1989 (Vic)
- Charter of Human Rights and Responsibilities Act 2006 (Vic)
- Family Violence Protection Act 2008 (Vic)
- Fair Work Act 2009 (Cth)
- Equal Opportunity Act 2010 (Vic)

### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

### Human Rights Consideration

Gender inequality and violence against women are human rights issues. This strategy aligns with Council's responsibilities under the <u>Charter of Human Rights and</u> <u>Responsibilities Act 2006</u> (5.1 Freedom and 5.3 Equality sections) and Council's 'Human Rights and Social Justice Framework'.

### 3. Engagement

Significant consultation occurred with internal stakeholders from across the organisation and included a series of cross-Council workshops (involving 87 participants) and an online survey (31 participants). All departments were involved in the consultation and drafting of the strategy vision, themes, objectives and actions.

We propose that, once endorsed, the Draft Gender Equity Strategy 2030 should be released for public consultation via Your City Your Voice. The outcomes of the consultation will inform the final Policy.

### 4. Resources

The policy has been designed to capture actions where existing resources are available or where Council and other partners are most likely to be able to leverage new and existing funding.

An operational budget allocation of approximately \$27,000 per annum is allocated to assist in the implementation of the policy and framework for action, along with staff time from the Health and Wellbeing Development Team and other Departments to deliver on the framework for action.

### 5. Environment

There are no environmental implications as a result of this report.

### CONCLUSION

This Gender Equity Strategy 2030 sets out Council's long-term commitment and guides investment and action to achieve gender equality, prevent family violence and respond to the needs of victims of family violence in Maribyrnong. It includes an ambitious set of evidence-based objectives and strategies to achieve Council's vision and will bring the organisation up to date with recent changes to legislation to align us with state and regional policies.

The strategy presents an opportunity to create a more equal Maribyrnong, where family violence and violence against women are a thing of the past.

# DRAFT Gender Equity Strategy 2018-2030

A strategy to achieve gender equality, prevent family violence and respond to the needs of victims in Maribyrnong



### Acknowledgement of country

We acknowledge that we are on traditional lands of the Kulin Nation. We offer our respect to the Elders of these traditional lands, and through them to all Aboriginal and Torres Strait Islander peoples past, present and emerging.

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### Introduction

In 2015, the Royal Commission into Family Violence concluded that 'Family violence is a gendered crime' and that ending violence against women requires addressing gender inequality in all its forms – in the workplace, school yards, on television screens and on sporting fields.<sup>i</sup>

Despite the recent investment and commitments at all levels of government, family violence, violence against women and gender inequality continue to cause substantial harm in our community. In Australia at least one woman a week is killed by a partner or former partner and intimate partner violence contributes to more death, disability and illness in women aged 15 to 44 than any other preventable risk factor.<sup>ii</sup>

Gender inequality is also a pervasive and persistent problem in our community. Women currently earn 14.6% less than men<sup>iii</sup>, are more likely to work part-time and in insecure employment, they do three times the amount of unpaid caring and domestic work and are significantly more likely to be single parents. A result of this inequality is that women retire with half the superannuation and savings when compared with men; they have greater economic insecurity, are more likely to live in poverty<sup>iv</sup> and be homeless, and have poor health outcomes.

Conversely, pursuing gender equality benefits everyone. Gender equality does not just reduce family violence and violence against women; it challenges the stereotypes and presumptions that constrict us and helps put us all on a platform to succeed in our own ways – women and men. It has also been clearly demonstrated that gender equality has significant health, social and economic benefits.<sup>v</sup>

Changes in structures, attitudes and behaviours require significant investment and won't happen overnight. Local government works across a number of settings, including early years, youth and family services, education, sports, health, arts and culture and workplaces, and is well placed to build knowledge and raise awareness of individuals, communities and organisations. We are also responsible for planning and shaping the built environment, which has a profound effect on the community's access to resources, services and infrastructure. Well resourced environments contribute to a more equal society and assist in the prevention of violence against women and children.<sup>vi</sup>

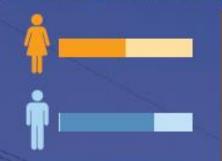
This Gender Equity Strategy 2030 (the Strategy) sets our long-term commitment and guides investment and action to achieve gender equality, prevent family violence and respond to the needs of victims of family violence in Maribyrnong. It includes an ambitious set of evidence-based objectives and strategies to achieve our vision: where all people in Maribyrnong flourish and live free from violence and discrimination and have equal status, rights, opportunities, representation and respect, regardless of their gender.

The Strategy aligns with the recent changes in the national, state, regional and local policy environment. It is long term; from 2018 to 2030 to align with *Preventing Violence Together 2030: Western Region Strategy to Prevent Violence Against Women.* The Strategy will be accompanied by a detailed 2-year action plan that will outline how together we can create a

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#### Agonda Itom Q.2 - Attachmont 1

### Gender inequality in Maribyrnong



HALF OF WOMEN WORK FULL TIME COMPARED TO 2/3 MEN

## **†††††** †† x3

WOMEN DO THREE TIMES THE AMOUNT OF UNPAID WORK THAN MEN



## <sup>₽</sup>84% ┇16%

WOMEN MAKE UP 84% OF LONE PARENTS COMPARED TO 16% WHO ARE MEN

### Violence against women



IN AUSTRALIA: AT LEAST ONE WOMAN A WEEK IS KILLED BY A PARTNER OR FORMER PARTNER



1 IN 5 AUSTRALIAN WOMEN HAS EXPERIENCED SEXUAL VIOLENCE



1IN 3 AUSTRALIAN WOMEN HAS EXPERIENCED PHYSICAL VIOLENCE

25% 🤰

OF AUSTRALIAN WOMEN HAVE EXPERIENCED PHYSICAL OR SEXUAL VIOLENCE BY AN INTIMATE PARTNER

## 611 6

MARIBYRNONG WOMEN REPORTED FAMILY VIOLENCE INCIDENTS TO POLICE IN 2017



OF WOMEN WHO EXPERIENCED VIOLENCE FROM A CURRENT PARTNER HAD NEVER CONTACTED THE POLICE.

### Our Strategy at a Glance

### Vision:

All people in Maribyrnong flourish and live free from violence and discrimination and have equal status, rights, opportunities, representation and respect, regardless of their gender.

### **Guiding principles:**

- Human Rights
- Prevention
- Community-centred
- Intersectionality

- Work across all life stages
- Evidence and innovation
- Collaboration

Our role:		Objectives:
Service provision and community strengthening	$\rightarrow$	<ol> <li>Strengthen our response to family violence and violence against women.</li> </ol>
		<ol> <li>Work alongside the community to prevent violence and normalise gender equality in public and private life.</li> </ol>
Local leadership	$\rightarrow$	<ol> <li>Increase women's independence and role in decision making.</li> </ol>
Policy and planning	→	<ol> <li>Ensure that the development of policy, programs and services considers the specific impacts on the health, wellbeing and safety of women and men.</li> </ol>
Developing facilities and creating safe public environments	$\rightarrow$	<ol> <li>Increase the number of safe and gender- equitable facilities and public environments.</li> </ol>
Employer and procurer	$\rightarrow$	<ol> <li>Take steps to be a more safe and gender- equitable organisation.</li> </ol>

### Our approach: (OurWatch Change the Story Framework)

- Challenge condoning of violence against women
- Promote women's independence and decision-making
- Challenge gender stereotypes and roles
- Strengthen positive, equal and respectful relationships
- Promote and normalise gender equality in public and private life

### Vision

All people in Maribyrnong flourish and live free from violence and discrimination and have equal status, rights, opportunities, representation and respect, regardless of their gender.

### **Principles**

This Strategy is guided by the following principles:

- 1. **Human Rights** Family violence and violence against women are a human rights violation. Council supports the right of all individuals to life free from violence and discrimination regardless of their sex, gender identity, sexuality, ethnicity, age, ability or religion.
- 2. **Prevention** Family violence and violence against women are not inevitable, they are preventable. We recognise that prevention is everyone's business and responsibility and commit to undertake action that is systemic and enduring to prevent violence against women and children from occurring.
- 3. **Community centred** Council recognises that everybody has a role in promoting gender equity and preventing violence against women. We value the collective experience and knowledge of the community and will work together to harness strength, potential and resources to reduce violence against women and children and create a gender-equitable Maribyrnong.
- 4. **Intersectionality** Gender inequality and violence do not impact all people in the same way. For many, the impact of gender inequality is intensified by the way that gendered barriers interact with other forms of disadvantage and discrimination, such as racism, homophobia, transphobia, ableism and classism. We will use tailored, culturally safe strategies for groups that are at a greater risk of gender-based violence and its impacts.
- 5. Life stages Women and children experience gender inequality and violence differently throughout the stages of their lives. The City will take into account the impact that stage of life has on women and girls financial security, health and wellbeing when planning policy and programs and ensure that their voices are valued and heard.
- 6. Evidence and innovation We are committed to evidence-informed practice, which is guided by research and theory, and effective monitoring and evaluation. We also recognise that innovation in the promotion of gender equity and prevention of violence against women should be pursued. We will facilitate creativity and welcome tests, pilots and experiments.

7. **Collaboration** To prevent violence against women and children we must work together in partnerships with the community that we serve and carry out collaborative and participatory processes to support the sharing of knowledge, skills, resources and influence.

### Context

Maribyrnong City Council has a long history of undertaking innovative and sector-leading work in the promotion of gender equity and prevention of violence against women.

As the level of government closest to the community, Victorian Councils have a mandate to create healthy, safe and inclusive communities. As a result of the Victorian Government Royal Commission into Family Violence (RCFV) in 2015, Councils are now required to have an increased focus on family violence prevention and response at a local level through development of municipal public health and wellbeing plans. In particular Councils must report on the measures they propose to take to reduce family violence and respond to the needs of victims.<sup>vii</sup>

### Our community

The city of Maribyrnong is undergoing significant change. Population growth, redevelopment, gentrification, and a transitioning economy is leading to an influx of new residents and businesses. Maribyrnong's multicultural diversity is evident with 40 per cent of residents born overseas and many new arrivals, asylum seekers, and people who identified as Aboriginal or Torres Strait Islanders<sup>viii</sup>. Our city has a relatively young population with many infants and young adults. The population is forecast to grow to approximately 156,000 by 2041.

Gentrification and population growth continue to change the city's demographics through age, cultural background and wealth. Levels of income, education, employment have risen over the last decade. High population growth provides great opportunities for retail, services, land use and economy on a larger scale and quality. Conversely, it also provides great challenges in identifying service need and adjusting provision to meet demand whilst managing congestion, urban growth, liveability and promoting health equity.

### Violence and gender inequality in our community

Our local data is compelling. In Maribyrnong, 611 women reported family violence incidents to police in 2017, which equates to about 12 reports every week and approximately 1.6 reports every day.<sup>ix</sup> We also know that police referrals only account for approximately 25% of all referrals to family violence services.<sup>x</sup> So whilst compelling, our current data does not fully capture the scale of the issue in our municipality.

In addition, gender inequality persists in our community; women currently earn 14.6% less than men<sup>xi</sup> and retire with half the superannuation and savings. As a consequence, women face greater risk of economic insecurity in retirement, are more likely to live in poverty<sup>xii</sup> and are at greater risk of homelessness than men.<sup>xiii</sup>

Furthermore, women in Maribyrnong make up 84 per cent of lone parents (compared to 16% who were men), they do three times the amount of unpaid work<sup>xiv</sup> and only half of women work full time compared to two-thirds of men.<sup>xv</sup>

Women also have differing health and wellbeing needs to men. Only a third of women in Maribyrnong get enough exercise, a quarter have experienced depression or anxiety (compared to one in five for men), and women were also less likely to report feeling safe walking at night when compared to men.<sup>xvi</sup>

We also know that violence is experienced differently by different women and groups;

- Aboriginal and Torres Strait Islander women experience higher rates and more severe forms of violence than non-indigenous women,<sup>xvii</sup>
- Women with disabilities experience violence at significantly higher rates, more frequently, for longer, in more ways and by more perpetrators compared to women and girls without a disability.<sup>xviii</sup>
- 18-24 year old women experience higher rates of physical and sexual violence than older women.<sup>xix</sup>
- Women are at an increased risk of experiencing violence from an intimate partner violence during pregnancy and post-partum.<sup>xx</sup>
- Women from culturally and linguistically diverse (CALD) backgrounds experiencing family violence are particularly vulnerable. An already difficult situation is accentuated by language difficulties, unfamiliarity with service systems, social dislocation due to immigration, alienation from culture and community, grief related to experiences of torture and trauma and limited culturally appropriate services<sup>xxi</sup>; and
- People who identify as Lesbian, Gay, Bisexual, Trans, Intersex, Asexual and Queer (LGBTIQA+) experience intimate partner violence at similar rates as those who identify as heterosexual <sup>xxii</sup> and experience high rates of discrimination and inequality in daily life. However, violence in the LGBTIQA+ community is not well understood and is often ignored.

In addition, these groups face significant barriers in accessing support services that are inclusive and responsive to their needs.

### Council's role

Local government can make a difference because its reach across the community where people live, work, learn and play, from birth to old age, is unrivalled. As a large employer, advocate, service provider and leader, local government has the capacity to influence many of the determinants of health and wellbeing, including gender.

Council can work to prevent violence against women in practical ways through our role in:

- Local leadership
- Planning
- Developing facilities and creating safe public environments

- Service provision; and
- As an employer and procurer.

Local Government community services such as maternal and child health, early childhood services, youth services and positive aging, also work directly with individuals at risk or experiencing violence, and are an essential part of the family violence response system.

### Our framework and approach

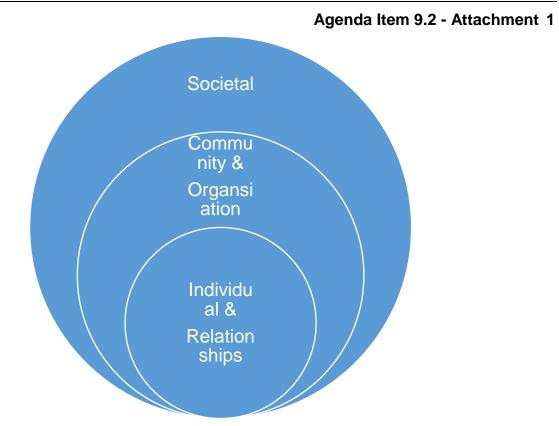
This Strategy takes a primary prevention approach drawn from public health and health promotion theory and practice. Distinct from response or early intervention actions, primary prevention takes action before violence occurs.<sup>xxiii</sup>

Our framework (Table 2. Below) Change the Story: A shared framework for the primary prevention of violence against women and their children in Australia (Our Watch et al. 2015) presents an evidence-based approach to guide our work and redress the key gendered drivers of violence against women. It identifies four drivers of violence against women that are associated with five essential actions that work to prevent violence.

Gendered drivers of violence against women	Essential actions that will prevent violence
<ul> <li>Condoning of violence against women</li> <li>Men's control of decision making and limits to women's independence</li> <li>Stereotyped constructions of masculinity and femininity</li> <li>Disrespect towards women and male peer relations that emphasise aggression</li> </ul>	<ul> <li>Challenge condoning of violence against women</li> <li>Promote women's independence and decision- making</li> <li>Challenge gender stereotypes and roles</li> <li>Strengthen positive, equal and respectful relationships; and</li> <li>Promote and normalise gender equality in public and private life.</li> </ul>

### Table 2: Strategy framework; adapted from the Change the Story (OurWatch, 2015)

The socio-ecological model (Figure 1.) presents a useful way to understand how violence against women occurs. The model illustrates the dynamic interrelations between individual, organisational, community, systemic and social factors, recognising that a person's behaviour does not occur in a vacuum.



### Figure 1: Socio-ecological model (adapted from VicHealth 2007 and Women's Health West 2017)

The socio-ecological model illustrates that local government actions can be focussed at all levels, for example:

- The Individual level relates to Council services that have direct contact with residents such as maternal and child health services and local laws teams;
- The Relationship level relates to those settings and programs that seek to promote healthy relationships and gender equity, such as programs implemented by children's, youth and family services;
- The Community level relates to the settings such as schools, sporting venues, arts and culture, workplaces and neighbourhoods in which social relationships occur;
- The Organisation level relates to our role as a large local employer and leader that can role model gender equity and the prevention of violence; and
- The Societal level relates to health, economic and social policies and our approach to communications, which drives community attitudes and stereotyped constructions of masculinity and femininity.

In addition, we recognise that there are a number of reinforcing factors that do not cause, but can contribute to, or exacerbate, violence. These include financial pressures, alcohol and other drug abuse, risky or problem gambling, mental illness, social and economic exclusion and previous exposure to violence.<sup>xxiv</sup> It is important that our approach takes these factors into account and aligns with Council's existing work and health policies relating to alcohol and other drugs, gambling, social inclusion, economic development and early years and youth services.

### Partnerships & Collaboration

The Strategy acknowledges that Council cannot achieve our vision on our own; gender inequality, family violence and violence against women are complex social problems that do not have an easy fix. To be successful in overcoming inequality and violence, we need to work collaboratively across the organisation and in partnership with other local stakeholders to make the most of partners' knowledge, skills, expertise and resources and to achieve the best outcomes for the community.

We are committed to *Preventing Violence Together 2030: Western Region Strategy to Prevent Violence Against Women*, which is led by Women's Health West. *Preventing Violence Together 2030* partner organisations from across the region have committed to work together to preventing violence against women, using a collective impact approach.

In addition, we are committed to the Western Integrated Family Violence Committee (WIFVC) and Action for Equity: A sexual and reproductive health strategy for Melbourne's west 2018-2022, also led by Women's Health West.

### **Objectives and Strategies**

The following evidence-based objectives and strategies outline how we plan to meet the requirements for local government that have come from the 2015 Royal Commission into Family Violence. They also outline how we will achieve our vision: *where all people in Maribyrnong flourish and live free from violence and discrimination and have equal status, rights, opportunities, representation and respect, regardless of their gender.* 

The Gender Equity Strategy 2030 will be accompanied by detailed 2-year action plans. The city will make amendments to the Strategies and Actions as novel State legislation becomes enacted (such as the Victorian Government Gender Equality Bill, currently in draft).

Objective 1: Strengthen our response to violence against women and family violence

**Strategy 1.1:** Ensure that our services are equipped to respond effectively to violence against women and family violence

**Strategy 1.2:** Encourage help seeking and provide accessible information about family violence services across Council service touch points.

**Objective 2:** Work alongside the community to prevent violence and normalise gender equality in public and private life.

**Strategy 2.1:** Increase the community's awareness and understanding of gender inequality, family violence and violence against women, and their role in primary prevention.

**Strategy 2.2:** Decrease attitudes and behaviours within the community that condone violence against women and perpetuate gender inequality.

**Strategy 2.3:** Strengthen the commitment and capacity of the community to challenge rigid gender roles and gender stereotypes.

**Strategy 2.4:** Strengthen positive, equal and respectful relationships through Council educations programs, services and resources.

**Objective 3:** Increase women's independence and role in decision making

**Strategy 3.1:** Support and encourage local women from diverse backgrounds to become Councillors and take on other leadership roles in the community

**Strategy 3.2:** Celebrate the contribution, achievements and leadership of women within the community and organisation

Strategy 3.3: Support women's financial independence and participation in community life

**Objective 4: 1.** Ensure that the development of policy, programs and services considers the specific impacts on the health, wellbeing and safety of women and men.

**Strategy 4.1:** Increase the use of sex disaggregated data to inform Council policies, plans and programs.

**Strategy 4.2:** Apply an intersectional gender lens to our community consultation activities to capture the perspectives and needs of all community members.

**Strategy 4.3:** Align the Gender Equity Strategy 2030 and Actions with internal, regional and state Gender Equity and PVAW strategies.

**Strategy 4.4:** Develop a monitoring and evaluation framework with clear evaluation points for the life of the Strategy.

**Objective 5:** Increase the number of safe and gender-equitable facilities and public environments to facilitate equal participation in Community and civic life.

**Strategy 5.1:** Increase use of gender analysis and sex disaggregated data in planning and advising on the public realm, land use, facilities planning and parks and open space.

**Strategy 5.2:** Apply universal design<sup>xxv</sup> and crime prevention through environmental design (CPTED)<sup>xxvi</sup> principles when planning and upgrading community facilities, infrastructure and public environments.

**Strategy 5.3:** Take steps to increase the number of women and children using active transport (walking, cycling, and public transport).

### **Objective 6:** Take steps to be a safer and more gender equitable organisation.

**Strategy 6.1:** Demonstrate ongoing commitment to preventing violence against women and children and have structures, strategies and policies that explicitly promote gender equality.

**Strategy 6.2:** Embed gender equality in our recruitment, remuneration and promotion processes, and support women and men to utilise flexible work options without penalty.

**Strategy 6.3:** Take steps to make sure that all staff feel safe and confident in the workplace. Actively challenge gender stereotypes, roles and norms.

**Strategy 6.4:** Increase the gender balance in leadership positions across all directorates of Council

**Strategy 6.5:** Ensure that we have the structures, practices and culture to respond appropriately to staff and stakeholders affected by violence, bullying and sexual harassment.

**Strategy 6.6:** Utilise media and communication opportunities to promote non-stereotypical gender roles and raise awareness of gender equity and violence against women.

### How the Strategy was developed

In early 2018, a reference group of internal stakeholders was recruited from across Council to inform the development of the Strategy, test the proposed consultation approach and act as internal peer reviewers.

A consultant was recruited to prepare a Background Report, facilitate stakeholder engagement and to report on the consultation outcomes. The Background Report explored and made recommendations relating to Council's previous work, promising practice within the Local Government sector, and statistics and evidence that apply to our municipality.

To capture the perspectives of internal stakeholders, we ran in-depth consultation with staff from across the organisation via a series of four workshops. The workshops explored four themes; early intervention and our current response to violence, prevention, council's role in building safe and gender-equitable places and spaces and the workplace. Staff that were unable to attend the workshops were invited to complete an online survey that aligned with the face-to-face consultation workshops.

The draft Strategy will be presented to our regional partners, key stakeholders and community for comment before the document is finalised.

### Implementation and evaluation

By tracking progress and reporting on the impact and outcomes of the Strategy, we will be able to strengthen our evidence base and encourage a culture of learning and improvement.

The strategy will be accompanied by bi-annual action plans. In line with Municipal Public Health and Wellbeing Plan (MPHWP) reporting requirements, an annual progress report will be submitted to the Department of Health and Human Services and made publically available.

A detailed Evaluation Plan will be developed to accompany the Strategy in early 2019. We will monitor trends in population level outcomes over the life of the plan and review and amend our actions accordingly. Figure 2. (below) lists some key evaluation milestones that will occur across the life of the Strategy. We will apply the following three levels of evaluation at defined intervals:

- Progress Have we done what we said we would do?
- Impact Are we having the influence we expected?
- Outcome Have we achieved the change we sought?

In addition, the evaluation of the Strategy will align with the Preventing Violence Together 2030 Shared Measurement and Evaluation Framework: Implementation Plan (2018) and associated projects, as well as the Victorian Public Health and Wellbeing Outcomes Framework (2016)<sup>xxvii</sup> and other relevant Victorian Legislation (such as the Gender Equality Bill, currently in draft).

The implementation and evaluation of the strategy will be overseen by Council's Health and Wellbeing Development team and supported by the Gender Equity Ambassador, a role appointed to a Maribyrnong Councillor at the beginning of each four-year Council term.

### Gender Equity Strategy Evaluation Timeline



Figure 2: Gender Equity Strategy Evaluation Timeline

### Glossary

### Family violence:

The Victorian Family Violence Protection Act 2008 defines family violence as:

'(a) behaviour that is physically, sexually, emotionally, psychologically or economically abusive; threatening or coercive; or in any other way controls or dominates the family member and causes them to feel fear for the safety or wellbeing of that family member or another person; or (b) behaviour by a person that causes a child to hear or witness, or otherwise be exposed to the effects of, behaviour referred to in paragraph (a)'.

### Family:

Our use of the term 'families' is all encompassing. It acknowledges the variety of relationships and structures that can make up family units and kinship networks, and the range of ways family violence can be experienced, including through family-like or carer relationships and other interpersonal relationships, and across all genders and sexualities.

### Violence against women:

Any act of gender-based violence that results in, or is likely to result in physical, sexual and psychological harm or suffering to women, including threats of such acts, coercion, or arbitrary deprivation of liberty, whether occurring in public or private life. It can also include financial abuse, the use of intimidation, threats and isolation.<sup>xxviii</sup>

### Sex:

Sex refers to a person's biological characteristics. A person's sex is usually described as being male or female. Some people may not be exclusively male or female, or may not identify with either category.

### Gender:

Refers to the socially constructed roles, behaviours and attributes that society considers appropriate for women and men. Unlike the biological characteristics and differences between women and men known as sex, gender roles are socially learnt, differ among cultures and change over time.

### Gender identity:

How people feel about themselves in relation to their biological sex and society's expectations of our behaviours and roles as a male or female.<sup>xxix</sup>

### Gender expression:

How people present themselves to the world and how they express their masculine and feminine qualities to communicate their gender outwardly.

### Gender equality:

As defined in Victoria's Gender Equality Plan<sup>xxx</sup>, gender equality is "the equal rights, responsibilities and opportunities of women, men, trans and gender diverse people. Equality

does not mean that women, men, trans and gender diverse people will become the same, but that their rights, responsibilities and opportunities will not depend on their gender."

### Gender equity:

The process of delivering on fairness to women and men. The concept recognises that within all communities, women and men have different benefits, access to power, resources and responsibilities. It takes into consideration the differences in women's and men's lives and recognises that different approaches to achieving gender equity may be needed to produce outcomes that are fair. In other words, strategies and measures must be available to compensate for women's historical and social disadvantages and ensure that women are living and participating on an equal basis. Gender equity leads to gender equality.

### Primary prevention:

A primary prevention approach is a long-term agenda that aims to prevent violence from ever happening in the first place. Primary prevention works by identifying the deep underlying causes of violence – the social norms, structures and practices that influence individual attitudes and behaviours – and acting across the whole population to change these, not just the behaviour of perpetrators. Primary prevention is distinct from early intervention and crisis response activities (also known as secondary and tertiary response) that aim to stop violence from escalating or recurring. An effective primary prevention approach will support and complement early intervention and crisis response efforts and activities by reducing pressure on these other parts of the system.

### Gendered drivers:

The specific elements or expressions of gender inequality that are most strongly linked to violence against women. They relate to the particular structures, norms and practices arising from gender inequality in public and private life. The gendered drivers are the underlying causes required to create the necessary conditions in which violence against women occurs. They must always be considered in the context of other forms of social discrimination and disadvantage.

### Structural discrimination and disadvantage:

The norms, policies and systems present in politics, the legal system, education, workplaces and health care that are intended to be neutral, but in effect present obstacles to groups or individuals in achieving the same rights and opportunities available to the majority of the population.

### Sex disaggregated data:

Data that is collected and presented separately for men, women and gender diverse.

### Intersectionality:

Gender, ethnicity, ability, sexual orientation, gender identity, religion or age, can interact on multiple levels to create overlapping forms of discrimination and power imbalances which compounds the risk of experiencing family violence. This often results in simultaneous and compounding experiences of discrimination and disadvantage for particular groups and communities, including women

### References

<sup>1</sup> Department of Health and Human Service, 2018

<sup>1</sup> Australian Institute of Health and Welfare, 2018

- <sup>1</sup> Workplace Gender Equality Agency, 2018
- <sup>1</sup> Workplace Gender Equality Agency, 2017
- <sup>1</sup> Victorian Government, 2016
- <sup>1</sup> <u>MAV, 2017</u>

<sup>1</sup> Victorian Royal Commission into Family Violence, 2017. Final Report. Victorian Government, Melbourne.

<sup>1</sup>idcommunity demographic resources. 2018 (based on 2016 census data)

https://profile.id.com.au/maribyrnong/birthplace

- <sup>1</sup> Crime Statistics Agency, 2017
- <sup>1</sup> Southsafe, 2017

<sup>1</sup> Workplace Gender Equality Agency, 2018

- <sup>1</sup> Workplace Gender Equality Agency, 2017
- <sup>1</sup> Homelessness Australia, 2013
- <sup>1</sup> Women's Health Atlas Victoria, 2018
- <sup>1</sup> Women's Health Atlas Victoria, 2018
- <sup>1</sup> Women's Health Atlas Victoria, 2018
- <sup>1</sup> OurWatch, 2018
- <sup>1</sup> Australian Human Rights Commission, 2018
- <sup>1</sup> OurWatch, 2018
- <sup>1</sup> Australian Institute of Family Studies, 2018
- <sup>1</sup> Australian Institute of Family Studies, 2017
- <sup>1</sup> DVRCV, 2015
- <sup>1</sup> Preventing Violence Together 2030, Women's Health West, 2017
- <sup>1</sup> OurWatch et al., 2015
- <sup>1</sup> http://sport.vic.gov.au/universal-design-fact-sheet
- <sup>1</sup> <u>https://aic.gov.au/publications/crimprev/cpted</u>

<sup>1</sup> https://www2.health.vic.gov.au/about/publications/policiesandguidelines/victorian-public-health-and-wellbeing-outcomes-framework

<sup>1</sup> https://plan4womenssafety.dss.gov.au/resources/what-is-violence-against-women/

<sup>1</sup> <u>The Line, 2018</u>

<sup>1</sup> State Government of Victoria, *Free from Violence: Victoria's Plan to prevent family violence and all forms of violence against women*, Department of Premier and Cabinet, Melbourne, Australia.

### Agenda Item 9.3

### RE-ESTABLISHING THE MARIBYRNONG ARTS AND CULTURE ADVISORY COMMITTEE (TO BE KNOWN AS THE ARTS AMBASSADORS COMMITTEE)

Director:	Clem Gillings Director Community Services
Author:	Michael Byrne Manager Community Learning and Libraries

### PURPOSE

To present the Terms of Reference for the Maribyrnong Arts Ambassadors Committee (formally known as the Arts & Culture Advisory Committee) to Council for consideration.

### **ISSUES SUMMARY**

- Council's former Arts and Culture Committee dissolved in 2015.
- The newly endorsed Arts and Culture Strategy 2018 2023 Action 7.5 is to develop Terms of Reference for this Committee in line with the Strategy, with future membership being proposed to Council.
- A new structure is proposed for this Committee, with between 6 10 community members and nominated Councillors. Various Council Officers will provide administrative support.
- It is proposed that the Committee be renamed to the Maribyrnong Arts Ambassadors Committee. As well as being a vehicle for gauging community feelings on arts and cultural issues, this name change reflects the Committees new focus of acting as an advocate for the arts and assisting Council to inform the community when appropriate, of matters pertaining to the arts.

### ATTACHMENTS

1. Maribyrnong Arts Ambassadors Committee - Terms of Reference J

### **NEXT STEPS**

### That Council:

- 1. Endorse the Terms of Reference for the Maribyrnong Arts Ambassadors Committee.
- 2. Endorse an Expression of Interest process seeking candidates for the Maribyrnong Arts Ambassadors Committee, with future membership to be approved by Council.

# BACKGROUND

Maribyrnong is home to many arts organisations, creative industry businesses and artists at all stages of professional development, from emerging to mid-career and established artists. Council wishes to harness this talent within our city and in line with the newly established Arts and Culture Strategy 2018 – 2023 endorsed Year One Action 7.5, develop new Terms of Reference for Council's Arts and Culture Committee in line with the Strategy.

The former Arts and Culture Committee has not met since 2015 when the committee dissolved. As an Advisory Committee for Council, the Maribyrnong Arts & Culture Advisory Committee is no longer a functioning entity and is no longer a viable way of gauging community feelings on arts and cultural issues or obtaining considered advice to meet the future arts and culture needs of our community.

# DISCUSSION/KEY ISSUES

# 1. Key Issues

In forming these Terms of Reference Council has benchmarked the Arts Advisory Committees of a number of Victorian Councils including Darebin City Council, City of Moonee Valley, Knox City Council, City of Casey, Banyule City Council and Melbourne City Council. The proposed Terms of Reference puts forward that the Committee be renamed to the Maribyrnong Arts Ambassadors Committee. This is in line with a number of other Council's. As well as being a vehicle for gauging community feelings on arts and cultural issues, this name change reflects the Committees new focus of acting as an advocate for the arts and assisting Council to inform the community when appropriate, of matters pertaining to the arts.

The core responsibilities of the Maribyrnong Arts Ambassadors Committee are to:

- Provide advice on the development, implementation and review of Council's Arts and Cultural policies and strategies, and other policies and strategies that may have an impact on the arts and cultural life in the City;
- Assist Council in engaging key stakeholders on issues associated with the Arts and Culture portfolio;
- Provide a forum to develop and strengthen partnerships between Council, community, artists, arts organisations and private industry in generating arts and cultural experiences and opportunities in the City;
- Provide advice and act as a community reference point for community or cultural infrastructure projects where integrated arts outcomes are intended;
- Guide Council on best practice arts, public art and cultural development; and
- Provide support and guidance on Council's arts programs and projects.

The proposed Terms of Reference stress that the Committee is an advisory body only and not a decision-making body. It is proposed the Committee membership be made up of a Councillor, as appointed by Council (who will act as the Committee Chairperson) and between six (6) and ten (10) Ambassadors. Various Council Officers will provide administrative support. It is recommended that Ambassadors are appointed for two (2) year terms, with four (4) meetings per year. This flexibility in the number of Ambassadors will allow for possible drop off in participation without the need to rerecruit new members. Membership will be endorsed by Council following an Expression of Interest with selection based on the following criteria:

- Demonstrated knowledge of and commitment to Arts and Culture at a local, state, national or international level;
- Understanding and interest in local government issues;
- A broad representation of the community will be sought, based on ensuring a balance of gender, sexual orientation, age range, cultural diversity, experience (from amateur to professional artists/art workers) and a balance of arts and cultural disciplines.

For more information please refer the Maribyrnong Arts Ambassadors Committee Terms of Reference (attached).

# 2. Council Policy/Legislation

# Council Plan 2017-2021

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Healthy and inclusive communities provide and advocate for services and facilities that support people's wellbeing, healthy and safe living, connection to community, cultural engagement and whole of life learning.
  - Strong leadership lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

# Legislation

N/A

# **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

# Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

# 3. Engagement

The purpose of the Maribyrnong Arts Ambassadors Committee is authentic engagement with the community, providing an opportunity for the community to guide the development, implementation and review of Council's Arts and Cultural policies and strategies, guide Council on best practice arts, public art and cultural development, and provide support and guidance on Council's arts programs and projects.

# Agenda Item 9.3

As a Year One Action 7.5 of the Arts and Culture Strategy 2018 – 2023 this is based on significant consultation with the community. In all, over 300 hours of consultation took place in developing the strategy with over 130 organisations and individuals contributing.

# 4. Resources

Implementation is within the current resources of the Arts and Culture Unit.

# 5. Environment

N/A

# CONCLUSION

Council's Arts and Culture Strategy 2018 – 2023 supports the development of new Terms of Reference for an Arts Advisory Committee in line with the strategy (Action 7.5) and also supports fair payment for artists (Action 7.4). Once established the Maribyrnong Arts Ambassadors Committee will strengthen relationships with arts organisations, creative industry businesses, artists and a range stakeholders as well as assist in gauging community feelings on arts and cultural issues. In addition a new focus for this Committee will see members act as advocates for the arts, assisting Council by providing information to the community, of matters pertaining to the arts.



# Maribyrnong Arts Ambassadors Committee Terms of Reference

#### 1. Definition

- Chairperson means the Councillor as appointed by Council
- Committee means the Maribyrnong Arts Ambassadors Committee
- Ambassador means an individual member or members of the Committee, who are not Councillors or Council Officers
- Council means Maribyrnong City Council
- Councillor means a Councillor of Maribyrnong City Council
- Council Officers means employees of Maribyrnong City Council

#### 2. Role and Responsibilities

The role of an Ambassador is to support Council by providing feedback and considered advice on issues requiring further discussion in meeting the future arts and culture needs of our community. In addition Ambassadors will provide feedback regarding the creation and implementation of various Council policies and strategies. The role of Ambassador is also to support Council as an advocate for the arts, to inform the community, when appropriate, of matters pertaining to the arts and to help disseminate key Council information. Ambassadors will be encouraged to undertake and/or participate in Arts and Cultural projects and attend arts events that are relevant.

The core responsibilities of the Committee are:

- Provide advice on the development, implementation and review of Council's Arts and Cultural policies and strategies, and other policies and strategies that may have an impact on the arts and cultural life in the City
- Assist Council in engaging key stakeholders on issues associated with the Arts and Culture portfolio
- Provide a forum to develop and strengthen partnerships between Council, community, artists, arts organisations and private industry in generating arts and cultural experiences and opportunities in the City
- Provide advice and act as a community reference point for community or cultural infrastructure projects where integrated arts outcomes are intended
- Guide Council on best practice arts, public art and cultural development
- Provide support and guidance on Council's arts programs and projects

#### 3. Committee Membership

- The Committee will be comprised of a Councillor, as appointed by Council (who will act as Committee Chairperson) and between six (6) and ten (10) Ambassadors
- The Committee may form working groups related to specialist areas
- Additional persons may be invited to attend Committee and/or working group meetings at the discretion of the Committee or Council Officer
- Council Officers, including but not limited to, Manager Arts, Community Learning and Libraries, and Arts and Culture Coordinator as well as officers from across Council may attend as required
- Various Council Officers will provide administrative support

- In the event of the Chairperson being unable to attend a meeting, an alternate delegate will act in their place. In most cases this will be the most senior and/or relevant Council Officer in attendance
- Selection Criteria for the appointment of Ambassadors includes
  - Demonstrated knowledge of and commitment to Arts and Culture at a local, state, national or international level
  - Understanding and interest in local government issues
  - A broad representation of the community will be sought, based on ensuring a balance of gender, sexual orientation, age range, cultural diversity, experience (from amateur to professional artists/art workers) and a balance of arts and cultural disciplines

#### 4. Process for Selection of Ambassadors

- All Ambassadors will be selected via a nomination process
- An advertising campaign will take place to call for new Ambassadors which will include advertisements on Council's website and in local newspapers
- Former Ambassadors of this Committee, or other Council Committees may reapply for membership
- Following the closure of nominations, an assessment panel made up the Chairperson and two (2) Council Officers will be convened to decide on the selection of Ambassadors to fill vacancies
- Ambassadors must have a connection with the City of Maribymong e.g. live, work, study or another demonstrated affiliation
- 5. Terms of Appointment
- The term of the appointment is for a period of two (2) years
- An Ambassador may resign at any time by advising Council Officers of their resignation in writing. Should the number of Ambassadors fall below the required minimum number (i.e. six (6) Ambassadors) Council will be responsible for appointing a person or persons to fill the vacancy for the remainder of the term and may refer to previous nominations
- If an Ambassador is absent for more than three (3) consecutive meetings or fifty percent (50%) of held meetings, without explanation or approval, Council Officers may declare the position vacant
- Council Officers may terminate an Ambassadors appointment, declare the position vacant and seek to appoint a new Ambassador, should an Ambassador breach the terms of reference

#### 6. Conduct of Meetings

- The Committee shall meet as a minimum every four (4) months. Potential working groups to meet as required
- A quorum of no less than fifty percent (50%) of Ambassadors (excluding Chairperson, Council Officers) will be required for a meeting to be held
- An agenda for meetings held, will be delivered to each Ambassador a week prior to the date of each meeting

#### 7. Decision Making

- The Committee will seek to operate on a consensus basis, in an advisory capacity to Council
- Ambassadors' contributions and input is valued by Council however the Committee is not a decision-making body. Council receives information from a wide range of stakeholders and all information will be considered
- Should a vote be necessary, all Ambassadors will have voting rights. Council Officers will not have voting rights

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#### 8. Limitations of Ambassadors

- The Ambassadors' role is to provide advice to Council and may only act within the Terms of Reference. Ambassadors have no authority to
  - Expend money on behalf of Council
  - Commit Council to any arrangement
  - Consider any matter outside its specific remit; and/or
  - Direct Council Officers in the performance of any duties
- Ambassadors cannot make public statements on behalf of Council or the Committee without prior approval of Council

#### 9. Conflict of Interest

- An Ambassador is considered to have a conflict of interest if they
- Have a direct or indirect commercial interest in the matter; or
- It is perceived that their interest in the matter may conflict with their proper performance of duties in respect to the matter
- If an Ambassador has a conflict of interest with a matter that is to be, or is likely to be, discussed at a Committee meeting, the member must disclose the nature of the conflict of interest prior to the discussion
- While any discussion or vote is taken relating to the matter in question, the Ambassador must
  - Leave the room and notify the Chairperson that they are doing so; and
  - Remain outside the room or other area in view or hearing of the room

#### 10. Confidentiality

- Information discussed, received, used or created by the Committee is confidential, unless otherwise stated by the Chairperson
- An Ambassador must not disclose, discuss or make public confidential information, unless authorised by Council Officers
- An Ambassador must not permit any person who is not a member of the Committee to view, read, and photocopy, make notes of or in any way record confidential information, unless authorised by Council Officers

#### 11. Review

- Council retains the right to review, amend or alter the operations and membership of this Committee as it deems appropriate and necessary
- These terms of reference may be reviewed by Council from time to time to suit changing circumstances

# FOOTSCRAY PARK REGULATIONS UPDATE

Director:	Nigel Higgins Director Planning Services
Author:	Matt Slavin Manager City Design

# PURPOSE

To present options to update the regulations for Footscray Park.

# **ISSUES SUMMARY**

- Footscray Park has historic regulations with limited relevance to the current use and management of the land (eg no bicycles, cricket, football, tennis, or lacrosse without the written permission of Council, open to the public (only) from sunrise to sunset, and no orange peel allowed (amongst many other things).
- Department of Environment, Land, Water and Planning (DELWP) have provided options to create a reservation appropriate and reflective of current and future uses.
- DELWP agrees that Council is the appropriate government agency to manage Footscray Park.
- It is recommended that a request be made to DELWP requesting that DELWP commence the necessary statutory procedures to update the regulations.

# ATTACHMENTS

1. Footscray Park Land Title Documents <u>J</u>

# Agenda Item 9.4

# **OFFICER RECOMMENDATION**

That Council:

- 1. Note the outcome of consultations with the Department of Environment, Land, Water and Planning (DELWP).
- 2. Resolve to surrender ownership of the land in Crown Allotment 5 Section 15 Parish of Cut-Paw-Paw (for nil consideration) on the condition that DELWP:
  - a. Reserves the land for a 'public' or 'municipal' (or similar) purposes
  - b. Appoints Council as committee of management under s 14 of the *Crown Land (Reserves) Act 1978.*
- 3. Resolves to amend the existing reservation of the land in Crown Allotment 4A Section 15 Parish of Cut-Paw-Paw from 'conservation, recreation, leisure and tourism' to a broader 'public' or 'municipal' purpose so as to be consistent with the reservation under paragraph 2(a) above.

# BACKGROUND

The search of the titles to Footscray Park show that Footscray Park is made up of two separate land parcels, as follows:

- 1) Crown Allotment 4A Section 15 Parish of Cut-Paw-Paw (Crown Land), which is temporarily reserved for conservation, recreation, leisure and tourism; and Council is appointed Committee of Management.
- 2) Crown grant volume 3737 folio 336 issued to the City of Footscray and the Board of Land and Works as joint proprietors (Freehold Land), which is described as Crown Allotment 5 Section 15 Parish of Cut-Paw-Paw, permanently reserved for public park and recreation purposes (Government Gazette dated 1 February 1911); permanently reserve from sale (Government Gazette dated 29 March 1911).

Several Crown grant conditions which prohibit leasing or constructing improvements on the land. The Freehold Land's permanent reservation from sale (referred to in paragraph 2.1.3) means that the Crown retains an interest in and element of control over the land.

Council's ownership of the Freehold Land is *further restricted* by Regulations which have been gazetted over many years to govern the use of the Freehold Land, including:

- 1) "The park shall be open to the public from sunrise to sunset."
- 2) "No person shall interfere with or damage in any way the trees, shrubs, or flowers in the Park, nor shall fires be lighted therein."
- 3) "No person shall climb upon or jump over the trees, fences or gates, in or around the Reserve, stick bills thereon, or out or in any way damage the trees, fences, gates or seats, or roll or throw stones or other missiles, or commit any nuisance in the Park or lease therein any bottles, orange peel, paper, cast off clothing, or any litter."
- 4) "No Person shall ride a bicycle in the Park, except by permission of the Council."
- 5) "No Person shall engage in Cricket, Football, Tennis, Lacrosse, or any other like game in the Park without the authority in writing of the Council, less such person is at the time of playing a member of any club which is duly authorised to play therein."
- 6) "No Person shall hawk, or offer for sale in the Park any intoxicating liquors, goods or articles of any description without having previously obtained written permission from the Council".

Many of the Regulations described in paragraph 4 are historic and no longer relevant to the way in which Footscray Park is used by the community now or in the future.

# DISCUSSION/KEY ISSUES

# 1. Key Issues

# Dealing with Crown Land and Freehold Land

Council is considering various proposals for Footscray Park which involve both the Crown Land and Freehold Land.

# Agenda Item 9.4

Difficulties arise in trying to deal with Footscray Park under two different ownership regimes – i.e. freehold ownership subject to conditions and reservations, and reserved Crown land of which Council has been appointed as committee of management.

Council cannot deal with either parcel without the approval of the Crown (through DELWP), however, the approval process and mechanism differs for each parcel.

# Appropriate government agency

DELWP's view is that Council is the appropriate government agency to continue to control and manage Footscray Park, notwithstanding that the Freehold Land is jointly owned by the State government as successor in title to the Board of Land and Works.

DELWP agrees that Council's proposed use and development of Footscray Park for festivals and recreation uses are broadly consistent with DELWP's objectives for the land.

DELWP's view is that:

- the current historical restrictions on the Freehold Land will create unnecessary difficulties for Council and DELWP in implementing Council's proposals;
- it is undesirable to build improvements, and grant rights to third parties, across two parcels of land which are governed by different legislation (namely, the Land Act 1958 and the Crown Land (Reserves) Act 1978);
- DELWP's preference is for Council and DELWP to work together to bring the Crown Land and the Freehold Land under the same legislation, prior to any development or third party rights being granted over the land; and
- modernising the ownership structure would simplify the proposals significantly and achieve the objectives of both Council and DELWP for the long-term management of the land.

# Options

Council could simplify the ownership structure of the land in the following ways:

# **Option 1 - Surrender the Freehold Land to the Crown**

Council could bring the Freehold Land under the operation of the *Crown Land* (*Reserves*) Act 1978 (*CLR Act*), to give it the same legal status as the Crown Land. This would require Council to surrender ownership of the Freehold Land to the Crown (for nil consideration). In return, the Crown would temporarily or permanently reserve the land for public or municipal (or similar) purposes and appoint Council as committee of management.

A surrender to the Crown would:

- remove from title the Crown grant restrictions which currently limit Council's ability to lease or develop the land
- remove the permanent reservation from sale (and the associated Registrar's caveat and Crown folio)
- abolish the regulations which currently impose out-dated restrictions on the use of the land (sunrise to sunset, no bicycles etc.).

Council would then manage Footscray Park as 'one whole park' as committee of management under the *CLR Act*. If this option is pursued, Council may consider

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simultaneously amending the existing reservation of the adjoining Crown Land from 'conservation, recreation, leisure and tourism' to a broader 'public' or 'municipal' purpose so that the two reservations are identical.

# Option 2 - Purchase the land from the Crown

Council may seek DELWP's agreement to transfer ownership of Footscray Park (both the Freehold Land and the Crown Land) to Council on the basis that it is a public asset most appropriately managed at local government rather than State government level. This option would involve:

- the removal of the permanent reservation from the Freehold Land (by an Act of Parliament)
- the revocation of the Committee of Management over the Crown Land
- the transfer of the land to Council.

DELWP would require the land to be transferred to Council for an amount not less than market value, as determined by the Valuer General (having regard to the reservation of the land). If Council proceeds with Option 1 above, it is not precluded from pursuing this option in the future.

# Option 3 - Take no action

It is open to Council to disregard DELWPs preference to resolve the ownership structure of the land and instead work within the current ownership structure and title restrictions. This option is not recommended.

# 2. Council Policy/Legislation

# Council Plan 2017-2021

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Quality places and spaces lead the development of integrated built and natural environments that are well maintained, accessible and respectful of the community and neighbourhoods.

# Legislation

- Crown Land (Reserves) Act 1987
- Land Act 1958.

# **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

# Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

# Agenda Item 9.4

# 3. Engagement

A statutory process with public engagement will be undertaken.

# 4. Resources

The recommended changes would have no financial or resource impact.

# 5. Environment

The proposed changes will have no environmental impact.

# CONCLUSION

It is recommended that Council proceeds with Option 1 above to surrender the Freehold Land to the Crown in return for Footscray Park being appropriately reserved for public or municipal purposes and Council being appointed as committee of management of the land.

If Council resolves to pursue this option, Council officers will prepare a letter to DELWP setting out Council's proposal and requesting that DELWP commence the necessary statutory procedures to give effect to Council's proposal.

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REGISTER SEARCH STATEMENT (Title Search) Transfer of Page 1 of 1 Land Act 1958

VOLUME 03737 FOLIO 336

Security no : 124072443220X Produced 19/06/2018 02:55 pm

CROWN GRANT

#### LAND DESCRIPTION

Crown Allotment 5 Section 15 Parish of Cut-paw-paw.

#### REGISTERED PROPRIETOR

Estate Fee Simple Joint Proprietors BOARD OF LAND AND WORKS THE MAYOR COUNCILLORS AND CITIZENS OF THE CITY OF FOOTSCRAY both of MELBOURNE VIC 3000

#### ENCUMBRANCES, CAVEATS AND NOTICES

REGISTRAR'S CAVEAT AQ282878N 25/09/2017

Any crown grant reservations exceptions conditions limitations and powers noted on the plan or imaged folio set out under DIAGRAM LOCATION below. For details of any other encumbrances see the plan or imaged folio set out under DIAGRAM LOCATION below.

NOTICE as to part Section 57 Transfer of Land Act 1958 COUNTRY ROADS BOARD Y004027W 08/05/1964

#### DIAGRAM LOCATION

SEE TP867045C FOR FURTHER DETAILS AND BOUNDARIES

#### ACTIVITY IN THE LAST 125 DAYS

NIL

Additional information: (not part of the Register Search Statement)

OTHER TITLES WITH INTERESTS AFFECTING THIS LAND 11728/984

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NIL

DOCUMENT END

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<è	Draft Footscray Park & Environs Masterplan	Operational Plan	
Maribyrnong			





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The document is invalid if this cover sheet is removed or altered.

				Aye	enua item 9.4 - Attachin
TITLE P	LAN	EDITION	2	T	P 867045C
ocation of Land Parish : Township: Section:	CUT PAW P	AW	SUBJECT TO THE CONTAINED IN CI OF THIS PLAN	Notations HE RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS CROWN GRANT VOL. 3737 FOL. 336 AND NOTED ON SHEETS 2, 3	
Crown Allotment: Crown Portion: ast Plan Reference					THE DIAGRAM SHOWN ON THIS TITLE PLAN
Derived From : Depth Limitation :		ELOW THE SURFACE			THE DIAGRAM SHOWN ON THIS TILLE PLAN
	D	escription of Land/ Easement Inf	ormation		THIS PLAN HAS BEEN PREPARED BY LAND REGISTRY, LAND VICTORIA FO TITLE DIAGRAM PURPOSES
					COMPILED: Date 22/11/07
					VERIFIED: A. DALLAS Assistant Registrar of Title
					COLOUR CODE Y = YELLOW YH = YELLOW HATCHED
2		τ 41'ε (2606		SALTWATER	
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		as to the land hatched y	ellow by Act	7//2.	
		see Corr. 64/10045. Бара	elines		

LENGTHS ARE IN	Metres = 0.3048 x Feet	
LINKS	Metres = 0.201168 x Links	Sheet 1 of 4 Sheet:

TITLE PLAN

# Agenda Item 9.4 - Attachment 1

TP 867045C

# LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS AS SHOWN ON THE CROWN GRANT

by the Grace of God of the United Kingdom of Great Britain and Ineland and of the Bulb hDominions elender of the Ituth Empour of India Joallowhom the Veyond Hic Geas II werents shall come Greeting WAOICAD the Grown land hereinafter described hassined the commencement of the Act of Janliament of our State of hictoria numbered 149/bung the Land Action) bein tawfully permanintly reserved from pate by he Lovernor of live said State with the advice of the Executive Council of the same for the funness having to appearing and possession of such land has been given NOU KNOU YCH havin order to provide a site for a Riblic Park and Recreation purposes in the City of took can For the hur hoses how in a flot livhich Yark Mecorporation in Vunsaid Gaale called The Mayor Councillors and Citizens of the Cityof Holserar havagreed to Anhrove and m'am fam al is mbn costand expense and without obtaining or being entitled to Alamany/contributioninconnection fromThe Board of Land and Norks)/ Mun own shecial chace for 1.15 Uur Hour lATVrunto#L Vhaenalka dibiànà The Corporations The surface and down to a Hu/leet below the purface of Al Ricce ofland in Mic said Halcontaining neven acres Ihree, roodsand un hachis more on leps being/AllofmenAliveor Geckon heren un the City of Goodsoray Roush of Cut paw paw County of Bounkeddungaled with the measulements and abuttats thereof in themap dutwin in the mary these presents and therein colored yellow Dogether in thall therights members privileges and approverances what sourd to the same belonging or inanguno UOVUACATUUVUIIMEUCDDIhaIIheCorporakonsshallbeenbHed ainina wells for water and to the use and enjoyment of any wells and shungs which may alany hime be upon the said land bud which bupple Hivater water or may hereafter supply water for domestic farming manufacturing D gation flur poses and shall have such rights with resplich to such wells and asthough they held the said land without any limitation as to depth UMAANWUMUUDunAoUstun Howisand Successors all gold and silver and audiferous and argent forous carth and planc, and all milles peamo locies and depivoits containing gold silver copper ten anternony coal and other metal and minerals and mineral oregin upon and under and but hin the boundaries

LENGTHS ARE IN	Metres = 0.3048 x Feet	Sheet 2 of 4 Sheet
LINKS	Metres = 0.201168 x Links	Sheet 2 01 4 Sheet

TITLE PLAN

1

# Agenda Item 9.4 - Attachment 1

TP 867045C

# LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS AS SHOWN ON THE CROWN GRANT

of the land hereby quanted and also reserving to Uslan Hereband Guccessors fier liberh and authority) for Us Our Heins and Guccessors and Our and their (icensees agents and servants at any/kme or kmeshercafter to enter uponth said land and losearch and mine/Hercinfor gold silver/copportinant/mony coal and all other metals and minerals and mineral view and to extract and unave Hurefrom any gold silver and any au is forms and argenti forms carth and stanc copper the lantimony coal and other metals and minerals and mineral or is and to search for and work dispose of and compaway the gold silver copper tin an timonif coal metals minerals and ther, ores and the mines in tals and minorals in upon on under the landhout of manted and for the furposes a foresaid to surkshafts make drives orechmachtheyand to carry on any works and do any other things which may benecessary brund in mining and with all other inter dents that are necessary to be used for HeAcHirly of the said gold silver copper fin an fimony chaland other metals and miniorals and menoral orce, and the working of all mines peams lodes and deposits containing gold silver copper Ain antimonit coaland other motals and minorals and mineral ores in upon or under the land hady (ranfed And also reperving) and excepting) the use of all such hards of the Isaud land as shall be required for making haituray's canals in a tor courses resouvers drains or servers over in upon be Hungh the same with full and fice liberhipofingress equess and requess interout of and upon the said land for such hwipostes And also nowing and excepting unto our subjects and people in the soud State the public use of all such parts of the shed land wishall from time to time be proclaimed as or otherwise become either a main or district toad or other public highway or thorough fare SONAV and 10 MOLA the said land and premises unto the Corporations MOVI and always that the said land is and shall be subject late resumed for mining) purposes under Section 180 of the Sand Action MOVIACA alDO, and we, dother chy expressly) declare that, this Our Royal Grankis and shall be subject to the conditions from signs and declarations hereinafter mentioned (that is to say) That the baid land is and shall be subject, tothe night of any person be highlic holder of a Miner's Right or of a Licence to search for metals or minor also of a Mining Mininal Letise to criter therein and to mine for gold silver coppertin antembry coal and other metals and minerals and mineral ores, and to erectand to accupy mining/plant or machinery thereon in the same manner and under the same conditions and provisions as those on which the holder of a Miner's Right on of a Mining or Mineral Lease had at the date of these presents the right to more for gold and silver in and upon Gown Lands Monald And compensation shall be haid to the Corporations by such person for surface damage tobe done to such land by reason of minung thereon such compensation to be defermined aspriored for the time being by law and the payment thereof to be a condition freeedent to such right of entur And also High Inc saidland herel y granted and the buildings for the fime being thoreon shall be at all. hmethbreafter maintained and used as and for a Public Park und Reseation

LENGTHS ARE IN LINKS TITLE PLAN

# Agenda Item 9.4 - Attachment 1

TP 867045C

# LAND DESCRIPTION INCLUDING RESERVATIONS EXCEPTIONS CONDITIONS AND POWERS AS SHOWN ON THE CROWN GRANT

hurposes and offices and conveniences connected therewith and forno other hurpose what soever And also that the Confionations shall not creet or cruise or formut or allow to be crected on the said land any hoardings structures or contrivances for advertising fun poses or any unbughtly buildingson exclusion And also that the Corporations shall permit and allow the said Ulblic Sark to be mana.god and controlled life commutee considering of pix members kooof whom shall the appointed by the Board of Land and Morks two lythe Council of the said Cilipof Toolsonalf and hvolythe Victoria Kacing Udl-and each of them the said Board Hilsaid Council and the said Club thay from time to time work eithourboth appointments made by it and make a furthour appointment o further appointments to fill any vacancies caused by the respection of any former appointment or appoint then to a by the death An an anon of either or both members of the said Committee appointed by the pail Board the said louncel on the paid Club respectively Thevided nevertheless that habitiding rections extensions or improvements shall be made precled or constructed upon the said land, except of such materials and according hosuch plans specifications and designs as shall have been submitted to and approved by the Conporations Hovedellalpo and we do hereby further declare that if the Corporationshal be dissolved or by any means before exchned and be no longed existent, or phall poundod suffer the said land and premises or any part though tobe used for or applied to any other than the purpose a forevail on tobecome out of pupper order and repair or shall alienal or affempt to alienate in feesimple or for anyliss colate or inforest the said land and premises or any partition pare and except under and in pursuance of some law nouver house for to be in forcowithin the said Grate it shall be lawful for Us Cun Devisand Guesson Wany/honborn on persons.duly/au/houixed.n/haAbchalLby)/hcGoverner.en/ho fied for the time being/admirlub/oung/the Govornmen/koff/ind/souid Glatestone-entor upon Hie said land or any part Hibroof and to hold possessand enjoy)the samea hully gand, of foctually to all interves and purposes as if this year that nothermade cleventh day of November in the year of Our Lord One thousand nehundred and the gleervbling/he day/heloyholahonobeamenhlld to thus Grant TV ACDATTUTUTUTUTUTUTUT veltave canbed Aristhur Grand Aobe bealed at Melbourne th the seal of Our said State. FICOD Own fins Wand well beloved the Hornoyable Son Jahr Madden Kurght mand Goss of the Host Distinguished Prdenof Saint Michael and Sayst School Leutengn't Governer in and over Our said State of the town and is Dependencies in the Commonwealth of Australia.

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THIS PLAN	NIL	RECTIFICATION	AG755168Y	15/9/09	2	SB

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# Agenda Item 9.4 - Attachment 1

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# Crown – Change in Land Administrator

AQ066	\$509	D
21/07/2017	\$0	N1

# Legislation Financial Management Act 1994

Lodged by
Name: SECRETARY TO THE DEPARTMENT OF ENVIRONMENT, LAND, WATER AND PLANNING
Phone:
Address:
Reference:
Customer Code: 240C

The outgoing Land Administrator assigns to the incoming Land Administrator the specific Crown Land subject to the statuses and encumbrances affecting the land including any created by dealings lodged for registration before the lodgement of this notification.

Land: (volume and folio reference, SPI reference and/or Crown description)

Volume 11728 Folio 810 4A~15\PP2478 Crown Allotment 4A Section 15 Parish of Cut-Paw-Paw

Value: (Valuer General Victoria: financial report valuation and date of report) Not Available

Outgoing Land Administrator: (full name – legal entity, not trading name) SECRETARY TO THE DEPARTMENT OF ENVIRONMENT, LAND, WATER AND PLANNING

Incoming Land Administrator: (full name – legal entity, not trading name and address including post code) Maribyrnong City Council

Date: 21/07/2017

Signature of outgoing Land Administrator's Representative Full name: Position: Legal entity: Signature of incoming Land Administrator's Representative Full name: Position: Legal entity:

# 35051411A

# **N1**

# Page 1 of 1 THE BACK OF THIS FORM MUST NOT BE USED

To lodge at Land Use Victoria, please refer to our contact details at www.delwp.vic.gov.au/Property and land titles.

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# Department of Environment and Primary Industries

# **CERTIFICATE OF APPOINTMENT**

# PART OF FOOTSCRAY PARK

# MARIBYRNONG CITY COUNCIL

Under section 14(2) of the Crown Land (Reserves) Act 1978, and pursuant to the delegation of 15 July 2013, I hereby appoint, on behalf of the Minister for Environment and Climate Change, the Maribymong City Council as committee of management over Crown Allotment 4A, Section 15, Parish of Cut Paw-Paw, shown coloured grey on the attached plan, temporarily reserved for conservation, recreation, leisure and tourism purposes by Order In Council dated 4 December 2001 and published in Special Gazette S220 of 4 December 2001.

This appointment is made in lieu of all previous appointments and management agreements relating to the said land which are hereby revoked.

The Maribymong City Council will assume management and landlord responsibilities for all leases and licences issued over the subject reserved Crown land pursuant to the provisions of the *Crown Lond (Reserves) Act 1978*.

File No: 1204172

C

TRAVIS DOWLING Regional Director, Port Phillip Region (As delegate of the Minister for Environment and Climote Change)

Date: 18, 07, 14



# Victoria Government Gazette

No. S 220 Tuesday 4 December 2001 By Authority. Victorian Government Printer

# SPECIAL

#### Crown Land (Reserves) Act 1978

#### CROWN LANDS TEMPORARILY RESERVED

The Governor in Council under Section 4(1) of the **Crown Land (Reserves) Act 1978** temporarily reserves the following Crown lands which in his opinion are required for the purposes mentioned:-

#### MUNICIPAL DISTRICT OF THE CITY OF KINGSTON

MORDIALLOC — Conservation, recreation, leisure and tourism purposes, total area 310.8 hectares, more or less, being the lands in the Parish of Mordialloc comprising Parcels 1 (Crown Allotment 1A, Section 20) and 2 (Crown Allotment 4, Section 21) as shown outlined red on Plan No. LEGL./01-95 lodged in the Central Plan Office.

#### MUNICIPAL DISTRICT OF THE CITY OF CASEY

BERWICK and PAKENHAM — Conservation, recreation, leisure and tourism purposes, total area 132.1 hectares, more or less, being the lands in the Township of Berwick and Parishes of Berwick and Pakenham comprising Parcels 3 to 9 inclusive as shown outlined red on Plan No. LEGL./01-96 lodged in the Central Plan Office.

#### MUNICIPAL DISTRICTS OF THE CITIES OF WHITEHORSE, KNOX and MONASH

NUNAWADING, SCORESBY, MULGRAVE and NARREE WORRAN — Conservation, recreation, leisure and tourism purposes, total area 747.3 hectares, more or less, being the lands in the Parishes of Nunawading, Scoresby, Mulgrave and Narree Worran comprising Parcels 10 to 29 inclusive as shown outlined red on Plan No. LEGL./01-97 lodged in the Central Plan Office.

#### MUNICIPAL DISTRICTS OF THE CITIES OF MARIBYRNONG and MOONEE VALLEY

BRAYBROOK, DOUTTA GALLA and CUT-PAW-PAW — Conservation, recreation, leisure and tourism purposes, total area 128.6 hectares, more or less, being the lands in the Township of Braybrook and Parishes of Doutta Galla and Cut-Paw-Paw comprising Parcels 30 to 39, Parcels 41 to 45 and Parcel 47 inclusive as shown outlined red on Plan No. LEGL./01-98 lodged in the Central Plan Office.

#### MUNICIPAL DISTRICTS OF THE CITY OF YARRA and CITY OF BOROONDARA

JIKA JIKA and BOROONDARA — Conservation, recreation, leisure and tourism purposes, total area 1.71 hectares, more or less, being the lands in the Parishes of Jika Jika and Boroondara comprising Parcels 48 and Parcels 50 to 53 inclusive as shown outlined red on Plan No. LEGL./01-99 lodged in the Central Plan Office.

#### MUNICIPAL DISTRICT OF THE CITY OF BRIMBANK

KEILOR, MARIBYRNONG and DOUTTA GALLA — Conservation, recreation, leisure and tourism purposes, total area 319.6 hectares, more or less, being the lands in the Township of Keilor and Parishes of Maribyrnong and Doutta Galla comprising Parcels 54 to 69 inclusive as shown outlined red on Plan No. LEGL./01-100 lodged in the Central Plan Office.

#### MUNICIPAL DISTRICT OF THE CITY OF HUME

WOLLERT - Preservation of an area of ecological significance and preservation of species of

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Victoria Government Gazette

native plants purposes; total area 23.58 hectares, being the land in the Parish of Wollert comprising Parcel 70 (Crown Allotment 1, Portion 1) as shown outlined red on Plan No. LEGL./01-101 lodged in the Central Plan Office.

#### MUNICIPAL DISTRICT OF THE CITY OF KINGSTON

LYNDHURST — Conservation, recreation, leisure and tourism purposes, area 35 square metres being the land in the Parish of Lyndhurst comprising Parcel 71 (Crown Allotment 101G, No Section) as shown outlined red on Plan No. LEGL./01-102 lodged in the Central Plan Office.

#### MUNICIPAL DISTRICTS OF THE SHIRE OF NILLUMBIK and CITY OF WHITTLESEA

MORANG, KEELBUNDORA and NILLUMBIK — Conservation, recreation, leisure and tourism purposes, total area 798.5 hectares, more or less, being the lands in the Parishes of Morang, Keelbundora and Nillumbik comprising Parcels 72 to 94 inclusive as shown outlined red on Plan No. LEGL./01-103 lodged in the Central Plan Office.

#### MUNICIPAL DISTRICTS OF THE CITY OF WYNDHAM and CITY OF HOBSONS BAY

TRUGANINA and DEUTGAM — Conservation, recreation, leisure and tourism purposes, total area 842.3 hectares, more or less, being the lands in the Parishes of Truganina and Deutgam comprising Parcels 95 to 98 inclusive as shown outlined red on Plan No. LEGL./01-104 lodged in the Central Plan Office.

#### MUNICIPAL DISTRICT OF THE CITY OF KINGSTON

MORDIALLOC - Conservation, recreation, leisure and tourism purposes, total area 38.38 hectares, more or less, being the land in the Parish of Mordialloc comprising Parcel 99 (Crown Allotment 1A, Section 9) as shown outlined red on Plan No. LEGL./01-105 lodged in the Central Plan Office.

#### MUNICIPAL DISTRICTS OF THE SHIRE OF NILLUMBIK and CITIES OF BANUYLE and MANNINGHAM

HEIDELBERG, ELTHAM, TEMPLESTOWE, KEELBUNDORA, NILLUMBIK, WARRANDYTE and BULLEEN — Conservation, recreation, leisure and tourism purposes, total area 891.4 hectares, more or less, being the lands in the Townships of Heidelberg, Eltham and Templestowe and Parishes of Keelbundora, Nillumbik, Warrandyte and Bulleen and comprising Parcels 100 to 138 inclusive as shown outlined red (excluding that portion outlined in blue) on Plan No. LEGL./01-106 lodged in the Central Plan Office.

#### MUNICIPAL DISTRICT OF THE CITY OF MANNINGHAM

BULLEEN — Conservation, recreation, leisure and tourism purposes, area 7791 square metres being the land in the Parish of Bulleen being Crown Allotment 2001 as shown outlined red on Plan No. LEGL./01-108 lodged in the Central Plan Office.

This Order is effective from the date on which it is published in the Government Gazette.

Dated 4 December 2001

Responsible Minister SHERRYL GARBUTT Minister for Environment and Conservation

> HELEN DOYE Clerk of the Executive Council

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Victoria Go	wernment Gazette S 220	4 December 2001 3
	Crown Land (Reserves) Act 1978	
CROWN	LAND (RESERVES) (POINT COOKE COASTAL PARK)	REGULATIONS 2001
	ryl Garbutt, Minister for Environment and Conservation	
Regulations		,
Dated 2 De	cember 2001	
	GARBUTT	
Minister for	r Environment and Conservation	
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#### PART 1-PRELIMINARY

1. Title

These Regulations may be cited as the Crown Land (Reserves) (Point Cooke Coastal Park) Regulations 2001.

#### 2. Objective

The objective of these Regulations is to provide for the care, protection, management and use of the Point Cooke Coastal Park and the preservation of good order in the Point Cooke Coastal Park.

3. Authorising provision

These Regulations are made under section 13 of the Crown Land (Reserves) Act 1978.

#### 4. Commencement

These Regulations come into operation on 4 December 2001.

5. Expiry

These Regulations expire on the day that is 10 years after the day on which they come into operation.

#### 6. Definitions

In these Regulations—

"aircraft" includes aeroplanes, helicopters, gliders, hot air balloons, hang gliders and parachutes;

"authorised officer" has the same meaning as it has in the Crown Land (Reserves) Act 1978;

#### "camp" means-

- (a) to erect, occupy or use a tent or any similar form of accommodation including a swag; or
- (b) to erect, park, occupy or use a caravan, camper van or other movable form of accommodation or temporary structure;

"contractor" includes any sub-contractor of a contractor;

"fauna" means any animal-life which is indigenous to Victoria whether vertebrate or invertebrate and in any stage of biological development and includes any other living thing generally classified as fauna, but does not include humans or fish;

"firearm" has the same meaning as in the Firearms Act 1996;

- "fireplace" means a facility constructed of stone, metal, concrete or other non-flammable material for the lighting and maintaining of fires;
- "flora" means any plant-life which is indigenous to Victoria whether vascular or nonvascular and in any stage of biological development and includes any other living thing generally classified as flora;

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- "life-saving aid" includes any life-saving equipment, life-hook, drag, grapnel, lifebuoy, warning sign, barrier, fire extinguisher, hose or similar equipment;
- "navigational aid" means any lighthouse, navigational dolphin, buoy, beacon, signal, flag or similar equipment and any adjacent supporting structure or post;
- "Parks Victoria" means the body corporate established by Part 2 of the Parks Victoria Act 1998;
- "reserve" means the Point Cooke Coastal Park being the lands in the Parishes of Truganina and Deutgam comprising Parcels 95 to 98 inclusive as shown outlined red on Plan No. LEGL./01-104 lodged in the Central Plan Office temporarily reserved under section 4(1) of the **Crown Land (Reserves) Act 1978** for public purposes, being in particular the purposes of conservation, recreation, leisure and tourism;
- "Secretary" means the body corporate established by Part 2 of the Conservation, Forests and Lands Act 1987;

"stone" has the same meaning as in the Extractive Industries Development Act 1995;

"the Act" means the Crown Land (Reserves) Act 1978;

"vehicle" has the same meaning as in the Road Safety Act 1986;

"vessel" has the same meaning as in the Marine Act 1988.

#### 7. Exemptions from the operation of the regulations

- These Regulations do not apply to any of the following persons when acting in the course of that person's duties—
  - (a) a member of the police force;
  - (b) an authorised officer;
  - (c) a person employed under Part 3 of the **Public Sector Management and Employment Act 1998** or an employee of Parks Victoria;
  - (d) a contractor, volunteer or other person carrying out any work for or acting on the instructions of the Secretary or Parks Victoria;
  - (e) a person dealing with a fire, flood or other public emergency, when authorised to do so by or under an Act of Parliament or regulations made under such an Act.
- (2) A person acting in accordance with a lease, licence, tenancy or permit granted or issued under the Act or an Act relating to Crown land, over any land in the reserve, is not subject to these Regulations, to the extent that the activities authorised by that lease, licence, tenancy or permit are inconsistent with these Regulations.

#### PART 2—POWERS OF MINISTER

#### 8. Areas set aside for particular purposes

- (1) The Minister may determine that a specified area or areas in the reserve be set aside for one or more of the following purposes—
  - (a) the parking of vehicles or particular classes of vehicles;
  - (b) bringing animals into or leaving animals in or allowing animals to remain in that particular part of the reserve;
  - riding, leading or driving horses, donkeys or camels or drawing vehicles by horses, donkeys or camels;
  - (d) leaving horses, donkeys or camels unbridled or unattended;
  - (e) exercising dogs off-lead;
  - (f) the lighting or maintaining of fires or barbecues using liquid or gaseous fuel;
  - (g) the conducting of sporting contests, demonstrations or training classes;

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- (h) the conducting of animal shows or competitions;
- the launching, landing, loading, unloading, mooring or operation of vessels generally or vessels of a particular class;
- (j) the landing, launching, flying, controlling or operating of motorised model aircraft;
- (k) fishing.
- (2) The Minister may-
  - determine the times at which, or the periods during which, each area set aside under sub-regulation (1) may be used for the purpose for which it is set aside; and
  - (b) cause signs or notices to be erected or displayed indicating each area set aside under sub-regulation (1) and the purpose for which the area is set aside.

#### 9. Areas set aside where access is prohibited

- (1) The Minister may determine that a specified area or areas of the reserve be an area or areas where access is prohibited—
  - (a) for the protection of flora or fauna;
  - (b) for the protection of geological, geomorphological, archaeological, cultural or historic features or values;
  - (c) for the planting of trees, shrubs, grass or other vegetation;
    - for the protection of-
      - (i) works; or
      - (ii) catchments; or
      - (iii) water quality of waterways;
  - (e) for the reclamation of land;
  - (f) for the re-establishment of vegetation;
  - (g) for public safety.
- (2) The Minister may-

(d)

- (a) determine the times at which, or the periods during which, access is prohibited to each area set aside under sub-regulation (1); and
- (b) cause signs or notices to be erected or displayed indicating each area set aside to which access is prohibited.

#### 10. Areas set aside where certain activities are prohibited

- (1) The Minister may determine that a specified area or areas in the reserve be an area or areas where the carrying on of all or any of the following activities is prohibited—
  - (a) engaging in a specified sport or a specified recreational activity;
  - (b) possessing or carrying glass bottles, glass containers or glass utensils;
  - (c) possessing alcohol;
  - (d) causing vehicles or vehicles of a particular class to enter or remain in that particular part of the reserve.
- (2) The Minister may—
  - (a) determine the times at which, or the periods during which, the activity is prohibited in each area set aside under sub-regulation (1);
  - (b) cause signs or notices to be erected or displayed indicating each area set aside in which the activity is prohibited.

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#### PART 3—USE AND CONTROL OF THE RESERVE

#### 11. General prohibitions

- A person must not, in the reserve, fell, pick, remove or damage any tree, shrub, plant, wildflower or other vegetation, whether dead or alive.
- (2) A person must not, in the reserve, disturb, harass, capture, kill or injure any animal or destroy, disturb or interfere with the habitat, nest or burrow of any animal.
- (3) A person must not, in the reserve, remove or damage or interfere with any rock or natural feature.
- (4) A person must not, in the reserve, possess any bow, arrow, firearm, poison, trap, snare, net, spear gun, spear or similar implement.
- (5) A person must not, in the reserve, engage in any activity in a manner that may endanger or disturb other persons.
- (6) A person must not, in or from the reserve, do anything which is likely to pollute any waterway or conduct any activity which may pollute water.
- (7) A person must not, in the reserve, remove or interfere with any life-saving aid unless the person does so for the purpose of saving life or in the course of official duties.
- (8) A person must not enter an area in the reserve set aside under regulation 9(1) as an area to which access is prohibited.

#### 12. Signs and structures etc.

- A person must not remove, damage, displace or interfere with a sign, structure or navigational aid in the reserve.
- (2) A person must not, in the reserve, erect or place any structure or any inflatable castle or similar inflatable device.
- (3) Sub-regulation (2) does not apply to a person who-
  - (a) holds a permit to engage in an activity referred to in sub-regulation (2) in the part of the reserve for which the permit is issued; and
  - (b) is acting in accordance with the permit.
- (4) The Minister may issue a permit to a person to engage in an activity referred to in sub-regulation (2) in the whole or any part of the reserve.

#### 13. Commercial activities

- (1) In the reserve a person must not—
  - (a) solicit or collect money; or
  - (b) display any sign or hand out or disseminate any material including a pamphlet or hand bill; or
  - (c) cause or permit the use of any device to generate or amplify sounds (including any loud hailer, public address system or musical instrument) in a way which may disturb other people; or
  - (d) sell, trade or hire, any goods or services, or advertise, offer or display any goods or services for sale, trade or hire; or
  - take any photograph, film, video or audio recording, or make any television or radio broadcast for commercial purposes; or
  - (f) offer or display any vehicle for hire, or carry passengers for reward; or
  - (g) undertake any other commercial activity.
- (2) Sub-regulation (1) does not apply to a person who-
  - (a) holds a permit to engage in an activity referred to in sub-regulation (1) in the

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part of the reserve for which the permit is issued; and

- (b) is acting in accordance with the permit.
- (3) The Minister may issue a permit to a person to engage in an activity referred to in sub-regulation (1) in the whole or any part of the reserve.
- (4) Sub-regulation (1)(f) does not apply to any person operating a commercial passenger vehicle within the meaning of section 86 of the Transport Act 1983.
- (5) In this regulation, "commercial activity" does not include an activity to which regulation 28(1), 29(1) or 30(1) applies.

#### 14. Fire

- (1) A person must not light or maintain a fire or barbecue in the reserve, except in accordance with sub-regulation (2).
- (2) A person may light or maintain a fire or barbecue-
  - (a) if the person does so at a time and during a period when the lighting of fires is not prohibited under any Act; and
  - (b) if the person does so in a fireplace or barbecue provided for that purpose, or in a fireplace or barbecue that is in an area set aside under regulation 8(1) for that purpose.
- (3) If a person lights or maintains a fire or barbecue in an area set aside under regulation 8(1) for that purpose, the person must ensure that—
  - (a) the fire or barbecue is lit and maintained using liquid or gaseous fuel; and
  - (b) the fire or barbecue is contained in an appliance designed and commercially manufactured to use that fuel; and
  - (c) when alight, the fire or barbecue is placed in a stable position; and
  - (d) the ground and airspace within a distance of 3 metres of the fire or barbecue are clear of flammable material.
- (4) A person who has lit or maintained a fire or barbecue in accordance with this regulation must extinguish that fire or barbecue before leaving the place of the fire or barbecue.

#### 15. Vehicles

- A person must not cause a vehicle to enter or remain in any part of the reserve set aside under regulation 10(1) as an area in which it is prohibited to cause vehicles to enter or remain.
- (2) A person must not cause a vehicle of a particular class to enter or remain in any part of the reserve set aside under regulation 10(1) as an area in which it is prohibited to cause vehicles of that particular class to enter or remain.

#### 16. Parking of vehicles

- (1) A person must not park a vehicle in the reserve except-
  - (a) in an area set aside under regulation 8(1) for that purpose; and
  - (b) in accordance with the terms of the determination of the Minister under which the area has been set aside.
- (2) A person must not park a vehicle in an area of the reserve set aside for the parking of vehicles of a particular class unless—
  - (a) that person is parking a vehicle of that class; and
  - (b) that person is acting in accordance with the terms of the determination of the Minister under which the area has been set aside.

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#### 17. Vessels

A person must not launch, land, load, unload, moor or operate a vessel in the reserve except-

- (a) in an area set aside under regulation 8(1) for that purpose; and
- (b) in accordance with the terms of the determination of the Minister under which the area has been set aside.
- 18. Animals
  - A person must not bring an animal into the reserve, or leave or allow an animal to remain in the reserve, except in an area set aside under regulation 8(1) for that purpose.
  - (2) A person must not allow an animal in his or her care and control to stray or wander into the reserve.
  - (3) A person who has an animal in his or her care and control in the reserve must ensure that—
    - (a) the animal is kept under his or her effective control; and
    - (b) subject to regulations 19, 20(2) and 29(3), the animal is restrained by a lead, halter or other similar means; and
    - (c) the animal does not interfere with the use and enjoyment of that land by other persons or animals.
  - (4) Sub-regulation (1) does not apply to a disabled person who brings a dog or other animal into the reserve to assist that person with respect to that person's disability.
  - (5) A person in charge of an animal in the reserve must take reasonable steps to ensure that any part of that animal's excrement does not remain in the reserve or is placed in a receptacle provided for that purpose.
  - (6) In this regulation, "animal" includes fish.

#### 19. Exercising dogs off-lead

A person must not exercise a dog off-lead in the reserve, except in an area set aside under regulation  $\delta(1)$  for that purpose.

#### 20. Additional provisions for horses, donkeys and camels

- A person must not ride, lead or drive a horse, donkey or camel or draw a vehicle by a horse, donkey or camel in the reserve except—
  - (a) in an area set aside under regulation 8(1) for that purpose; and
  - (b) in accordance with the terms of the determination of the Minister under which the area is set aside.
- (2) A person must not leave a horse, donkey or camel unbridled or unattended in the reserve except—
  - (a) in an area set aside under regulation 8(1) for that purpose; and
  - (b) in accordance with the terms of the determination of the Minister under which the area is set aside.
- (3) A person must not ride or drive a horse, donkey, or camel abreast of more than one other horse, donkey or camel on any path, track or road in the reserve.
- (4) A person must not ride or drive a horse, donkey or camel in any manner which may disturb or be dangerous to any person or fauna or damage flora in the reserve.
- (5) A person must not allow a horse, donkey or camel which is under that person's care or control to damage any part of any tree or a shrub in the reserve.

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#### 21. Camping

- (1) A person must not camp in the reserve.
- (2) Sub-regulation (1) does not apply to a person who-
  - (a) holds a permit to camp in the part of the reserve for which the permit is issued; and
  - (b) is acting in accordance with the permit.
- (3) The Minister may issue a permit to a person to camp in the whole or any part of the reserve.

#### 22. Fishing

A person must not fish or attempt to take fish in the reserve, except in an area set aside under regulation 8(1) for that purpose.

#### 23. Sport or recreational activity

A person must not engage in a specified sport or a specified recreational activity in any part of the reserve set aside under regulation 10(1) as an area in which engaging in that specified sport or recreational activity is prohibited.

#### 24. Glass bottles and containers

A person must not possess or carry any glass bottle, glass container or glass utensil in any part of the reserve set aside under regulation 10(1) as an area in which the possession or carriage of glass bottles, glass containers or glass utensils is prohibited.

#### 25. Alcohol

A person must not possess alcohol in any part of the reserve set aside under regulation 10(1) as an area in which the possession of alcohol is prohibited.

#### 26. Aircraft

- (1) A person must not, in the reserve, land, launch, fly, control or operate any aircraft.
- (2) A person must not, in the reserve-
  - (a) land by parachute; or
  - (b) deliver any thing by aircraft.
- (3) Sub-regulation (1) does not apply to a person who-
  - (a) holds a permit to engage in an activity referred to in sub-regulation (1) in the part of the reserve for which the permit is issued; and
  - (b) is acting in accordance with the permit.
- (4) Sub regulation (2) does not apply to a person who—
  - (a) holds a permit to engage in an activity referred to in sub-regulation (2) in the part of the reserve for which the permit is issued; and
  - (b) is acting in accordance with the permit.
- (5) The Minister may issue a permit to a person to engage in an activity referred to in sub-regulation (1) or (2) in the whole or any part of the reserve.
- (6) Sub-regulations (1) and (2) do not apply in an emergency.
- (7) A person must not in the reserve, land, launch, fly, control or operate a motorised model aircraft except in an area set aside under regulation 8(1) for that purpose.

#### 27. Generators, air compressors and other equipment

- (1) A person must not, in the reserve, operate any portable or stationary generator, air compressor, chainsaw or oxy-acetylene or electrical cutting or welding apparatus.
- (2) Sub-regulation (1) does not apply to a person who-

#### Victoria Government Gazette

#### S 220 4 December 2001 11

- (a) holds a permit to engage in an activity referred to in sub-regulation (1) in the part of the reserve for which the permit is issued; and
- (b) is acting in accordance with the permit.
- (3) The Minister may issue a permit to a person to engage in an activity referred to in sub-regulation (1) in the whole or any part of the reserve.

#### 28. Sporting, demonstration or training events

- (1) A person must not conduct, in the reserve, any sporting contest, demonstration or training class, except in an area set aside under regulation 8(1) for that purpose.
- (2) A person must not, in an area of the reserve set aside under regulation 8(1) for the purpose of conducting any sporting contest, demonstration or training class, conduct such a sporting contest, demonstration or training class unless that person—
  - (a) holds a permit to engage in that activity in the part of the set aside area for which the permit is issued; and
  - (b) is acting in accordance with the permit.
- (3) The Minister may issue a permit to a person to engage in an activity referred to in sub-regulation (2) in the whole or any part of any area set aside under regulation 8(1) for that purpose.

#### 29. Animal shows and competitions

- A person must not conduct, in the reserve, any animal show or competition, except in an area set aside under regulation 8(1) for that purpose.
- (2) A person must not, in an area of the reserve set aside under regulation 8(1) for the purpose of conducting an animal show or competition, conduct such an animal show or competition unless that person—
  - (a) holds a permit to engage in that activity in the part of the set aside area for which the permit is issued; and
  - (b) is acting in accordance with the permit.
- (3) The Minister may issue a permit to a person to engage in an activity referred to in sub-regulation (2) in the whole or any part of any area set aside under regulation 8(1) for that purpose.

#### 30. Special events

- (1) A person must not, in the reserve, conduct any-
  - (a) fete, carnival, concert or other public event; or
  - (b) private event for 100 or more persons; or
  - (c) commercial event.
- (2) Sub-regulation (1) does not apply to a person who-
  - (a) holds a permit to engage in an activity referred to in sub-regulation (1) in the part of the reserve for which the permit is issued; and
  - (b) is acting in accordance with the permit.
- (3) The Minister may issue a permit to a person to engage in an activity referred to in sub-regulation (1) in the whole or any part of the reserve.
- (4) In this regulation "commercial event" does not include an activity to which regulation 28 or 29 applies.

#### 31. Use of toilets, showers and other facilities

 A person must not enter or use an amenity or facility in the reserve designated for the use of persons of the opposite sex.

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(2) Sub-regulation (1) does not apply to the entering or use of an amenity or facility by a child under the age of 6 years when accompanied by an adult.

#### 32. Stones and objects

A person must not propel or throw any stone or other object in or from the reserve in a manner that is likely to cause danger, disturbance or damage.

#### 33. Gates

A person must not leave any gate in the reserve open unless the gate is already open.

#### 34. Umbrellas

- (1) A person must not erect or use an umbrella or similar device for providing shade or weather protection in the reserve.
- (2) Sub-regulation (1) does not apply to a person who erects or uses an umbrella or similar device that—
  - (a) is used by holding and controlling the device by hand; or
  - (b) is securely anchored-
    - by means of a bag filled with at least 5 kilograms dry weight of sand, soil or other substance securely tied to the device; or
    - by means of a device with an equivalent effect to an anchoring device referred to in sub-paragraph (i).

#### 35. Digging or removing stone

#### A person must not-

- (a) dig or remove from the reserve; or
- (b) take into the reserve;
- any stone.

#### 36. Permits

- (1) A permit issued under regulation 12(4), 13(3), 21(3), 26(5), 27(3), 28(3) 29(3) or 30(3) authorises the holder to enter and use a particular part of the reserve—
  - (a) for the purpose specified in the permit; and
  - (b) for the period specified in the permit; and
  - (c) subject to any terms and conditions in respect of that entry or use determined by the Minister and specified in the permit.
- (2) The holder of a permit must comply with any terms and conditions of that permit.
- (3) The Minister may cancel a permit at any time if the holder of the permit has-
  - (a) breached the conditions of the permit; or
    - (b) breached these Regulations.
- (4) Upon cancellation under sub-regulation (3) of a permit, the Minister must, within a reasonable time after the cancellation, notify the holder of the permit in writing of the cancellation of the permit.

#### 37. Directions by authorised officers

An authorised officer may direct any person who that officer believes on reasonable grounds has contravened these Regulations to leave the reserve or any part of the reserve.

#### NOTES

- 1. A person who contravenes any one of these Regulations is liable to the imposition of penalties as set out in section 13(5) or (6) of the **Crown Land (Reserves) Act 1978**.
- 2. In addition to these Regulations the following laws also apply with respect to—

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### Litter

The depositing of litter in the reserve is prohibited under the Litter Act 1987 and a person who does so is liable to the imposition of penalties under that Act.

#### Motor Vehicles

Under the Land Conservation (Vehicle Control) Regulations 1992, motor vehicles are prohibited from being within a reserve except on a road, in a parking area or in an area declared to be a free access area. A person who contravenes those Regulations is liable to the imposition of penalties under those Regulations.

### Fire

The **Country Fire Authority Act 1958**, in addition to regulation 14, also governs the lighting of fires. A person who fails to comply with that Act is liable to the imposition of penalties under that Act.

### Wildlife

The taking, hunting or destroying of wildlife, including game, is regulated under the **Wildlife Act 1975**. A person who fails to comply with the requirements of that Act is liable to the imposition of penalties under that Act.

### Crown Land (Reserves) Act 1978

#### CROWN LAND (RESERVES) (POINT COOKE COASTAL PARK) (EXTENSION) REGULATIONS 2001

Table of Provisions

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#### Crown Land (Reserves) Act 1978

Crown Land (Reserves) (Point Cooke Coastal Park) (Extension) Regulations 2001

I, Sherryl Garbutt, Minister for Environment and Conservation, make the following Regulations:

Dated 2 December 2001

SHERRYL GARBUTT

Minister for Environment and Conservation

### 1. Title

These Regulations may be cited as the Crown Land (Reserves) (Point Cooke Coastal Park) (Extension) Regulations 2001.

2. Objective

The objective of these regulations is to extend the Crown Land (Reserves) (Point Cooke

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Coastal Park) Regulations 2001 to apply to the reserves listed in the Schedule to provide for the care, protection, management and use of those reserves and the preservation of good order in those reserves.

### 3. Authorising provisions

These regulations are made under section 13 of the Crown Land (Reserves) Act 1978.

### 4. Commencement

These regulations come into operation on 4 December 2001.

### 5. Definitions

In these Regulations —

"Central Plan Office" means the Central Plan Office of the Department of Natural Resources and Environment.

### 6. Expiry

These Regulations expire on the day that is 10 years after the day on which they come into operation.

### 7. Extension of the Crown Land (Reserves) (Point Cooke Coastal Park) Regulations 2001

The Crown Land (Reserves) (Point Cooke Coastal Park) Regulations 2001 are extended to apply to the land described in the Schedule.

# 8. Construction of the reference to the reserve in the Crown Land (Reserves) (Point Cooke Coastal Park) Regulations 2001

The Crown Land (Reserves) (Point Cooke Coastal Park) Regulations 2001 apply to a reserve listed in the Schedule, as if any reference in the Crown Land (Reserves) (Point Cooke Coastal Park) Regulations 2001 to "the reserve" were a reference to the relevant reserve listed in the Schedule.

#### SCHEDULE

### RESERVES TO WHICH THE CROWN LAND (RESERVES) (POINT COOKE COASTAL PARK) REGULATIONS 2001 APPLY BRAESIDE PARK

The land in the Parish of Mordialloc comprising Parcels 1 (Crown Allotment 1A, Section 20) and 2 (Crown Allotment 4, Section 21) as shown outlined red on Plan No. LEGL./01-95 lodged in the Central Plan Office, being land temporarily reserved for conservation, recreation, leisure and tourism purposes under the **Crown Land (Reserves) Act 1978** by Order in Council dated 4 December 2001, published in the Government Gazette of 4 December 2001;

### CARDINIA CREEK PARKLANDS

The land in the Township of Berwick and Parishes of Berwick and Pakenham comprising Parcels 3 to 9 inclusive as shown outlined red on Plan No. LEGL./01-96 lodged in the Central Plan Office, being land temporarily reserved for conservation, recreation, leisure and tourism purposes under the **Crown Land (Reserves) Act 1978** by Order in Council dated 4 December 2001, published in the Government Gazette of 4 December 2001;

### DANDENONG VALLEY PARKLANDS

The land in the Parishes of Nunawading, Scoresby, Mulgrave and Narree Worran comprising Parcels 10 to 29 inclusive as shown outlined red on Plan No. LEGL./01-97 lodged in the Central Plan Office, being land temporarily reserved for conservation, recreation, leisure and tourism purposes under the Crown Land (Reserves) Act 1978 by Order in Council dated 4 December 2001, published in the Government Gazette of 4 December 2001;

### LOWER MARIBRYNONG PARKLANDS

The land in the Township of Braybrook and Parishes of Doutta Galla and Cut-paw-paw

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comprising Parcels 30 to 39 inclusive, 41 to 45 inclusive and Parcel 47 as shown outlined red on Plan No. LEGL./01-98 lodged in the Central Plan Office, being land temporarily reserved for conservation, recreation, leisure and tourism purposes under the **Crown Land (Reserves) Act 1978** by Order in Council dated 4 December 2001, published in the Government Gazette of 4 December 2001;

#### MARIBYRNONG VALLEY PARKLANDS

The land in the Township of Keilor and Parishes of Maribyrnong and Doutta Galla comprising Parcels 54 to 69 inclusive as shown outlined red on Plan No. LEGL./01-100 lodged in the Central Plan Office, being land temporarily reserved for conservation, recreation, leisure and tourism purposes under the **Crown Land (Reserves) Act 1978** by Order in Council dated 4 December 2001, published in the Government Gazette of 4 December 2001;

#### MERRI CREEK LAND

The land in the Parish of Wollert comprising Parcel 70 (Crown Allotment 1, Portion 1) as shown outlined red on Plan No. LEGL./01-101 lodged in the Central Plan Office, being land temporarily reserved for preservation of an area of ecological significance and preservation of species of native plants purposes under the **Crown Land (Reserves) Act 1978** by Order in Council dated 4 December 2001, published in the Government Gazette of 4 December 2001;

#### PATTERSON RIVER LAND

The land in the Parish of Lyndhurst comprising Parcel 71 (Crown Allotment 101G, No Section) as shown outlined red on Plan No. LEGL./01-102 lodged in the Central Plan Office, being land temporarily reserved for conservation, recreation, leisure and tourism purposes under the **Crown Land (Reserves) Act 1978** by Order in Council dated 4 December 2001, published in the Government Gazette of 4 December 2001;

#### PLENTY GORGE PARKLANDS

The land in the Parishes of Morang, Keelbundora and Nillumbik comprising Parcels 72 to 94 inclusive as shown outlined red on Plan No. LEGL./01-103 lodged in the Central Plan Office, being land temporarily reserved for conservation, recreation, leisure and tourism purposes under the **Crown Land (Reserves) Act 1978** by Order in Council dated 4 December 2001, published in the Government Gazette of 4 December 2001;

#### SANDBELT PARKLANDS

The land in the Parish of Mordialloc comprising Parcel 99 (Crown Allotment 1A, Section 9) as shown outlined red on Plan No. LEGL./01-105 lodged in the Central Plan Office, being land temporarily reserved for conservation, recreation, leisure and tourism purposes under the **Crown Land (Reserves) Act 1978** by Order in Council dated 4 December 2001, published in the Government Gazette of 4 December 2001;

#### WATTLE PARK

The land, being an area of 55.3 ha, more or less, of land in the Parish of Nunawading, deemed to be permanently reserved for public purposes and being in particular the purposes of conservation, recreation, leisure and tourism, by section 189 of the **Water Industry Act 1994**;

#### YARRA RIVER LAND

The land in the Parishes of Jika Jika and Boroondara comprising Parcel 48 and Parcels 50 to 53 inclusive as shown outlined red on Plan No. LEGL./01-99 lodged in the Central Plan Office, being land temporarily reserved for conservation, recreation, leisure and tourism purposes under the **Crown Land (Reserves) Act 1978** by Order in Council dated 4 December 2001, published in the Government Gazette of 4 December 2001;

#### YARRA VALLEY PARKLANDS

The land in the Townships of Heidelberg, Eltham and Templestowe and Parishes of Keelbundora, Nillumbik, Warrandyte and Bulleen and comprising Parcels 100 to 138 inclusive as

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shown outlined red (excluding that portion outlined in blue) on Plan No. LEGL./01-106 lodged in the Central Plan Office, being land temporarily reserved for conservation, recreation, leisure and tourism purposes under the **Crown Land (Reserves) Act 1978** by Order in Council dated 4 December 2001, published in the Government Gazette of 4 December 2001.

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**REGISTRAR'S CAVEAT** Section 106 (1)(a) Transfer of Land Act 1958

# **REGISTRAR OF TITLES VICTORIA**

This caveat prohibits any transfer of, or dealing with, the Land.

LAND:

Volume 3737 Folio 336

### **REASON(S) FOR RECORDING CAVEAT**

**RESERVATION: Permanent** PURPOSE: Public Park and Recreation Source: Government Gazette 1911 page 1811

DATED 25/09/2017

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Assistant Registrar of Titles





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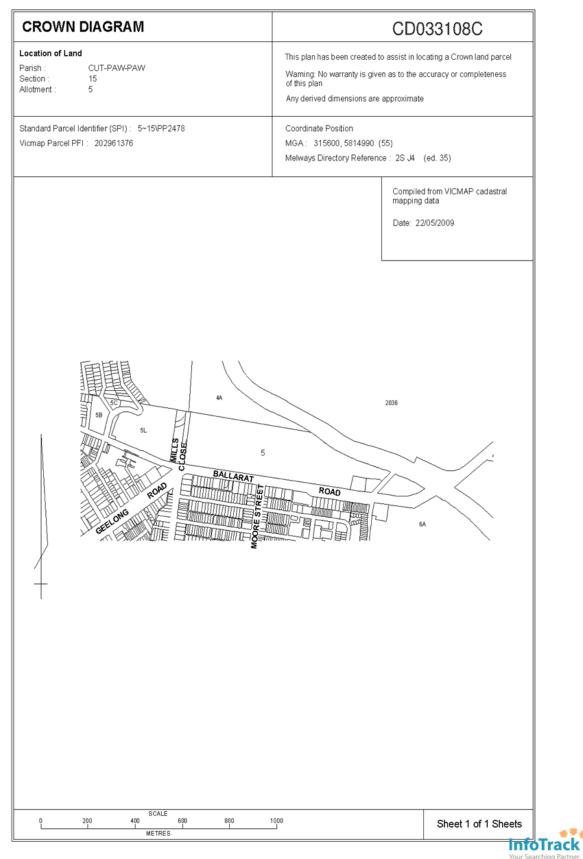
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# Footscray Park - Public Park, Recreation Res. RS810 1204172.

#### [Extract from the Victoria Government Gazette, No. 51, dated 10th March, 1943.]

ADDITIONAL REGULATION FOR THE CARE. PROTECTION, AND MANAGEMENT OF THE RESERVE FOR A PUBLIC PARK AND RECREATION PURPOSES IN THE CITY OF FOOTSCRAY. KNOWN AS "FOOTSCRAY PARK."

"FOOTSCRAY PARK." WHEREAS, by section 182 of the Land Act 1923, it is enacted that where, under the provisions of any Act relating to Crown lands, the Governor in Council has reserred from sale, permanently, any Crown lands for any Public purpose whatsoever, or for any of the purposes specified in section 14 of such Act, and has vested such land, in trustees, it shall be lawful for the trustees of such land, with the approval of the Governor in Council, to make rules and regulations for all or any of the purposes mentioned in sub-section (1) of section 182, Land Act 1923: And whereas a Crown grant has been issued in favour of the Board of Land and Works and the Mayor. Councillors, and Citizens of the Reserve for a Public Park and Recreation purposes in the City of Footseray, known as the "Footseray Park": Now therefore the Board of Land and Works and the Mayor, councillors, and Citizens of the City of Footseray do hereby make the following additional regulation in respect of the Said Reserve for a Public Park and Recreation purposes in the City of Footseray, known as the "Footseray Park": Now therefore the Board of Land and Works and the Mayor, Councillors, and Citizens of the City of Footseray do hereby make the following additional regulation in respect of the City of Footseray, known as the "Footseray Park." ADDITIONAL RECULATION.

#### ADDITIONAL RECULATION.

No person shall bring into the Reserve intoxicating liquors without the permission, in writing, of the Committee of

without the permission, in writing, of the Committee of Management. Every person offending against this Regulation shall, in necordance with section 182 of the Land Act 1928, for each offence be liable to a penalty of not more than Five pounds (£5), and every person who so offends, and who, after he has been warned by any bailiff of Crown lands, or by any member of the Police Force, officer or servant of the Trustees, or of the Committee of Management appointed, may be forthwith apprehended by such bailiff, officer, or servant or member of the Police Force, and taken before some justice to be dealt with according to law, and shall be liable to a penalty of not more than Ten pounds (£10).

The common seal of the Mayor, Councillors, and Citizens of the City of Footscray was hereunto affixed this lat day of June, 1942, in the presence of-

### W. JACKA, Mayor. J. A. McDONALD, Councillor. JOHN GENT, Town Clerk. (SEAL)

The common seal of the Board of Land and Works was hereunto affixed this 11th day of November, 1942, in the presence of-

#### GEO. J. TUCKETT, President. W. MCILROY, Member. (SEAL)

(Corres. Rs. 810.)

Approved by the Governor in Council, 8th March, 1943. J. C. MACGIBBON,

Acting Clerk of the Executive Council.

By Authority: H. E. DAW, Government Printer, Melbourne.

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CUSTOWS TALS SGULATIONS FOR THE CARE PROTECTION AND MANAGENEUT OF THE REFERVE ٤, PUBLIC PARK AND RPOREATION PURPOSES IN THE 505 A <u>,</u> 2-CITY OF FOOTSCRAY, KNOWN AS ·**~**• 1915 "FOOTSCRAY PARK". SEP W<sup>6</sup> Whereas by Section 200 of the Land Act, 1901, it is enacted that where, under the provisions of any Act relating to Grown lands, the Governor-in-Council has reserved from sale permanently any Grown lands for any public purpose whatscever, or for any of the purposes specificu-in Section 10 of such Act, and has vested such land in trustees or jointly in the Board of Land and Works and trustees, it shall be lawful for the trustees of any such land, with the approval of the Governor-in-Council, to make rules and regulations for all or any of the purposes mentioned in sub-section (1) of the Section specified: AND WHERRAS a Grown Grant has issued in favor of the Board of Land and Works and the Mayor, Councillors and Citizens of the City of Footscray, in respect of the Reserve for a Public Park and Recreation purposes in the City of Footscray do hereby make the following Regulations in respect of the said Reserve for a Public Park and Recreation purposes in the City of Footscray park\*: MOW 19,0 NYN \_\_\_\_\_\_ REGULATIONS. ١ The Park shall be open to the Dublic from sunrise to sunset. 1. No Person shall enter or remain in the Park who may offend against decency as regards dress, language or conduct. NO Person shall interfere with or damage in any way the trees, shrubs, or flowers in the Park, nor shall fires be lighted therein. No Person shall climb upon or jump over the trees, fences or gates, in or around the Reserve, stick bills thereon, or cut or in any way damage the trees, fences, gates or seuts, or roll or throw stones or other missiles, or commit any nuisance in the Park for leave therein any bottles, orange peel, paper, cast off clothing, or say litter or any litter. Any Person found in a state of intoxication, or behaving in a disorderly manner, or creating or taking part in any disturbance or committing any act of indecency in the Park shall be liable to be forthwith removed therefrom and to prosecution for an offence against these Regulations. No Person shall bring into the Pirk any dog unless led by a ohain or cord, and no person except those in the employ of or authorized by the Council shall put into the Park any vehicles or any horses, cattle, sheep or other animals. The owner of any horses, cattle, sheep, goats or other animals (except dogs led as provided) found in the Park shall be liable to be prosecuted. 6. ł Stray dogs found in the Park will be destroyed.

Page 193

121232853 ېنې مېنې No Person shall ride a bioycle in the Park, except by 7. permission of the Council. No Person shall engage in Cricket, Football, Tennis, Lacrosse, or any other like game in the Park without the authority in writing of the Council, unless such person is at the time of playing a member of any Club which is duly authorised to play therein. 8. No Person shall hawk, or offer for sale in the Park any intoxicating liquors, goods or articles of any description without having previously obtained written permission from the Council. . [ Every Person offending against these regulations shall, in accord-ance with Section 200 of the Land Act 1901, on conviction before any Justice, be liable to a penalty not exceeding Five Pounds for each offence, and every person who so offends and who after he has been warned by any Bailiff of Crown Lands, Officer or Servant of the Trustees or by any Constable does not desist from so offending, may be forthwith apprehended by such Bailiff, Officer or Servant or Constable and taken before some Justice of the Peace, and shall on conviction be liable to a penalty not exceeding TEN POUNDS. The Common Seal of the Board of Land) and Works was hereunto affixed ) this /6<sup>---</sup> day of Schember ) 1915, in the presence of ) Hulazan Presider. President. The Common Seal of the Mayor, Councillors,) and Citizens of the City of Pootscray ) was hereunto affixed this 164 day) of September. 1915, in the presence of.) Leave layor. Iman Councillor. Reue) Town Clerk. 源於 APPROVED BY THE GOVEDNOR IN COUNSIL ( ion: R.d. 810. 28 MAR 1916 1-2-1 Clere of the Conduction Com

### **PLANNING SCHEME REVIEW 2018**

Director:	Nigel Higgins Director Planning Services
Author:	Katy McMahon Manager City Futures

### PURPOSE

To report on the findings and seek endorsement of the Maribyrnong Planning Scheme Review Report 2018

### **ISSUES SUMMARY**

- Council is required to review its planning scheme within one year of approving a Council Plan, and must report its findings to the Minister for Planning.
- All Victorian Councils were given additional time to complete their scheme review (now due 31 December 2018) as a result of major State Government changes proposed to all planning schemes.
- In recent years Council has incorporated significant strategic work into the Planning Scheme responding to housing needs, population growth, economic development, open space, urban design and heritage.
- The scale and complexity of recent projects including State significant infrastructure projects and major urban renewal requires Council to continuously review and ensure the scheme is up to date.
- Key findings from this review were the need for additional design guidance for residential development, maintaining character and heritage, encouraging active transport, supporting sustainable development and the need to provide for city infrastructure.
- 35 recommendations have been identified to improve the planning schemes efficiency and effectiveness, including changes to planning scheme provisions, advocacy items and improvements to Council processes.
- The findings of the review must be forwarded to the Minister for Planning by 31 December 2018 following Council endorsement.

### ATTACHMENTS

1. Planning Scheme Review Report <u>J</u>

### **OFFICER RECOMMENDATION**

That Council:

- 1. Endorse the Maribyrnong City Council Planning Scheme Review and forward the findings of the review to the Minister for Planning as required under Section 12B(5) of the *Planning and Environment Act* 1987
- 2. Progress the recommendations as identified in the report

# BACKGROUND

Victorian councils are required to review their planning scheme within one year of approving a Council Plan under Section 12(B) the *Planning and Environment Act* 1987 (*Act*).

The planning scheme is a statutory document that regulates the way land in the City can be used and developed. It does this by setting out objectives, policies and provisions in relation to the use, development, protection and conservation of land to guide decision making on planning applications.

The planning scheme plays an important role in implementing and advancing Council strategies, policies and plans that have a land use and development focus. However, its extent of influence is limited by the need for all local context to be consistent with State policy and strategies, and for all local amendments to be approved by the Minister for Planning via a legislative change.

Council adopted a new Council Plan (incorporating Municipal Health and Wellbeing Plan) on 20 June 2017. The current Maribyrnong Planning Scheme Review (review) was due to be completed by 20 June 2018. However, the State Government offered an extension of time to all Councils in April 2018. This was in response to the major changes proposed by the State to all planning schemes through the Smart Planning Amendment VC148. The review must be submitted to the Minsiter for Planning by 31 December 2018.

The review must evaluate the planning scheme to ensure that it:

- is consistent in form and content with the directions or guidelines issued by the Minister under section 7 of the *Act*
- sets out effectively the policy objectives for use and development of land in the area to which the planning scheme applies
- makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives.

This report presents a review of the Maribyrnong Planning Scheme (Scheme) and list of recommendations to improve its efficiency and effectiveness and ensure it is up to date.

# **DISCUSSION/KEY ISSUES**

# 1.1. Summary on Maribyrnong Planning Scheme Review Report 2008

The Scheme was last comprehensively reviewed in 2008, which resulted in a re-writing of the scheme and improvements to planning processes. The 2008 review outlined 39 recommendations. A detailed review and audit of these recommendations has been undertaken, 35 of the 39 recommendations have been completed in full. The remaining recommendations are ongoing or partially completed.

# **1.2.** Recent planning scheme amendments and strategic work

The review involved an analysis of planning scheme amendments and strategic projects since 2008. There have been 162 amendments to the Scheme since the previous planning scheme review.

The approval of major amendments have strengthened the strategic direction of the Scheme and resulted in continuous review. Some of the significant amendments have included the Maribyrnong Housing Strategy 2011, Footscray Structure Plan 2014, Maribyrnong Open Space Strategy 2014, Highpoint Planning and Urban Design Framework 2015, Maribyrnong Economic and Industrial Strategy 2011 and Maidstone Hampstead Road Framework Plan 2015.

Council has been proactive in undertaking substantial strategic work to respond to changing land use patterns and trends. There are also a number of current projects and planning scheme amendments that will impact on the Scheme.

# 1.3. State Government Reform VC148 Planning Policy Framework

The State Government introduced major changes to the structure of all planning schemes via amendment VC148 on 31 July 2018. A new policy framework was introduced called the Planning Policy Framework combining State, Regional and Local Planning Policy. This means the existing local planning policy framework is required to be translated into the Planning Policy Framework. The translation of the local planning policies into the Planning Policy Framework is estimated to begin in mid to late 2019 as the timing is determined by DELWP. DELWP are yet to provide details on how local planning policies will be translated into the new framework

VC148 also introduced a new section called Municipal Planning Strategy (commencement date unknown) which will replace the current MSS.

# 1.4. Review findings

As a result of the significant strategic work and associated amendments that have been completed recently, the major changes to the planning scheme from VC148, and the further changes proposed by Smart Planning, the scope of this review was limited.

Following a detailed analysis of local provisions, planning audit tools, Council strategies, VCAT decisions and consultation responses, there are a number of key findings which are provided below. A detailed list is outlined in section 6.1 of Attachment 1.

Housing and Built Form	•	Update neighbourhood character guidelines to provide additional guidance and ensure currency Utilise schedules to residential zones to provide additional residential development detail Advocate for an increase in the supply of social and affordable housing in alignment with the draft Housing Strategy 2018
	•	Population growth and housing in appropriate location to ensure growth is directed to identified locations in draft Housing Strategy 2018
Community Infrastructure, Community Development and Health and Wellbeing	•	Develop local policy on 20 minute neighbourhood that contributes to community health, wellbeing and place making Support colocation, design and adaptable spaces in community infrastructure policy
	•	Ensure cultural and social diversity is referenced in a

	positive manner in local policy
Activity Centre and	Update neighbourhood activity centre frameworks to
Economic	ensure they are current and align with Council policies
Development	Encourage integration of mix of uses in new
	developments
	Ensure building heights are in accordance with height
	limits in controls
Open Space,	Prepare Integrated Water Management and Stormwater
Environment and	Management Policy
Recreation	Strengthen environmental sustainable design through
	revision of existing policy
	Implementation of Urban Forest Strategy into the
	planning scheme following adoption by Council
Transport	Greater emphasis of active transport in the planning
	scheme
	• Encourage and increase the provision of bicycle parking
	and bicycle rack design in new developments
	Review internal procedures and processes when
	assessing car parking requirements
Heritage	Implementation of Aboriginal Heritage Study 2001 and     Munitiana Warkara' Hausing Estate. Browbroak Haritage
	Munitions Workers' Housing Estate, Braybrook Heritage Guidelines into the planning scheme
	l la dete la avite de consuler, as encire a fan aite e of la avite de
	Opdate heritage overlay mapping for sites of heritage significance
	<ul> <li>Update statements of significances to improve references</li> </ul>
	to contributory buildings
Planning processes	<ul> <li>Review process and procedures of internal referrals</li> </ul>
	<ul> <li>Develop a process for identifying areas of public open</li> </ul>
	space following subdivision
Key matters requiring	Translating existing local provisions to the Planning Policy
further strategic work	Framework post VC148 with assistance from DELWP
Ŭ	Update the existing environmental sustainable design
	policy to ensure currency and alignment with IMAP
	Councils
	Develop a municipal wide Development Contributions
	Plan

# 1.5. Key Recommendations

Based on the findings, a total of 35 recommendations have been developed to improve the effectiveness and efficiency of the Scheme (refer to section 6.2 in Attachment 1 for a detailed list).

A summary of the key recommendations are outlined below:

- Translate existing local provisions to the Planning Policy Framework post VC148 with assistance from DELWP
- Develop a municipal wide Development Contributions Plan
- Review existing neighbourhood character guidelines to ensure good development outcomes

- Investigate and prepare a local policy on liveable neighbourhoods and places that contribute to community health and wellbeing and place-making
- Update the existing environmental sustainable design policy and incorporates water sensitive urban design and integrated water management
- Advocate for an increase in the supply of social and affordable housing in the City in alignment with the Housing Strategy
- Continue to advocate for major projects that result in improved infrastructure for the community

These recommendations will be investigated and implemented over the next four years, forming part of the Strategic Planning work program.

# 2. Council Policy/Legislation

# Council Plan 2017-2021

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Strong leadership lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.
  - Quality places and spaces lead the development of integrated built and natural environments that are well maintained, accessible and respectful of the community and neighbourhoods.
  - Growth and prosperity support diverse, well-planned neighbourhoods and a strong local economy.
  - Mobile and connected city plan and advocate for a safe, sustainable and effective transport network and a smart innovative city.
  - Clean and green strive for a clean, healthy city for people to access open spaces, cleaner air and water and respond to climate change challenges.

# Legislation

- Planning and Environment Act 1987 Section 12(B)
- Council is required to review and report its findings to the Minsiter for Planning within one year of approving a new Council Plan.
- Continuous Improvement Review Kit and Planning Practice Note 32 Review of Planning Schemes
- The kit and practice note sets out the process for completing the review.
- Ministerial Direction No. 19 Part A on the preparation and content of amendments that may significant impact the environmental, amenity and human health
- This direction required planning authorities to seek the views of the Environment Protection Authority.

# **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

# Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

# 3. Engagement

The review utilises the findings of extensive community consultation and surveys undertaken in 2017 and 2018, as part of the Council Plan, Maribyrnong 2040 Community Plan and annual community survey. Significant consultation was undertaken as part of development of the Council Plan which this review is seeking to implement. Any changes to the Planning Scheme arising from this review would include community engagement as part of the planning scheme amendment.

Significant internal consultation was undertaken to inform this review. Internal staff workshops were held in August and September 2018 with Community Services and Social Infrastructure Planning, Community Development Positive Ageing and Inclusions, Leisure Health and Wellbeing, City Design, Economic Development, Operations and Maintenance, Strategic Asset Management and Engineering Services to identify emerging issues and opportunities within the City and the planning scheme.

Detailed workshops were held with Urban Planning that focussed on emerging issues and opportunities on Heritage, Activity Centres and Economic Development, Housing and Built Form, Transport, Open Space, Environment and Recreation and Planning Processes.

# 4. Resources

The review project and identified future strategic work is in accordance with budgetary allocation.

# 5. Environment

The review promotes positive environmental effects by ensuring the Scheme reflects Council's strategic objectives of protecting and enhancing our City's liveability, amenity, heritage and environment.

# CONCLUSION

The review found that the policies and controls in the Maribyrnong Planning Scheme are sound. They reflect the significant strategic work undertaken by Council in recent years on housing, economic development, open space and activity centres. The review did identify emerging issues and recommends further on-going work to improve the effectiveness of the Scheme.

The review ensures that Council meets its statutory requirements to regularly review their planning scheme under the *Planning and Environment Act* 1987.

# Review of the Maribyrnong Planning Scheme

# **Findings and Recommendations Report**

November 2018



Review of the Maribyrnong Planning Scheme, November 2018 Doc ID 18/229389 - v1

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# Appendix:

- (1) List of planning scheme amendments since last review
- (2) List of minor errors and anomalies
- (3) List of reference documents to the planning scheme

### 1. Introduction

The Maribyrnong Planning Scheme (the Scheme) came into operation on 9 December 1999.

The planning scheme is a statutory document that regulates the way land in the City can be used and developed. It does this by setting out objectives, policies and provisions in relation to the use, development, protection and conservation of land to guide decision making on planning permit applications.

The Scheme plays an important role in implementing and advancing Council strategies, policies and plans that have a land use and development focus. However, its extent of influence is limited by the need for all local content to be consistent with State policy and strategies, and for all local amendments to be approved by the Minister for Planning via a legislative change.

Local policy and content must comply with standards prescribed by the Minister for Planning and be reviewed every four years.

This report presents a review of the Scheme and recommendations to improve its efficiency and effectiveness and ensure it is up to date.

The review has been undertaken following Council's adoption of a new Council Plan in 2017 and has been undertaken having regard to the *Planning and Environment Act* 1987, the Continuous Improvement Review Kit (2006) and Planning Practice Note 32 Review of Planning Schemes.

### 2. Background

### 2.1. Purpose and scope of the review

Section 12B of the *Planning and Environment Act* 1987 (**the Act**) requires Council to formally review its planning scheme following the preparation of a Council Plan.

Council adopted a new Council Plan (incorporating the Municipal Health and Wellbeing Plan) on 20 June 2017. Accordingly, it has a legislative obligation to formally review its planning scheme and report its findings to the Minister for Planning.

The objective of a review, under section 12B of the Act, is to enhance the effectiveness and efficiency of the Scheme in achieving the objectives of planning in Victoria and planning framework established under the Act.

The review must evaluate the planning scheme to ensure that it:

- a. is consistent in form and content with the directions or guidelines issued by the Minister under section 7 of the Act
- b. sets out effectively the policy objectives for use and development of land in the area to which the planning scheme applies
- c. makes effective use of State provisions and local provisions to give effect to State and local planning policy objectives.

This planning scheme report will:

- identify planning issues facing the City
- assesses the strategic performance of the scheme
- documents the strategic work completed since the previous review
- identify additional work required to strengthen the planning scheme
- document the monitoring and review of the planning scheme

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- make recommendations to the planning scheme including changes to local planning policies, further strategic work and ways to improve operational and process practices
- review Council's response to the findings and recommendations of the previous review.

### 2.2. Timing of review

An extension of time to all Councils to complete their Scheme review was received by Council on 18 April 2018 from Department of Environment, Land, Water and Planning (**DELWP**). This was due to the major changes proposed to all planning schemes in Victoria by the State Government through the Smart Planning amendment (VC148), and involved changes to the content of all planning schemes. The due date for all planning scheme reviews was extended to 31 December 2018 so that all Councils could assess these changes as a part of their current review.

### 2.3. Planning scheme amendments since last review

Since the last planning scheme review was completed there have been 162<sup>1</sup> amendments to the Scheme finalised as outlined in the table below:

Amendment type <sup>2</sup>	Planning authority	Number gazetted <sup>3</sup>	Number abandoned, lapsed or revoked
С	Council	25	1
С	Minister for Planning	33	1
VC	Minister for Planning	89	2
GC	Minister for Planning	9	1
	Total	157	5

Table 1: Amendments to the Scheme (March 2009 to October 2018)

A full list of amendments is provided at appendix 1.

Significant amendments gazetted during this time (both Council and State initiated) are outlined in the table below.

Table 2: Significant amendments to the Scheme gazetted since the last review

Amendment reference	Project	Overview of amendment	Date finalised
C82 (part 1)	Planning Scheme Review 2008	Replaces the Municipal Strategic Statement (MSS) and Local Planning Policies (LPPs) with a new MSS and LPPs in response to the findings of the review.	September 2011
C92	Maribyrnong Neighbourhood	Implements the review by introducing the Neighbourhood Character Overlay to parts of	July 2012

<sup>&</sup>lt;sup>1</sup> Current as at 8 October 2018

<sup>&</sup>lt;sup>2</sup> 'C' amendments only change the local planning scheme; 'VC' amendments include changes to the Victoria Planning Provisions (i.e. State-standards); 'GC' amendments change more than one planning scheme

<sup>&</sup>lt;sup>3</sup> Where an amendment has been split into two parts, each part has been counted as a separate amendment for the purposes of this analysis (refer amendments C73 and C82).

	Character Review, 2010	Footscray, Seddon and Yarraville and the Design and Development Overlay to the Colonial Ammunitions Estate Precinct, Maribyrnong.	
C111	Maribyrnong Housing Strategy, 2011	Implements the strategy by updating the MSS to include a new Housing Framework Plan and housing policy objectives.	December 2012
VC100	Reformed commercial and residential zones	Replaces the Business zones with the Commercial 1 and 2 zones, and introduces changes to the industrial and residential zones.	July 2013
C115	Maribyrnong City Council Electronic Gaming Machines Reference Document, 2012	Implements the document by introducing a new gaming local policy.	February 2014
VC114	Introduction of Vic Smart	Introduces VicSmart into the Victoria Planning Provisions: a new assessment process for specific planning permit applications.	September 2014
C125	Footscray Structure Plan, 2014	Implements the land use and built form directions from the structure plan by updating the MSS, applying the Activity Centre Zone and a Parking Overlay over the Footscray metropolitan activity centre, updating the application of the Heritage Overlay and applying the Environmental Audit Overlay to key sites for redevelopment.	March 2015
C150	Application of the new residential zones in Maribyrnong	Implements the findings of the Residential Zones Standing Advisory Committee by applying the Neighbourhood Residential and Residential Growth zones.	May 2015
C137	Maribyrnong Open Space Strategy, 2014	Implements the strategy by updating the open space policy objectives and introducing public open contribution requirements.	August 2016
C135	Highpoint Planning and Urban Design Framework, 2015	Implements the framework plan by updating local area policy objectives in the MSS and replacing planning controls within the Highpoint activity centre to guide and direct future commercial and residential redevelopment.	September 2016
C108	Maribyrnong Economic and Industrial Strategy ( <b>MEIDS</b> ) 2011 and Maidstone Hampstead Road East Framework Plan 2015	Implements the strategy and framework by updating policy objectives under the MSS and relevant local policies to guide the future planning of the City's key industrial precincts.	November 2016
VC110	Changes to residential zones	Makes a range of changes to all residential zones, most notably the introduction of a garden area requirement and mandatory height limits in the Neighbourhood and General residential zones.	March 2017

VC136	Better Apartments Design Standards	Introduces state-wide planning standards in relation to apartment developments.	April 2017
GC93	West Gate Tunnel Project	Inserts specific controls to facilitate the State- significant project.	March 2018
C141	Maribyrnong City Council – Managing the Impacts of Licensed Premises 2015	Implements the study by updating the MSS and introducing a new licensed premises local policy.	April 2018
VC143	Changes to residential zones	Refines the garden area requirement in the Neighbourhood and General residential zones and amends section 1 uses in the Residential Growth Zone.	May 2018
VC148	Planning Policy Framework (Smart Planning initiative)	Changes the structure, content and operation of all planning schemes by introducing the Planning Policy Framework in place of the former State Planning Policy Framework and enabling the future Municipal Planning Strategy in place of the existing MSS. Includes a range of other changes across all sections of planning schemes, including removal of permit triggers for low-impact industrial uses and expanded car parking waivers.	July 2018
VC149	Commercial 3 Zone	Introduces the Commercial 3 Zone into the Victoria Planning Provisions.	October 2018

### 2.3.1. Implications for the Maribyrnong Planning Scheme

The amendments have reinforced and advanced Council's established policies and strategies, particularly housing needs, open space, economic development, heritage and urban design. The approval of major amendments have strengthened the strategic direction of the Scheme and have resulted in its continuous review and update (albeit on a theme by theme basis).

The quantum and nature of amendments affecting the Footscray and Highpoint activity centres and strategic redevelopment sites across the City reflect a sustained period of land use change and population growth since the last review. This is also reflected in the amendments to facilitate the delivery of State infrastructure and the City's role as 'gateway' to the west.

The State Government have reformed the Victoria Planning Provisions (**the VPPs**) at regular intervals since the last review. This has created the need for ongoing review of local provisions to avoid conflict with the reformed State policy. Examples of potential conflict warranting further investigation include:

- Mandatory built form and height requirements introduced to residential zones and existing built form overlays
- Parking rates in the existing Footscray Parking Overlay and waivers introduced under VC148
- Land use zoning conflict around Yarraville Mobil terminal

Recent State reforms (most notably the reforms introduced under VC148) have significant implications for the Scheme and will necessitate further investigation.

### 2.4. Current projects and planning scheme amendments

A number of current projects and planning scheme amendments underway will have an impact on the Scheme, these include:

Project	Description	Status
Updated Maribyrnong Housing Strategy, 2018 (Amendment C154)	The purpose of the updated housing strategy is to manage the City's growing population to 2031 and ensure new development meets the current and future needs of the City's residents. A draft strategy has been prepared and forms the basis of Amendment C154. DELWP have put authorisation of the amendment on hold while they reconcile the implications of VC148.	Amendment submitted to DELWP for authorisation 12 July 2018
Municipal development contributions plan	A municipal-wide DCP is under preparation to enable Council to collect contributions towards delivery of infrastructure to support its growing population.	Project management under preparation
West Footscray Neighbourhood Plan	The plan is being developed to ensure the coordinated growth and development of the neighbourhood and includes land use and built form guidance for the Barkly Street core activity area and West Footscray station precinct. The plan consolidates movement, open space and community infrastructure initiatives and directions from other Council strategies under a holistic framework. It is anticipated to form the basis of a future planning scheme amendment.	Plan endorsed by Council 30 October
Gordon and Mephan Precinct Framework Plan, 2015 (Amendment C143)	The plan, relating to precinct 9 in MEIDS, was prepared in 2015 and recommends that the precinct be designated as a Core Employment Area, in addition to measures to improve and protect amenity, discourage residential encroachment and support the development of key sites. Amendment C143 seeks to implement the findings of the plan and was supported by an independent Planning Panel. It is presently awaiting approval by the Minister for Planning.	Amendment submitted to DELWP for approval 1 August 2018
Joseph Road Precinct Development Contributions Plan (Amendment C145)	The DCP has been prepared to collect contributions to fund the delivery of public realm and infrastructure improvement works in the Joseph Road Precinct. The amendment is anticipated to be finalised by mid-2019. In the interim, the DELWP is contemplating the application of interim DCPO control for the precinct (proposed Amendment C156).	Public exhibition of amendment closes 24 October 2018
Heritage Incorporated Plan (Amendment C147)	The Heritage Incorporated Plan has been developed to refine planning permits triggers for works which typically have little to no impact on heritage values. The amendment is anticipated to be finalised in early 2019.	Independent Planning Panel scheduled for 30 October 2018
Revised potentially contaminated land local policy (Amendment C82 - part 2)	The purpose of the revised policy is to provide a more detailed framework for the assessment and remediation of potentially contaminated land in the municipality. The amendment initially formed part of the wholesale rewriting of Council's Local Planning Policy Framework approved under	Amendment submitted to DELWP for approval 27 May 2011

Table 3: Council projects underway with future/potential implications for the Scheme

	Amendment C82 (part 1) in 2011. However the Minister for Planning split the revised policy into a separate amendment while he considered the recommendations of the Potentially Contaminated Land Advisory Committee. No timeframe for a decision on the amendment has been provided by the Victorian Government.	
Administrative amendments	As part of Council's ongoing monitoring of the scheme, anomalies are detected. The next administrative amendment is scheduled for early 2019.	In progress

Project	Description	Status	
Defence Site Maribyrnong	Council is working with the Victorian Planning Authority (VPA) in the development of a planning framework for a 127.8 hectare parcel of Commonwealth-owned land at 2 Cordite Avenue, Maribyrnong. The planning framework will determine the appropriate land use pattern and infrastructure to service the future community.	Preparation of plan underway	
Brooklyn Business Park	The VPA is programmed to lead the preparation of a plan for the 'Brooklyn Business Park', incorporating key employment land in the cities of Maribyrnong and Hobsons Bay.	Pre-planning and project scoping stage	
Smart Planning Project	The purpose of the program is to reform the Victorian planning system to make it more efficient and accessible. To date, the project has introduced a range of significant changes to the Victorian planning system – including the amendments introduced by VC148 to facilitate the future translation of all local planning schemes to the Planning Policy Framework. The project also involves a new online	Program of reform underway	
	amendment tracking system, faster permit processing and permits online. Stages 1 and 2 of the program are completed. Stage 3 is presently underway. The initiatives under stage 3 are unknown.		
Plan Melbourne	Plan Melbourne 2017-2050 was released by the State government on 11 March 2017 and is the metropolitan planning strategy for Melbourne over the next 30 years. The Plan includes numerous directions, policies and actions to guide change in Melbourne over this period.	Implementation of plan underway	
Western Metro Region Land Use Framework Plan	Plan Melbourne includes an action for each of Melbourne's six regions to have a Land Use Framework Plan. DELWP have commenced the preparation of a plan for the Western Metro Region. Once completed, the plans will include strategies for population growth, jobs, housing, infrastructure, major transport improvements, open space and urban forests.	Preparation of plan underway	

#### 2.4.1. Implications for the Maribyrnong Planning Scheme

The Local and State projects identified above will result in significant changes to the form, structure and context of the Scheme. The scale and complexity of key projects, including major infrastructure projects and large urban renewal precincts will require Council to consider resource implications and expertise of staff.

The continuous reforms in State policy and increasing use in new technology systems to support these processes, there is a need for Council to review current procedures to improve efficiencies. It is also integral to maintain an ongoing review of the Scheme to ensure it remains up to date and adequately reflects the changing nature of across the City.

### 3. Strategic Context

### 3.1. Council Plan and Municipal Health and Wellbeing Plan 2017-2021

Council adopted the Council Plan 2017-2021 (incorporating Municipal Health and Wellbeing Plan) on 20 June 2017.

The objectives are:

- **strong leadership** Council will lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration
- healthy and inclusive communities Council will provide and advocate for services and facilities that support people's wellbeing, healthy and safe living, connection to community, cultural engagement and whole of life learning
- quality places and spaces Council will lead the development of integrated built and natural environments that are well maintained, accessible and respectful of the community and neighbourhoods
- growth and prosperity Council will support diverse, well-planned neighbourhoods and a strong local economy
- **mobile and connected city** Council will plan and advocate for a safe, sustainable and effective transport network and a smart and innovative city
- **clean and green** Council will strive for a clean, healthy city for people to access open spaces, cleaner air and water and respond to climate change challenges

The Council Plan incorporates the Municipal Health and Wellbeing Plan which focuses on improving the physical, social, natural, cultural and economic environments that impact community health. This review will ensure that the Scheme is in alignment with the objectives of the Council Plan.

### 3.2. Consultation

This review will utilise the findings and results of the extensive community consultation and surveys undertaken in 2017 and 2018, as part of the Council Plan, Maribyrnong 2040 Community Plan and annual community survey.

It is not intended that community consultation occurs at this stage as there was significant consultation during the development of the Council Plan which this review is seeking to implement. Community consultation will be undertaken as a part of the planning scheme amendment process which will implement the findings of this review. Other opportunities include upcoming strategic projects which will involve community consultation.

Community engagement for Council Plan 2017-2021

Findings from the community engagement for the Council Plan 2017-2021 indicate appropriate development is a key issue. The community expressed they wanted less multi- story development, more diverse housing typologies, character and heritage maintained, encouraged development of inactive privately owned industrial sites and incorporating environmental sustainability measures in new developments.

### 2017 Annual Community Survey

The 2017 Annual Community Survey revealed the top issues discussed by the community were traffic management and car parking, the increase in population and nature of extent or new development.

#### Maribyrnong 2040 Engagement

The key topics raised during the community engagement for the Maribyrnong 2040 Community Plan were on protecting heritage and neighbourhood feel; restricting heights of new buildings and the impact of medium to high density developments on visual amenity and traffic conditions. Other emerging topics were on the need for high quality and sustainable developments; encouraging local businesses and improvements to the way people move around the City.

#### Key Consultation to inform review

This review involved a targeted consultation program in August and September 2018 which actively engaged with Council staff. Workshops were held with Community Services and Social Infrastructure Planning, Community Development Positive Ageing and Inclusions, Leisure Health and Wellbeing, City Design, Economic Development, Operations and Maintenance, Strategic Asset Management and Engineering Services.

Detailed workshops were held with Urban Planning concentrating on Heritage, Activity Centres and Economic Development, Housing and Built Form, Transport, Open Space, Environment and Recreation and Planning Processes.

The consultation identified current issues that the City is facing and ways to improve the effectiveness and efficiency of the Scheme.

### 3.3. Planning Panels

Between March 2008 (conclusion of last review) and October 2018, 20 planning scheme amendments were considered by an independent Planning Panel. The amendments were (in chronological order):

- C56 2 Banool Street, Yarraville
- C73 (part 2) 36-50 Hocking Street, Footscray
- C47 surplus Victoria University land, Maidstone
- C77 170 and 180 Ashley Street, Maidstone
- C63 Bradmill Precinct, Yarraville
- C82 Planning Scheme Review 2008 (Part 1 MSS Review, Part 2 PCL Policy which is still awaiting approval)
- C92 Neighbourhood character review
- C93 Former Kinnears Ropeworks site, Footscray
- C89 Former McCall's Tannery site, Yarraville
- C95 30 Rosamond Road, Maribyrnong
- C115 Gaming policy
- C122 Former Ryco site, Footscray
- C129 20 Geelong Road, Footscray, heritage overlay
- C125 Footscray Structure Plan 2013
- C137 Open Space Structure 2014
- C135 Highpoint Planning and Urban Design Framework 2015

- C108 Maribyrnong Economic and Industrial Strategy 2011 and Maidstone Hampstead Road East Framework Plan 2015
- C141 Licensed premises policy
- C143 Gordon and Mephan Precinct Framework Plan 2015

The respective independent panels supported all 20 planning scheme amendments, generally as exhibited or subject to minor changes.

The panel to Amendment C82 outlined recommendations in relation to future planning scheme reviews. This is discussed in further detail in section 5 of this report.

The support for the amendments following independent review reflects the extensive strategic planning work undertaken by Council since the last review, particularly in regards to activity centres, housing, open space and economic development.

### 3.4. Review of VCAT decisions

Since 2015 Council has internally reviewed cases heard by the Victorian Civil and Administrative Tribunal (**VCAT**) in relation to statutory planning matters determined by Council.

Of the 116 cases heard during this period<sup>4</sup>, VCAT generally upheld<sup>5</sup> Council's decision in approximately 75 per cent of cases. This suggests that the Scheme is operating generally effectively. Observations from the review highlighted the following:

- VCAT review of the redevelopment proposals in West Footscray (e.g. 6 Cross Street and 495-507 Barkly Street) highlighted built form policy gaps. The West Footscray Neighbourhood Plan seeks to address this.
- It has been difficult for Council to assess detailed Development Plans for strategic redevelopment sites (such as Kinnears, 82-96 Hampstead Road, 2 Banool Ave Yarraville) within statutory timeframes set under the Act.

An analysis of the significant decisions, has identified policy matters with implications for the Scheme relating to neighbourhood character, car parking in frontages and crossovers to street, policy support for increased density, type of development in incremental change areas and the balance of planning policy and development opportunities.

### 4. Response to previous review

The Scheme was last comprehensively reviewed in 2008 and built on a previous review undertaken in 2005. The Planning Scheme Review Report 2008 outlined 39 recommendations.

Overall, 35 of the 39 recommendations have been completed in full. This included a substantial reworking of the Scheme's local provisions and improvements to Council's planning processes.

### 4.1. Summary of outstanding actions

35 of the 39 recommendations have been completed. The remaining recommendations are either partially complete or ongoing and are summarised below.

<sup>&</sup>lt;sup>4</sup> Current at 26 September 2018. Total number of cases does not include cases that were withdrawn or struck out.

<sup>&</sup>lt;sup>5</sup> Affirmed or varied Council's decision or issued permit based on a mediated outcome.

Recommendation	Status
Undertake background work necessary to support the new ESD section of the MSS.	Partially completed - Since the adoption of Amendment C82 in 2011, Council has worked with IMAP councils on creating the Sustainable Design Assessment in the Planning Process (SDAPP) guidelines. However, these guidelines are yet to be referenced in the Planning Scheme. There is an opportunity to provide additional guidance on policies introduced by amendment C82 part 1 in 2011for example, ensuring the city is carbon neutral by 2020, and encouraging WSUD in all new developments. The draft Housing Strategy recognises this as additional work to be completed.
Develop a more formal system to correct the zoning of new public open space following development.	<b>Ongoing -</b> A formal system to correct zoning of new public open space following development has not been put in place. Strategic Planning has been dealing with these on an ad-hoc basis through Administrative Amendments.
Ensure the revised MSS reflects Council policies adopted since the current scheme was created, importantly the Open Space Strategy and Maribyrnong River Valley Project (MRVP).	Partially completed - The Open Space Strategy and the Maribyrnong River Design Guidelines are reflected in revised local planning policy.
	However, one action of the MRVP included the establishment of a Maribyrnong River Valley Coordination Committee in partnership with DWELP and partner councils. This action requires coordination with the State Government and other Councils.
	Implementation of key priorities including the new planning controls for the river and seeking funding opportunities for land acquisition and new footbridges and shared trails along the river are still pending and require resolution with Melbourne Water.
Assess the need for further work to	Partially completed -
determine the potential use of the Environmental Significance Overlay	There have been investigations into the potential implementation of the ESO within the City.
(ESO).	Applying the ESO to implement the Maribyrnong River Valley Design Guidelines 2010 and applying the ESO to sites identified in the Natural Heritage Study 2001 were listed as future actions in Clause 21.13 Scheme Implementation. These are yet to be completed.

Table 5: Outstanding actions from Planning Scheme Review 2008

### 4.1.1. Planning panel recommendations for future planning scheme reviews

In response to the 2008 review, Council undertook Amendment C82 to revise the Local Planning Policy Framework of the Scheme by updating the visions and policies of the Municipal Strategic Statement (**MSS**) and the Local Policies.

The amendment was reviewed by an independent Planning Panel. Overall, the panel supported the amendment (subject to changes) and noted<sup>6</sup> in their report that "Council is to be commended on the comprehensive approach taken in drafting the proposed Local Planning Policy Framework and the significant improvements that have been made to the existing MSS and Local Policies."

The panel made recommendations to Council in relation to future planning scheme reviews, as outlined below.

Table 6: Amendment C82 – outline of the panel's recommendations to Council in relation to future planning scheme review

Recommendations for future scheme review	Status
C1 –Undertake a further planning scheme amendment to properly translate key policy directions, objectives and strategies contained in Reference Documents that Council is relying on to exercise discretion.	<b>Ongoing –</b> The key policy directions, objectives and strategies of the Scheme have been updated through Council's programme of continuous improvement, notably through amendments C111, C108, C125, C135, C141 and C137. Notwithstanding, the list of reference documents requires to be updated and it is anticipated to be updated as part of the implementation of Amendment C148
C2 –Review Clause 22.01 to clarify whether the 'policy basis' for each place and precinct is intended to serve the role of the Statement of Significance, and, if so replace the policy basis with the actual Statement of Significance.	To be completed – Changes to local planning policies as a result of VC148 will resolve this recommendations by the end of 2019.
<ul> <li>C3 –Undertake a separate amendment in respect of the Yarraville Industrial Precinct which:</li> <li>rezones Area A to a more appropriate zone that addresses the proximity to the Major Hazard Facility and prioritises health and safety of people on the site,</li> <li>caps the floorspace for Office per site and for the precinct,</li> <li>prohibits uses that attract or accommodate significant numbers of people, and</li> <li>prioritises the health and safety of people over other considerations such as economic and environmental considerations.</li> </ul>	Completed – 'Area A' is now subject to the Special Use Zone 3 and Environmental Significance Overlay 1 following amendments C102 and VC100. The controls are consistent with the panel's recommendations. The precinct is now referred to as the Yarraville Port Core Employment Area, forming Precinct 1 in MEIDS.
<ul> <li>C4 –Undertake a separate amendment in respect of land near the Yarraville Fuel Terminal which:</li> <li>rezones the area in the inner and outer advisory area to a more appropriate zone that addresses</li> </ul>	Partially completed - Following Amendment C103, an Environmental Significance Overlay 1 applies over the precinct. The overlay seeks to manage potential conflicts and safety issues by requiring the responsible authority to consider

<sup>&</sup>lt;sup>6</sup> Page 1, Maribyrnong Planning Scheme Amendment C82 Panel Report

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# 5. Evaluation of local provisions

This section evaluates the Scheme having regard to:

- Its consistency with Ministerial directions and guidelines.
- Whether it sets out policy objectives for use and development of land in the City effectively.
- Its effective use of State and local provisions to give effect to State and local planning policy objectives.

In undertaking the evaluation, some minor errors and anomalies were identified. These are summarised at Appendix 2.

### 5.1. The Planning Policy Framework

The State Government introduced major changes to the structure of the VPPs via amendment VC148 on 31 July 2018. A new policy framework was introduced called the Planning Policy Framework, which will combine the State, Regional and Local Planning Policy in one section. This means the existing local planning policy framework is required to be translated into the Planning Policy Framework is estimated to begin in mid to late 2019 as the timing in determined by DELWP. It is currently unknown how the context of local planning policies will be translated into the new framework, and will require assistance from DELWP.

VC148 also introduced a new section called Municipal Planning Strategy (commencement date unknown) which will replace the current MSS. There has been no further information supplied by DELWP as to the form and content of this strategy.

Due to these recent changes, we are unable to review the effectiveness of the new framework. It is noted that a number of existing local planning policies are required to be reviewed prior to the translation into the planning policy framework, and the introduction of new local planning policies are proposed as a part of this review.

### 5.2. Zones and associated schedules

It is considered that the zones have been correctly applied within the City. There are however previously identified zoning anomalies and errors (listed in Appendix 2). These will be addressed through a planning scheme amendment to the Scheme.

### 5.3. Overlays and associated schedules

It is considered that the overlays have been correctly applied within the City. There are however a number of expired or outdated overlay provisions which can be found at Appendix 2. These will be removed through a planning scheme amendment to the Scheme.

### 5.4. Particular provisions and associated schedules

Following the introduction of the VC148, Council is required to translate Clause 51.01 Specific Sites and Exclusions to the new Specific Controls Overlay. Council is also awaiting direction from DELWP in regards to timing of the translation into the new PPF or as introduced schedules in the particular provisions.

Following the translation of local planning policy into the Planning Policy Framework, the Operational Provision of Clause 74.02 Further Strategic Work (previously known as Clause 21.14 of Scheme) will require to be reviewed.

#### 5.5. Incorporated and reference documents

All incorporated and reference documents to the Scheme are required to be reviewed to ensure that the Scheme is up to date. Through the review process, it has been identified that a number of documents are no longer required in the Scheme which are listed in Appendix 3. The review also identified a number of strategic documents which require a planning scheme amendment to introduce them into the Scheme. These have been identified as recommendations in section 6.2 of this report.

### 6. Findings and recommendations

### 6.1. Findings and emerging issues

#### 6.1.1. Housing and Built Form

The City is currently experiencing significant growth in population and projected to increase from 87,300 in 2016 to 134,000 by 2031. Council seeks to direct growth to designated areas with quality access to services, jobs and public transport. Incremental infill development will be supported in established residential areas, while limiting growth in locations with heritage, neighbourhood character and environmental sensitivity.

The emerging issues and opportunities in relation to housing and built are:

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- Neighbourhood character guidelines the existing Preferred Neighbourhood Character statements prepared in 2010 could be updated to ensure currency and provide additional guidance.
- Schedules to residential zones utilising the schedules to the residential zones to provide specific details such as landscape design, side separation and adequate private open space
- Side by side developments / Reverse living / Presentation to laneways provide clear guidance to ensure a consistent approach and good built form outcomes
- Affordable Housing advocate for an increase in the supply of social and affordable housing in the City (in alignment with the draft Housing Strategy 2018)
- Age friendly and intergenerational housing Support age friendly and intergenerational housing that contributes positively to ageing in place in appropriate locations
- Population growth and housing in appropriate locations ensure population growth is directed to identified locations in the draft Housing Strategy

#### 6.1.2. Community Infrastructure, Community Development and Health and Wellbeing

The Council Plan is focused on providing and advocating for services and facilities that support people's wellbeing, healthy and safe living, cultural engagement and whole of life learning.

The emerging issues and opportunities related to community infrastructure, community development and health and wellbeing are:

- Community safety ensure community safety is considered in the preparation of any structure plan and master plans (in accordance with adopted Council policies)
- Community infrastructure- review existing community infrastructure policy to address colocation, clustering, adaptable spaces and design
- Community policies ensure relevancy and alignment of community policies such as Intercultural Cities Framework, Social Impact, Gaming, Liquor Licensing and Healthy by Design Framework
- 20 minute neighbourhoods develop local policy on liveable neighbourhoods and places that contribute to community health and wellbeing and place-making
- Cultural and Social Diversity ensure local planning policy wording refers to cultural and social diversity in a positive manner

#### 6.1.3. Activity Centre and Economic Development

The City has a network of activity centres from Footscray as a regionally significant retail, commercial, civic, health education and residential centre, alongside two major activity centres Braybrook -Central West and the regional attractor Highpoint. There is also a network of neighbourhood activity centres Yarraville, Seddon, West Footscray, Braybrook and Edgewater, which are predominantly traditional village/shopping strips with their own character and identity.

The emerging issues and opportunities in relation to activity centres and economic development are:

- Building heights conflict between heights stipulated in activity centre zone and heights of buildings proposed
- Active frontages difficulty in activating frontages in local centres
- New commercial 3 zone potential implementation of the commercial 3 zone
- Advertising signs no local signage policy
- Neighbourhood activity centre frameworks outdated urban design frameworks for neighbourhood centres
- Lack of mix of uses in new developments residential development proposals outweigh
  number of developments that integrate a mix of uses, and associated impacts of reduced
  frontages and services available in activity centre
- Night time economy improving night time economy in the activity centres

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- Major projects advocating and supporting Airport rail, Western Hospital, Defence site, Westgate tunnel
- Protection of employment land as identified in MEIDS
- · Encroachment the protection of separation distances between industry and sensitive uses
- Liquor Licensing permit exemptions

#### 6.1.4. Open Space, Environment and Recreation

Council strives for a clean, healthy city for people to access open spaces, cleaner air and water and respond to climate change challenges. It ensures that built and natural environments are well maintained, accessible and respectful of the community and neighbourhoods

The emerging issues and opportunities relating to open space, environment and recreation are:

- Urban Forest Strategy implementation of the Urban Forest Strategy following adoption by Council
- Significant tree register significant tree register implications for planning schemes
- Integrated Water Management and Stormwater Management Lack of Integrated water management and Stormwater management policy
- Active transport greater emphasis on active transport and review of integrated transport strategy
- Open Space review Open Space Strategy which is scheduled for 2019
- Landscape guidelines landscape guidelines currently under review
- Environmental Sustainable Design strengthen environmentally sustainable design policy
- Local special building overlay requirements investigate land in urban areas liable to inundation by overland flows from urban drainage
- Air quality greater emphasis of air quality for healthy communities
- Street trees guidance on street trees and canopy cover
- Climate change outdated climate change information in local policy
- Landfill gas risk no policy support for requirements to consider landfill gas risk as per EPA's new guidelines
- Potentially contaminated land a revised local policy that was supported through a Planning Panel process was put on hold by the Minister for Planning in 2011. Council is still awaiting a decision on whether the policy will be approved.

#### 6.1.5. Transport

Road congestion and car parking will continue to be an issue as our population grows. Supporting travel by public transport, walking and cycling is essential and requires better land use and transport integration.

The emerging issues and opportunities in relation to transport are:

- Active transport greater emphasis on active transport in planning scheme
  - Parking Overlay the introduction of the PPTN conflicts with the existing parking overlay
- Waiver of car parking lack of consistent approach regarding the waiver of car parking, as well as residential parking permits
- Transport local planning policy policy is outdated and requires revision
- Green travel plans / End of trip facilities effectiveness of green travel plans and end of trip facilities post development
- Electric vehicle charging station further support the introduction of electric vehicle charging stations and alternative transport methods
- Laneways conflict between laneway strategy and utilising rear access in development proposals

- Increasing bicycle parking rates further encouragement of bicycle rates and bicycle rack design
- Loading / Unloading need to include guidelines for Waste Management

#### 6.1.6. Heritage

Maribyrnong's heritage including buildings, industrial and archaeological sites and parks represent the city's development, from Aboriginal times to early European settlement and the later influence of the manufacturing and defence industries. There is strong community support to protect the City's heritage.

The current issues and opportunities relating to heritage are:

- Aboriginal Heritage Study 2001 implementation into the planning scheme
- Heritage Overlay inconsistences with overlay mapping of heritage significance sites
- Statement of significances errors in incorrectly referencing contributory buildings
- Design guidelines- heritage guidelines for Munitions Workers' Housing Estate, Braybrook not included in the planning scheme

#### 6.1.7. Planning processes

There are other processes and procedures required by Council to ensure that the Scheme is effective and improve the overall performance. These are:

- Referral system review process and procedures of internal referrals
- Public Open Space following Subdivision- develop a formal process for identifying areas of public open space following subdivision to be correctly rezoned to PPRZ
- Public Access to Council policies, strategies and plans Council's website should provide transparent access to all council approved policies, strategies and plan
- Section 173 agreements register a detailed review of Council's agreements were undertaken in 2017. A formal process for ongoing updates needs to be implemented.

#### 6.1.8. Key matters requiring further strategic work

Additional matters that have been identified through the review that require further strategic work are:

- Translating existing local provisions to the Planning Policy Framework post VC148 with assistance from DELWP
- Implementation of Environmental Significance Overlay
- Develop process concerning loading and unloading, and waste management to be used when assessing planning permit applications
- Update the existing environmental sustainable design policy with the inclusion of sustainable water management
- Develop a municipal wide Development Contributions Plan

#### 6.2. Recommendations

Based on community consultation outcomes, Council staff consultation, audit tools and scheme review, a series of recommendations have been developed to improve the effectiveness and efficiency of the Scheme. The recommendations have been separated into two tables, table one relates to changes to the Scheme and table two Council processes and advocacy.

Recommendation No.	Description
1.	Identify opportunities within schedules to Residential Zones to ensure development is consistent with policy and improves residential amenity
2.	Review existing neighbourhood character guidelines to ensure good development outcomes
3.	Investigate and prepare a local policy on liveable neighbourhoods and places that contribute to community health and wellbeing and place-making (20 minute neighbourhoods)
4.	Implement the Aboriginal Heritage Study 2001 into the planning scheme
5.	Continue to progress Urban Forest Strategy and implement into the planning scheme
6.	Update Maribyrnong River Design Guidelines in light of the Yarra River Advisory Committee findings/report
7.	Ensure local planning policy wording refers to cultural and social diversity in a positive manner as part of C148 translation
8.	Ensure schedule to Activity Centre Zone provides sufficient guidance and is aligned with Structure Plan
9.	Continue to review existing urban design frameworks for activity centres, such as Seddon, Edgewater and Yarraville
10.	Develop a signage policy
11.	Investigate the implementation of the commercial 3 zone in appropriate locations
12.	Review local planning policies as a part of VC148 prior to the translation into the planning policy framework (including gaming, community and development infrastructure and transport )
13.	Update the Scheme to recognise the need for landfill gas risk assessments in accordance with the EPA guidelines
14.	Update the existing environmental sustainable design policy and incorporate water sensitive urban design and integrated water management (align with IMAP)
15.	Review existing Maribyrnong Bicycle Strategy and Integrated Transport Strategy to improve active transport outcomes
16.	Review the Open Space Strategy in accordance with the strategy's monitoring and review process
17.	Review and update Maribyrnong Landscape Guidelines

### Table 1: Changes to the Maribyrnong Planning Scheme

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18.	Review Heritage Overlay schedule and processes to ensure consistencies with statement of significances.
19.	Progress the preparation of the development contribution plan and associated information requirements
20.	Finalise outstanding framework plans as identified in MEIDS
21.	Review Maribyrnong Laneway Strategy to ensure a consistent approach to rear access and laneways
22.	Review parking overlay (PO1) and new PPTN mapping to identify errors
23.	Introduce Munitions Workers' Housing Estate, Braybrook heritage guidelines into the planning scheme
24.	Continue process of preparing of planning scheme amendments that address anomalies and errors in the Scheme

### Table 2: Council processes and advocacy

Recommendation no.	Description
1.	Develop process for consideration of side by side developments, crossovers and reverse living to ensure a consistent and appropriate outcome
2.	Advocate for an increase in the supply of social and affordable housing in the City in alignment with the draft Housing Strategy
3.	Establish process to review internal Council documents post endorsement to determine relevancy and implementation into the Scheme, such as: Intercultural cities framework Social impact guidelines Healthy by Design Framework
4.	Continue to advocate for public open space on Footscray Hospital site if relocated
5.	Investigate the preparation of stormwater management strategy
6.	Develop process concerning loading and unloading, and waste management to be used when assessing planning permit applications

7.	Review internal procedures and processes when assessing car parking requirements
8.	Continue to work with internal and external stakeholders in the preparation and implementation of the significant tree register
9.	Review internal referral processes and systems and establish a referral process guide
10.	Develop an internal procedure for identifying public open space requiring rezoning following subdivision
11.	Continue to advocate for major projects that result in improved infrastructure for the community

# 7. Conclusion

Since the last comprehensive review in 2008, there has been a number of significant State initiatives that have impacted the City. This includes the release of a new metropolitan planning strategy and numerous reforms to planning legislation and the Victorian Planning Provisions (the VPPs). The recent implementation of the Smart Planning amendments in July 2018 and revised form and content of planning schemes has altered the structure and use of the planning scheme.

Locally, there has been significant population growth and change to the City's demographic profile and land-use patterns. Council has been proactive in responding to these trends by undertaking significant strategic work, most notably in relation to housing, open space, economic development and activity centres.

It is considered that the policies and controls in the Maribyrnong Planning Scheme are sound, and reflect the significant strategic work undertaken by Council in recent years. Furthermore, there are a number of strategic projects currently being developed which will further enhance Maribyrnong as a diverse and vibrant city.

No.	Description	Status	Status date	Planning authority	Category	Strategic Plan/ P
C074	Make administrative changes to the scheme to remove redundancies and correct errors, consistent with Cutting Red Tape in Planning.	Approved	09/04/09	Minister	State Govt reform	Cutting Red Tape
C078	Rezones land known as the Joseph Road Precinct, Footscray to Priority Development Zone, introduces Schedule 2 to the Priority Development Zone and applies an Environmental Audit Overlay to the land.	Approved	23/04/09	Minister	Strategic redevelopment	Footscray Station Station Precinct P
C067	Implement Section 48 of the Heritage Act	Approved	28/05/09	Minister	Administrative	
C080	Rezone a number of parcels of land within the Footscray Station Precinct as well as the Market site and adjacent 'triangle site' to Priority Development zone.	Approved	01/10/09	Minister	Strategic redevelopment	Footscray Station Station Precinct F
C081	Fix the zoning anomalies affecting the Central West Major Activity Centre and the Central West Business Park located on the south-west corner of South Road and Ashley Street, Braybrook.	Approved	08/10/09	Minister	Administrative	
C073 (Part 1)	Rezones land at 493-507 Barkly St, Footscray to Mixed Use Zone. Deletes the Development Plan Overlay from 491-493 Barkly St Footscray. Applies a Design and Development Overlay to 491-507 Barkly St, Footscray. Applies an Environmental Audit Overlay to part 493 Barkly St, Footscray and 495- 507 Barkly St, Footscray.	Approved	15/10/09	Council	Strategic redevelopment	West Footscray U
C056	Rezone 2 Banool Street, Yarraville from Industrial 3 to Residential 1, apply a Development Plan Overlay, insert Schedule 12 into the Clause and apply an Environmental Audit Overlay to the land.	Approved	25/02/10	Council	Strategic redevelopment	
C088	Rezone part of No. 13A, 19-23 Paramount Road West Footscray from Urban Floodway to Residential 1 Zone	Approved	15/04/10	Minister	Miscellaneous	
C091	Area where the Minister for Planning is the Responsible Authority within the Footscray Business District.	Approved	13/05/10	Minister	Administrative	Footscray Station Framework Plan
C073 (Part 2)	Rezones land at 36-40 Hocking St, Footscray from Mixed Use to Residential 1 Zone to allow the redevelopment of the land in accordance with the West Footscray Urban Design Framework.	Approved	24/06/10	Council	Strategic redevelopment	West Footscray U
C096	Inserts a new incorporated document titled 'Regional Rail Link 1 Project Incorporated Document, October 2010' in the Schedule to Clause 52.03 and the Schedule to Clause 81.01 to allow land identified in the incorporated document to be used and developed for the purposes of the Regional Rail Link Project subject to conditions. Amends the Schedule to Clause 61.01 to make the Minister for Planning the responsible authority for administering and enforcing Clause 52.03 in respect of the 'Regional Rail Link 1 Project Incorporated Document, October 2010' and any other provision of the planning scheme as it applies to the use or development of land authorised by the Victorian Government for the Regional Rail Link Project.	Approved	12/10/10	Minister	Infrastructure delivery	Regional Rail Lin
C090	Rezones land within the Footscray Central Activities District to the Comprehensive Development Zone schedule 4; amends clauses in the LPPF and schedules to the Mixed Use, Business 2 and 3 and Priority Development Zones; amends the schedules to Clause 52.28-4, Clause 61.01, and clause 81.01 to insert a new document titled 'Footscray Central Activities District Comprehensive Development Plan (May 2010)'		28/10/10	Minister	Strategic redevelopment	Footscray Centra (2010)
C047	Rezone land located at the western end of the Victoria University owned land on the south-west corner of Williamson Road and Hampstead Road, Maidstone from the Special Use Zone - Schedule 1 to the Residential 1 Zone; apply an Environmental Audit Overlay to the land; remove Design and Development Overlay - Schedule 1 from the land; apply Development Plan Overlay - Schedule 8 to the land; and amend Schedule 8 to the Development Plan Overlay.		24/03/11	Council	Strategic redevelopment	
C077	Rezones 170 and 180 Ashley Street, Maidstone from Public Use Zone Schedule 7 and Residential 1 Zone to Industrial 3, removes the Heritage Overlay Schedule 18 (HO18) from 180 Ashley Street and introduces a Design and Development Overlay to the subject land.	Abandoned	28/04/11	Council	Miscellaneous	
C063	Rezone the Bradmill Precinct at 355-359, 361-367 and 371-383 Francis Street, Yarraville from part Industrial 1 and Industrial 3 Zone to part Residential 1 and Business 1 Zone, amend the Schedule to the Business 1 Zone, apply DPO7 and EAO and amend Clauses 21.02, 21.03 and 21.04.	Approved with changes	05/05/11	Council	Strategic redevelopment	
C099	Rezones 170 and 180 Ashley Street, Maidstone from Public Use Zone Schedule 7 and Residential 1 Zone to Industrial 3, removes the Heritage Overlay Schedule 18 (HO18) from 180 Ashley Street and introduces a Design and Development Overlay to the subject land.	Approved	14/07/11	Minister	Miscellaneous	
C085	Revises the boundary of an existing Heritage Overlay (HO132) to include reference to the house at 99 Gordon Street, Footscray,	Approved with changes	21/07/11	Council	Heritage policy	
C094	Remove Incorporated Plan Overlay 2 from all land within the Maidstone Braybrook Redevelopment Master Plan area as this overlay is no longer required.	Approved	21/07/11	Minister	Administrative	
C082 (Part 1)	Replaces the existing Municipal Strategic Statement at Clause 21 with a new Municipal Strategic Statement and replaces the existing Local Planning Policies at Clause 22 with new and revised Local Planning Policies.	Approved with changes	15/09/11	Council	Local policy	Response to Cou
C120			15/09/11	Minister	Strategic redevelopment	
C097	Removes Development Contribution Plan Overlay (DCPO) Schedules 1, 3 and 4, updates the time of provision in DCPO Schedules 2 and 6, removes two areas affected by DCPO Schedule 6 and makes consequential changes to the relevant incorporated documents		15/12/11	Minister	Administrative	
C043	Rezone land known as 2A Beachley Street, Braybrook from Industrial 3 (IN3Z) to Residential 1 (R1Z) to facilitate the redevelopment of the site for residential uses.	Approved	25/01/12	Council	Strategic redevelopment	
C110	Rezone 34 Cowper Street, Footscray (Binks Ford site) to a Priority Development Zone.	Approved	23/02/12	Minister	Strategic redevelopment	Footscray Station Footscray Station
C104	Regional Rail Link Section 1 amendment to the Incorporated Document to reflect varation to the project area	Approved	29/03/12	Minister	Infrastructure delivery	Regional Rail Lin
C103	Introduces an Environmental Significance Overlay in Clause 42.01 in the Maribymong Planning Scheme. Introduces in Clause 42.01 a new Schedule to an Environmental Significance Overlay (ESO). Applies an Environmental Significance Overlay over the Francis Street precinct. The amendment applies to land described as the 'Francis Street precinct' and is bounded by Hyde Street, Frederick, Stephen and Beverly Streets, and Stony Creek, Yarraville.	Approved	24/05/12	Minister		Ports and Enviror

# Appendix 1: List of C ('local') amendments to the Maribyrnong Planning Scheme since last planning scheme review (1 March 2008 to 8 October 2018)

# Agenda Item 9.5 - Attachment 1

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Irral Activities District: Strategic Framework Report
Council's 2005 and 2008 Planning Scheme reviews
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C131	Rezones 6 Cross Street, Footscray to General Residential Zone Schedule 1 (GRZ1.). Applies the Environmental Audit Overlay (EAO) to 6 Cross Street, Footscray. Applies the Design and Development Overlay Schedule 8 (DDO8) to 6 Cross Street, Footscray. Amends the Activity Centre Zone Schedule 1 (ACZ1) to correct a minor typographical error.	Approved	06/08/15	Council	Strategic redevelopment	West Footscray U
C082 (Part 2)	Replaces the local policy 'Potentially Contaminated Land' at Clause 22.08	Submitted to the Department for Approval	23/07/15		Local policy	Response to Cou
C150	Implements the new residential zones through the introduction of Clause 32.07 Residential Growth Zone and an associated Schedule 1; Clause 32.09 Neighbourhood Residential Zone and an associated Schedule 1; and corresponding changes to zone maps.	Approved	28/05/15	Minister	State Govt reform	Housing Strategy Maribyrnong Neig
C136	Amends Schedule 12 to the Development Plan Overlay (2 Banool Avenue Yarraville)	Approved	21/05/15	Minister	Miscellaneous	
C125	Rezones the Footscray Central Activity Area to the Activity Centre Zone, introduces a Parking Overlay, and some new sites into the Heritage Overlay and Environmental Audit Overlay.	Approved with changes	19/03/15	Council		Footscray Structu
C138	Rezones 2B Ballarat Road, Footscray from Public Park and Recreation Zone to General Residential Zone	Approved	04/12/14	Minister	Miscellaneous	
C133	Implements s48 Heritage Act 1995	Approved	24/07/14	Minister	Miscellaneous	
C129	Applies a heritage overlay to 20 Geelong Road, Footscray	Approved	11/07/14	Council	Heritage policy	
C122	Rezones the 'Ryco site' 11-19 Whitehall Street Footscray from Commercial 2 Zone to a Mixed Use Zone and applies the Environmental Audit Overlay and Development Plan Overlay - Schedule 16.	Approved with changes	15/05/14	Council	Strategic redevelopment	Draft Footscray S
C115	Introduces a new gaming policy in to the Local Planning Policy Framework	Approved with changes	06/02/14	Council	Local policy	Maribyrnong City
C127	for 30 dwellings Introduces a new Incorporated Document titled 'State Trustees Business Identification Signage, September 2013' which applies to the land known as 72 - 74 Napier Street, Footscray	Approved	12/12/13	Minister	Miscellaneous	
C095	Rezones 30 Rosamond Road Maribymong from Industrial 3 Zone to Residential 1 Zone, applies an Environmental Audit Overlay and planning permit	Approved	28/11/13	Council	Strategic	Housing Strategy
C117	Footscray. Rezones 191 Rosamond Road, Maribyrnong from a Public Use Zone to a Commercial 2 Zone	Approved	27/11/13	Minister	Miscellaneous	
C126	schedule of Clause 61.01 and introduces an incorporated document into the Maribymong Planning Scheme for land known as the Joseph Road         Precinct, Footscray         Changes the Schedule to Clause 61.01 to remove the Minister for Planning as the responsible authority for Whitten Oval, 417 Barkley Street,	Approved	29/08/13	Minister	Administrative	
C105	Replaces schedule 2 to the Priority Development Zone, removes Design and Development Overlay 1 from the Joseph Road Precinct, amends the	Approved	29/07/13		Strategic	Joseph Road Fra
C118	applies a new Schedule 15 to Development Plan Overlay to part of land and an Environmental Audit Overlay to land and removes Heritage Overlay Schedule 124. Rezones the Maribyrnong River, between Hopkins Street and Farnsworth Avenue from Urban Floodway Zone to a Public Park and Recreation Zone.	Approved	18/07/13	Council	redevelopment	
C089	incorporated document titled 'Regional Rail Link 1 Project Incorporated Document, June 2012' to reflect a variation to the project area Rezones land at 129-155 Francis Street, Yarraville from part Industrial 3 Zone to part Residential 1 Zone and part Public Park and Recreation Zone,	Approved	28/03/13	Council	delivery Strategic	Housing Strategy
C121	Development Overlay Schedule 8 to land. Applies Heritage Overlay (HO192) over substation on part of land known as Allotment 9, Section 13 in Parish of Cut Paw-Paw (Cross Street, Footscray) and corrects an anomaly in Design and Development Overlay Schedule 11 and Development Plan Overlay Schedule 14.	with changes Approved	18/03/13	Minister	redevelopment	Regional Rail Lin
C070	Clause 21.07 and listing the Maribyrong Housing Strategy 2011 as a reference document at Clause 21.12. The amendment also corrects a number of planning scheme anomalies. Rezones land at 4 Cross Street, Footscray from Business 3 Zone to Residential 1 Zone and applies an Environmental Audit Overlay and Design and	with changes Approved	07/03/13		Strategic	West Footscray L
C093	Applies a Development Plan Overlay (DPO14) to the former Kinnear's Ropeworks site at 124-188 Ballarat Road Footscray Revises Clause 21.04 Settlement and Clause 21.07 Housing of the Municipal Strategic Statement including replacing Housing Framework Plan at	Approved	15/11/12	Council	Strategic redevelopment Local policy	Housing Strategy
C116	Amends clause 22.02 and 22.04 in the Local Planning Policy Framework, removing the sunset clause and making minor changes consistent with the recommendations of the Ports and Environs Advisory Committee	Approved	27/09/12	Minister	Local policy	Ports and Enviro
C113	Removes a redundant planning provision (Development Plan Overlay 1) from part of the land at the corner of Warrs Rd and Van Ness Avenue, Maribymong	Approved	13/09/12		Administrative	
C112	Amendment requested by the Regional Rail Link Authority to faciliate the Anderson Road Grade Separation in Sunshine.	Approved	02/08/12	Minister	Infrastructure delivery	Regional Rail Lir
C114	Gives the Minister for Planning powers under the Act as responsible authority for the land known as 2A Hopkins Street, Footscray	Approved	02/08/12	Minister	Strategic redevelopment	
C107	Corrects minor zoning anomaly by correctly describing the existing Public Use Zone at 2-4 Swan Street, Footscray as Public Use Zone 6 (Local Government) rather than Public Use Zone 3 (Health and Community). Also rezones a very small area from Residential 1 to PUZ6.	Approved	26/07/12	Minister	Administrative	
C072	Rezones part of Edgewater Estate from Comprehensive Development Zone 3 (CDZ3) to zones that more accurately reflect the developed nature of the estate.	Approved	26/07/12	Council	Administrative	
C092	Amendment requested by Council to introduce the Neighbourhood Character Overlay to precincts in Buckingham Street and Newell Street, Footscray and areas of Seddon and Yarraville. Introduce the Design and Development Overlay to the Colonial Ammunitions Estate Precinct, Maribyrnong and include the Maribyrnong Neighbourhood Character Guidelines as a reference document	Approved	12/07/12	Council	Local policy	Maribyrnong Nei Maribyrnong Nei
C102	Rezones the land from a Business 2 to a Business 3 Zone; amends the schedule to the Business 3 Zone on land bounded by Maribyrnong, Moreland, Lyons and Parker Streets, which is within the Outer Planning Advisory Area under WorkSafe Victoria's Guidance Note: Land use planning near a major hazard facility. The office floor area of each site will be limited to 500 square metres, except for 99 Moreland Street, Footscray, where the office floor area is limited to 4,000 square metres; and 90 to 96 Maribyrnong Street, Footscray, where the office floor area is limited to 6,200 square metres; introduces an Environmental Significance Overlay on the subject land. The amendment applies to approximately four hectares of land in an area bounded by Napier, Moreland, Lyons and Maribyrnong Streets, Footscray.	Approved	24/05/12	Minister	Miscellaneous	Ports and Enviro

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leighbourhood Character Review February 2010; leighbourhood Character Guidelines (2010)
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City Council Electronic Gaming Machines 2012
y Structure Plan 2013
icture Plan 2013
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y Urban Design Framework (2008)

C137	Implements the City of Maribymong Open Space Strategy 2014	Approved	04/08/16	Council	Local policy	Open Space Strategy (2014)
C135	The amendment implements the Highpoint Planning and Urban Design Framework, September 2015 by rezoning land to Mixed Use Zone and Commercial 1 Zone, amending Clause 21.11-2 (Highpoint Activity Centre), introducing a new Schedule 12 to Clause 43.02 (Design and Development Overlay), introducing a new Schedule 17 to Clause 43.04 (Development Plan Overlay), applying the Environmental Audit Overlay to additional properties within the Highpoint Activity Centre, deleting the Incorporated Plan Overlay – Schedule 1 and amending the Schedule to Clause 81.01.	Approved with changes	01/09/16	Council	Strategic redevelopment	Highpoint Planning and Urban Design Framework (2015)
C142	The amendment amends Schedule 1 to the Activity Centre Zone to correctly specify a 12 storey preferred maximum building height for all areas of sub- precinct 5C and amends the Schedule to Clause 61.01 to remove the Minister for Planning as the responsible authority for planning permit 2012/006036 for land at 1 Warde Street, Footscray, planning permit 2013/002736 for land at 4 Hopkins Street, Footscray and planning permit 2013/009824 for land at 26-34 Buckley Street, Footscray.	Approved	13/10/16	Minister	Administrative	
C108	Updates the Municipal Strategic Statement and the policies at Clause 22.02 (Francis Street Mixed Use Policy) and 22.04 (Yarraville Port and Industrial Precinct Policy) to reflect the findings of Maribymong Economic and Industrial Strategy (2011) and the Maidstone Hampstead Road East Framework Plan (2015)	Approved with changes	10/11/16	Council	Local policy	Maribyrnong Economic and Industrial Strategy (2011), Maidstone Hampstead Road East Framework Plan (2015)
C146	The Amendment corrects an error in Clause 21.04 'Settlement' that occurred during the approval of Amendment C108 'Maribymong Economic and Industrial Development Strategy'	Approved	12/10/17	Minister	Administrative	
C141	The Amendment inserts a new local policy at Clause 22.08 - Licensed Premises Policy, amends the Municipal Strategic Statement to include Maribyrnong City Council - Managing the Impacts of Licensed Premises 2015 as a reference document at Clause 21.12 and makes associated changes to Clause 21.08.	Approved with changes	26/04/18	Council	Local policy	Managing the Impacts of Licensed Premises 2015
C143	The Amendment will implement the Gordon and Mephan Precinct Framework Plan (February 2015) by introducing local planning policy to strengthen the economic role of the precinct, improve amenity and access, and support the development of key sites.	Submitted to the Department for Approval	01/08/18	Council	Local policy	Gordon and Mephan Precinct Framework Plan 2015 MEIDS 2011
C152	The amendment inserts a new Incorporated Document titled the Melbourne Metro Rail Project: Compensatory Flood Storage Incorporated Document, August 2018, in the Schedule to Clause 51.01, 72.01 and 72.04 in the Maribyrnong planning scheme.	Approved	07/09/18	Minister	Infrastructure delivery	Melbourne Metro Rail Project
C145	The amendment proposes to apply a Development Contributions Plan Overlay - Schedule 1 (DCPO1) to land in the Joseph Road Precinct, insert a Schedule 1 to Clause 45.06 Development Contributions Plan Overlay, and amend the Schedule to Clause 72.04 to incorporate the Joseph Road Precinct Development Contributions Plan into the Maribyrnong Planning Scheme.	Exhibition	20/09/18	Council	Strategic redevelopment	Joseph Road Precinct Development Contributions Plan
C147	Introduces an Incorporated Plan to provide planning permit exemptions for certain works triggered under the Heritage Overlay	Panel appointed	03/10/18	Council	Miscellaneous	Incorporated Heritage Plan
C124	Rezones 142 Ashley Street, Maidstone to facilitate a higher density residential development and correct a previous zoning anomaly	Panel appointed	05/10/18	Council	Strategic redevelopment	Housing Strategy (2011)

# Appendix 2

# List of minor errors and anomalies identified in the Scheme

Section	Description of error/anomaly
Development	Removal of schedules 3 and 4 as development complete. Consider removal of
Plan Overlays	schedules 10 and 15.
Incorporated	Update schedule 3
Plan Overlay	
Design and	Consider removal of schedules 4 and 5 as development complete
Development	Consider removal of schedules 4 and 6 as development complete
Overlay	
Zones	Rezone part of Stony Creek Parkland reserve at 310 Hyde Street Yarraville from
201100	IN3Z to PPRZ
Zones	Rezone 2 Duke Street Braybrook from IN1Z to PPRZ
Zones	Rezone 8 St Leonards Avenue Yarraville (reserve) from GRZ1 to PPRZ
Overlays	Schedule to Clause 43.01 revision to reorder heritage entries in alphabetical
Overlays	order
Local Planning	Update Burra Charter reference in Clause 21.12 and Clause 22.01-17
Policy	opulate burra onanter reference in olause 21.12 and olause 22.01-17
Overlays /	Extend HO4 to include laneways
mapping	
Overlays /	Realign boundary of HO184 at 295 Whitehall Street Yarraville
mapping	
Overlays /	Realign boundary of HO125 at 341-351 Francis Street Yarraville
mapping	Roangi Soundary of the 120 at off off thanois off of that and
Overlays /	Delete HO41 at 357 Geelong Road Kingsville
mapping	
Overlays /	Realign boundary of HO114 at 72 Cross Street Footscray
mapping	
Local Planning	Remove reference to 64 Geelong Road in Clause 22.01-11
Policy	
Overlays /	Realign boundary of HO91 at 234 Ballarat Road Braybrook
mapping	
Zones	Rezone part of 307 Williamstown Road Yarraville from GRZ1 to MUZ
Zones	Rezone 178 Stephen Street Yarraville from PUZ to GRZ1
Zones	Rezone part of 1760178 Victoria Street Seddon from C1Z to GRZ1
Overlays /	Realign boundary of NCO4 in Seddon
mapping	
Local Planning	Replace outdated reference to STEPS and SDS with BESS
Policy	
Zones	Amend wording under Application of Clause 37.08 ACZ1
Overlays /	Extend EAO to reflect boundary of 200 Stephen Street Yarraville
mapping	
Development	Delete schedules 2 and 6 as they have expired
Contribution	
Overlay	
Local Planning	Update Further Strategic Work
Policy	

# Appendix 3

# List of reference documents to the planning scheme

Reference document	Status (retain
	remove, review)
Review of Retail Development and Activity Centre Policy 2009	Retain
Carbon Neutral Action Plan (2008)	Remove
Greenhouse Reduction Strategy (2006)	Remove
Maribyrnong Landscape Guidelines (2005)	Review
Maribyrnong River Valley Vision and Design Guidelines (2010)	Retain
Natural Heritage Study (2001)	Retain
Peak Oil Policy and Action Plan (2008)	Remove
Stony Creek Linear Park Feasibility Study (2003)	Remove
Stony Creek Project Directions Plan (1999)	Review
Sustainable Water Management Plan (2006)	Review
Australia ICOMOS Inc, The Burra Charter (The Australia OCOMOS Charter for Places of Cultural Significance) (1999)	Update to most recent version
Biosis Research, Aboriginal Heritage Study, Maribyrnong City Council (2001)	Retain
Ecology Australia Pty Ltd & Environmental Geosurveys Pty Ltd, Natural Heritage Study, (2001)	Retain
Graeme Butler and Associates, Footscray Conservation Study (1989)	Retain
Heritage Victoria, The Heritage Overlay: Guidelines for Assessing Planning Permit Application (2007)	Retain
HLA-Envirosciences Pty Ltd, Archaeological Management Plan: Early Post Contact Sites, (2001)	Retain
Jill Barnard, Graeme Butler, Francine Gilfedder & Gary Vines, Maribyrnong Heritage Review, Volumes 1 –7 (2001)	Retain
The Heritage Plan, (2001)	Retain
Trevor Westmore for Footscray City Council, Yarraville Village Enhancement Study (1990)	Retain
Heritage Alliance and Graeme Butler and Associates, Footscray CAA Heritage Citations, Maribyrnong City Council, 2013	Retain
Maribyrnong Neighbourhood Character Guidelines	Retain
Maribyrnong Neighbourhood Character Review (February 2010)	Retain
Maribyrnong Housing Strategy (December 2011)	Retain
Central West Major Activity Centre Structure Plan (2008)	Retain
Footscray CAA Structure Plan (2013)	Retain
Footscray Skyline Study (2012)	Retain
Freight Futures, Victorian Freight Network Strategy (2009)	Retain
Highpoint Activity Centre Structure Plan (2008)	Retain
Highpoint Planning and Urban Design Framework (September 2015)	Retain
Maidstone Hampstead Road East Framework Plan (2012 – updated Nov 2015)	Retain
Maribyrnong City Council Electronic Gaming Machines Reference Document (August 2012)	Retain
Maribyrnong City Council Managing the Impacts of Licensed Premises (2015)	Retain

Maribyrnong Economic and Industrial Development Strategy Part 1 – Economic Development Strategy (2011)	Retain
Maribyrnong Economic and Industrial Development Strategy Part 2 – Industrial Land Strategy (2011)	Retain
Port Development Strategy 2035 Vision (2009)	Retain
Seddon Urban Design Framework (2004)	Retain
West Footscray Urban Design Framework (2008)	Retain
Western Region Employment & Industrial Development Strategy, August 2007 Ratio Consultants Pty Ltd in association with National Institute of Economic & Industry Research, C.B. Richard Ellis, CSIRO Transport Future	Retain
Yarraville Port Environs Local Planning Policy (2010)	Retain
Yarraville Village Urban Design and Traffic Management Strategy (2006)	Retain
Guidelines for the Development of Green Travel Plans and Transport Access Guides (2003)	Retain
Maribyrnong Integrated Transport Strategy (2001)	Remove
Maribyrnong Strategic Bicycle Plan (2004)	Remove
Maribyrnong Way-Finding Strategy	Remove
Footscray CAA Car Parking Study, GTA (2013)	Retain
City of Maribyrnong Open Space Strategy, Thompson Berrill Landscape Design Pty Ltd in association with Environment & Land Management Pty Ltd, 2014	Retain
City of Maribyrnong Open Space Strategy, Public Open Space Contributions	Retain
Program Report, prepared by Environment & Land Management Pty Ltd in association with Thompson Berrill Landscape Design Pty Ltd, 2015	Retain
Program Report, prepared by Environment & Land Management Pty Ltd in	Remove
Program Report, prepared by Environment & Land Management Pty Ltd in association with Thompson Berrill Landscape Design Pty Ltd, 2015	
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# **GEOGRAPHIC NAMING POLICY 2018**

Director:	Celia Haddock Director Corporate Services
Author:	Lisa King Manager Governance and Commercial Services

## PURPOSE

To present the Geographic Naming Policy 2018 (the Policy) to Council for consideration.

## **ISSUES SUMMARY**

- Under the *Geographic Place Names Act 1988 (the Act),* Council is a naming authority and is responsible for naming places within the municipality.
- The Naming rules for places in Victoria (Naming Rules) are the guidelines prescribed under the Act and provide principles for naming, the process and consultation elements to be followed and definitions for what should be named.
- Council's Geographic Naming Policy (Policy) was last reviewed in 2013 and followed the principles and procedures in the State Government's Guidelines for Geographic Names 2010 (Guidelines).
- Due to the recent update to the Guidelines, now known as the Naming Rules, there is a requirement for Council to review and update the existing Policy to accurately reflect the updates
- The key updates to the Policy include acknowledgment of the current Naming Rules and inclusion of the updated principles within the Naming Rules.

# ATTACHMENTS

1. Geographic Naming Policy 2018 <u>J</u>

# **OFFICER RECOMMENDATION**

That Council adopts the Geographic Naming Policy.

# Agenda Item 9.6

# BACKGROUND

Council's Geographic Naming Policy was last reviewed in 2013 and followed the principles and procedures in the State Government's Guidelines for Geographic Names 2010 (Guidelines). Due to the recent update to the Guidelines, now known as the Naming rules for places in Victoria (Naming Rules), there is a requirement for Council to review and update its existing Geographic Naming Policy (Policy) to accurately reflect the updates.

# **DISCUSSION/KEY ISSUES**

# 1. Key Issues

The Naming Rules detail the processes that Council must follow as the naming authority and include the following key changes:

- a preface emphasising the importance of the Naming Rules, assigning Aboriginal names and the role of public safety when deciding on a name or amending a locality boundary.
- changes to community consultation processes, notably:
  - an option is to conduct a voting poll on multiple naming options to simplify consultation and shorten the overall naming process.
  - any decision to use tacit approval is optional for non-responses.
- a new principle that explicitly states it is unacceptable to name a road after a commercial estate when there is no link to place.
- practical aids such as flow charts and checklists are provided to ensure compliant naming proposals are lodged with the Office of Geographic Names (OGN).
- assistance with the consultation process, such as example letters to use to consult with the general public/community.
- inclusion of a glossary.

The Policy has been amended to ensure:

- updated principles that are in line with the updated naming rules;
- acknowledgement of the updated naming rules;
- procedural clarity in the application of the rules.

The naming themes in the Policy continue to recommend an emphasis on the use of Indigenous language and names of local historical significance.

# Agenda Item 9.6

# 2. Council Policy/Legislation

# Council Plan 2017-2021

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Quality places and spaces lead the development of integrated built and natural environments that are well maintained, accessible and respectful of the community and neighbourhoods.

# Legislation

- Geographic Place Names Act 1998
- Local Government Act 1989
- Naming rules for places in Victoria
- Road Management Act 2004
- Planning & Environment Act 1987

# **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

# Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

# 3. Engagement

A copy of the Policy will be available for information on Council's website.

# 4. Resources

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

# 5. Environment

There are no environmental implications as a result of this report.

# CONCLUSION

The revised Geographic Naming Policy will ensure Council's approach to naming proposals remains consistent with the State Government's Naming rules for places in Victoria.



# **Geographic Naming Policy 2018**

Records number:	18/130031	Endorsed by:	
Date Endorsed:	ТВА	Policy Author:	Manager Governance and
Endorsedi			Commercial Services
Policy Owner:	Manager Governance and Commercial Services	Review date	November 2020
Policy Status:	Active	Policy type	Council

### **REVISION RECORD**

Date	Version	Revision Description
12 March 2013	1	Adopted
16 October 2018	2	For Council consideration



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# Introduction

Under the *Geographic Place Names Act 1998 (the Act),* Council is a naming authority and is responsible for naming places within the municipality.

The Act defines places as "any place of building that is, or likely to be, of public or historical interest and includes, but is not restricted to -

- a) township, area, park, garden, reserve of land, suburb or locality;
- b) topographical feature, including undersea feature; and
- c) street, road, transport station, government school, hospital and government nursing home".

The Naming rules for places in Victoria (Naming Rules) are the guidelines prescribed under the Act and reflect step-by-step information on naming, renaming or changing the boundaries of roads, features and localities in Victoria.

The implementation of the Policy reflects on following the Naming Rules and any of its amendments that might occur from time to time. Compliance with the Act and Naming Rules is mandatory.

# Purpose

The Geographic Naming Policy (the Policy) provides a consistent approach to geographic naming within the City of Maribyrnong and ensures that all of the roads, features and localities within the municipality are appropriately named.

# Scope

This policy applies to all publicly owned roads, features and localities across the municipality for which Council is determined to be a naming authority as defined in the Naming Rules



# Definitions

Term	Definition
The Act	Geographic Place Names Act 1998.
The Naming Rules	Naming rules for places in Victoria.
The Policy	Geographic Naming Policy.
Principles	Principles within the Naming Rules which a naming proposal must be met.
Geographic Place	Defined by law to cover features, localities and roads.
Features	Unique geographical place or attribute that is easily distinguished within the landscape (mountains, watercourses, buildings, structures, parks and reserves).
Localities	Where there are officially recognised boundaries including suburbs, towns, cities and regions.
Roads	Including alleyways, streets, highways, fire tracks, bike path and walking tracks.
Naming Authorities	Municipal Councils, government departments or authorities and private organisations.
Registrar	Oversees the Office of Geographic Names.
OGN	Office of Geographic Names.
Immediate Community	Defined as residents, ratepayers and businesses within the immediate area affected by the proposal.
Extended Community	Includes members within the immediate community along with visitor groups and government and non- government organisations who have an interest or service in the area.
Public Authorities	Local Emergency Services and other public service providers.



# Policy

Council is committed to provide a structured and consistent approach to naming and renaming of roads, features and localities within its municipality in accordance with the Act and the Naming Rules.

Where Council is the naming authority, it will apply the Naming Rules.

The below principles must be used in conjunction with the relevant statutory requirements related to the naming of roads, features and localities. They are designed to ensure no ambiguity, confusion, errors or discrimination are caused by the naming, renaming or boundary change process.

## Principles

- Principle 2 (A) Ensuring public safety;
- Principle 2 (B) Recognising public interest;
- Principle 2 (C) Linking the name to a place;
- Principle 2 (D) Ensuring names are not duplicated;
- Principle 2 (E) Names must not be discriminatory ;
- Principle 2 (F) Recognition and use of Indigenous Australian Names;
- Principle 2 (G) Dual names;
- Principle 2 (H) Using commemorative names;
- Principle 2 (I) Using commercial and business names;
- Principle 2 (J) Language;
- Principle 2 (K) Directional names to be avoided;
- Principle 2 (L) Assigning extent to a road, feature of locality.



### **Naming Themes**

The theme areas for naming proposals in the City of Maribyrnong are mindful of needing to achieve a balanced representation of:

- Indigenous Australia
- Other local historical events or figures
- A multicultural present

The emphasis of the Policy is to recognise the City of Maribyrnong's evolving cultural and ethnic diversity, and redress any imbalance in the recognition of social groups and the contribution of women. Additional theme areas are the City of Maribyrnong's landscape and local site history of uses.

Place names should be relevant to the local area, with preference given to unofficial names used by the local community. Proposed naming themes for the City of Maribyrnong include:

- · Local site uses and the people associated with it;
- Indigenous heritage and language;
- Significant contributors to the community (who are deceased);
- Social and historical events, including communities currently in the City of Maribyrnong;
- Recognition of the cultural diversity of the City of Maribyrnong, its migration history and multicultural groups;
- Historical exploration and settlement;
- Local landscape, flora and fauna;
- Location (features will primarily be named, describing the feature such as parks and reserves).

Preference will be given to the use of commemorative names for features such as parks and reserves.

### Feature Names

Features include mountains, watercourses, buildings, prominent structures, parks and reserves

In general, features shall be named in the following manner:

- Describing the feature and its locality;
- · Describing the feature and its abutting road name;
- Using a name already identified by Council for use as a feature name;



• Consultation with the respective committee of management, sporting or community club or community group and the public.

Council should give preference to naming its prominent local features according to the naming themes outlined in this Policy. From time to time, Council may wish to consult with local interest groups to develop an appropriate list of names to use for new geographic features.

The consultation process in determining the preferred name for the feature should be included in the development stages of the feature to be named.

### Locality Names

To preserve the heritage and identity of the City of Maribyrnong's localities, alterations to existing names should not be considered unless it can be demonstrated there is significant community support for a locality name change, and/or the name change is needed under extraordinary circumstances.

Should an area within the locality need to be named for identity and emergency services purposes, it is to be assigned a locality name subject to the following criteria being met:

- The area to be named has become an identified destination of state, national or tourism significance;
- Major development in a suburb has severely changed the characteristic of the suburb to the extent there is confusion in identifying the locality by emergency services and the general public;
- The merits of the naming proposal warrant the assignment of a locality name.

### Road Names

Council's naming authority refers to any road under the control of Council, including public roads or a road that is to be dedicated to Council by way of a subdivision of land. It excludes Crown public roads, private roads and roads under the control of any State Government authority.

All road naming or alterations to existing road names shall be referred to the Policy Owner to ensure compliance with this policy, the Naming Rules and registration of the name with the Registrar of Geographic Names. It should be noted that the definition of a 'road' also includes alleyways, highways, fire tracks, bike paths and walking tracks.



Naming a road (including right of ways) does not infer any obligation on the Council to improve, upgrade or maintain the road beyond the level of service that preceded the naming of the road.

### **New Subdivisions**

It is the responsibility of the developer to ensure that roads in a subdivision are named as per the principles set out in the Naming Rules. Council will work collaboratively with developers to create compliant road names for new subdivisions. Approval of new road names on plans of subdivision will be considered and approved as part of the planning process.

# Responsibilities

The Naming Rules allow for naming to occur by delegation of authority.

The naming of localities and public features will be resolved by Council at an Ordinary Council Meeting.

Authority to name or rename roads will be approved by the relevant delegates in accordance with Council's Instruments of Delegation.

A cross departmental Geographic Naming Committee comprising of representatives from Property Management, Planning Services, Revenue Services, Strategic Planning and Engineering Services will support the naming process.

The Committee will manage the naming process in accordance with the Naming Rules and provide names in accordance with the themes outlined in the Policy.

# Consultation

Consultation is a key component in the process of naming and renaming roads, features and localities. Where Council is a naming authority, it is required to consult in accordance with the Naming Rules.

Consultation will generally take the form of advising all abutting property owners, providing information on Council's website and a public notice in a local newspaper advising of Council's proposal and seeking comments. The consultation time is defined in the Naming Rules as a 30 day period.



Consultation is not required for naming proposals within subdivisions where there are currently no residents, businesses or ratepayers who will be directly affected.

If naming proposals use traditional Indigenous Australian names then naming authorities are required to consult with the officially recognised Indigenous groups and Traditional Land Owners. Use of these naming proposal are subject to agreement from the relevant Indigenous groups.

# **Related Documents**

- Geographic Place Names Act 1998
- Naming rules for places in Victoria 2016
- Local Government Act 1989 (Section 206 and Schedule 10)
- Road Management Act 2004
- Planning & Environment Act 1987
- Maribyrnong City Council Plan 2017 2021

# **Review of Policy**

The Policy will be reviewed in 2022, or as legislation requires, or Council determines a need has arisen.

# **PROPERTY SALE, TRANSFER AND ACQUISITION POLICY 2018**

Director:	Celia Haddock Director Corporate Services
Author:	Lisa King Manager Governance and Commercial Services

# PURPOSE

To present the updated Property Sale, Transfer and Acquisition Policy (the Policy) to Council for adoption.

# **ISSUES SUMMARY**

- Under section 5(2)(d) of the *Local Government Act 1989 (the Act)*, Council is able to acquire, deal with or dispose of property (including land) for the purpose of performing its functions and exercising its powers.
- The Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land 2009 (Best Practice Guideline) summarises the legal obligations under *the Act* and sets out general principles and best practice for the sale, exchange or transfer of land.
- Council's Property Sale, Transfer and Acquisition Policy 2018 is in line with the requirements under *the Act* and follows the Best Practice Guideline.
- Council's Policy continues to have 4 key principles:
  - Principle 1: Council will aim to retain existing land holdings except where service consolidation strategies and community infrastructure planning identifies redundant assets.
  - Principle 2: Council will aim to add to its existing landholdings where current or projected service provision necessitates additional facilities.
  - Principle 3: Council will not deal with land matters for the purposes of speculation.
  - Principle 4: Council will progressively dispose of right of ways which are no longer required through discussion / negotiation with abutting landowners.
- One new principle has been added to the Policy, which is:
  - Principle 5: Council will follow the Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land 2009 and applicable legislation.
- The decision to sell, transfer or acquire property will be made in accordance with Council's Instruments of Delegation.
- Council's previous Policy review was in 2013, it is now timely for the Policy to be updated.

# ATTACHMENTS

1. Attachment 1 - Property Sale, Transfer and Acquisition Policy J.

## OFFICER RECOMMENDATION

That Council adopts the revised Property Sale, Transfer and Acquisition Policy 2018 as attached to this report.

# BACKGROUND

Under section 5(2)(d) of the *Local Government Act 1989 (the Act)*, Council is able to acquire, deal with or dispose of property (including land) for the purpose of performing its functions and exercising its powers. The Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land 2009 (Best Practice Guideline) summarises the legal obligations under *the Act* and sets out general principles and best practice for the sale, exchange or transfer of land.

Council's Property Sale, Transfer and Acquisition Policy 2018 (the Policy) is in line with the requirements under *the Act* and follows the Best Practice Guideline.

There have not been significant changes to *the Act* or Best Practice Guideline since Council's previous Policy review, however, as the previous review was in 2013, it is now timely for Council's Policy to be updated.

The decision to sell, transfer or acquire property will be made in accordance with Council's Instruments of Delegation.

# **DISCUSSION/KEY ISSUES**

# 1. Key Issues

Updates to the Policy are listed below:

- Addition of one new principle (Principle 5 identified below).
- Inclusion of statement that Council will acquire land at market value unless exceptional circumstances exist.
- Removal of table identifying roles of individual teams across Council from the Policy, roles are to be included in internal documentation.
- Removal of paragraph referring to section 191 of *the Act*, the paragraph was a direct copy of what is written in *the Act*.
- General formatting changes.

The Policy has 5 key principles:

- Principle 1: Council will aim to retain existing land holdings except where service consolidation strategies and community infrastructure planning identifies redundant assets.
- Principle 2: Council will aim to add to its existing landholdings where current or projected service provision necessitates additional facilities.
- Principle 3: Council will not deal with land matters for the purposes of speculation.
- Principle 4: Council will progressively dispose of right of ways which are no longer required through discussion / negotiation with abutting landowners.
- Principle 5: Council will follow the Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land 2009 and applicable legislation.

# 2. Council Policy/Legislation

# Council Plan 2017-2021

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Strong leadership lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

# Legislation

- Local Government Act 1989
- Transfer of Land Act 1958
- Environment Protection Act 1970
- Limitation of Action Act 1958
- Subdivision Act 1988
- Road Management Act 2004
- Land Act 1958
- Planning and Environment Act 1987

# **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

# Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006.* 

# 3. Engagement

Not applicable.

# 4. Resources

Not applicable.

# 5. Environment

Not applicable.

# CONCLUSION

It is recommended that Council adopts the revised Property Sale, Transfer and Acquisition Policy 2018 to ensure Council's approach remains in accordance with the Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land 2009, the *Local Government Act 1989* and other relevant legislation.



# **Property Sale, Transfer and Acquisition Policy 2018**

Records number:	TRIM 18/248973	Date Approved:	ТВС
Endorsed by/date:	TBC	Policy Author:	Manager Governance and Commercial Services
Policy Owner:	Property Management	Review date	
Policy Status:	Draft	Review Number:	

### **REVISION RECORD**

Date	Version	Revision Description
12 Mar 2013	1	Adopted
19 Oct 2018	2	For Council consideration

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# Introduction

Council is the custodian of land on behalf, and for the benefit, of its community. This land includes property owned by Council, Crown Land where Council is the Committee of Management (CoM) and land leased or licensed by Council for identified purposes.

Council has a range of strategies to assist with the long term planning of community infrastructure needs, including the Community Infrastructure Plan and Open Space Strategy. Dependant on the land type and status, different legislation with specific requirements and terms can apply to property transactions. Therefore, each property matter must be dealt with in accordance with its specific legislative requirements.

# Purpose

Council is responsible for the sustainable management of its assets and maximising the community benefit arising from its property use.

This policy has been developed to meet the following objectives:

- **Custodianship:** Ensure Council owned properties are appropriately planned for and utilised, having regard to the interests of local communities and the care of the assets.
- **Community Benefit:** Ensure Council owned properties are used to meet demonstrated community needs consistent with the Council Plan.
- **Consistency:** Guidance to Council and the broader community with regard to process for the sale, transfer and acquisition of Council owned property, in line with best practice.
- **Financial:** Ensure sound financial management and effective administration of Council owned properties.
- **Legal:** Ensure the legal sale, transfer and acquisition of Council owned properties.
- **Transparency:** A framework for the fair and transparent approaches for the sale of Council owned properties.

# Scope

This policy applies to Council owned buildings and land across the municipality and the purchase of land that is identified as required for future service provision.

# Definitions

Adverse Possession: Actual possession of land without permission (licence) of the owner. Crown Land: Lands reserved or administered under the *Crown Land (Reserves) Act 1978.* Council Managed Property: Land which Council responsible for. This includes land owned or leased by Council and Crown land which Council is Committee of Management.

Council Owned Property: Land which Council owns. Not Crown Land.

**Discontinuance:** Discontinuance of a Right of Way removes the road status from the land and vests the land in Council.

**Market Value:** Valuation of the land by a valuer engaged by Council (not more than six months old).

**Property:** Land and or buildings, including at strata (airspace and subterranean). **Reserve:** Land that has been designated a particular purpose (eg. Drainage reserve, recreation reserve).

**Revenge strips:** Revenge strips were narrow strips (1 metre or less) created around subdivisions (often abutting a road) with the sole purpose of preventing access to public roads and public services within that subdivision.

**Right of Way:** Type of road that was established on early plans of a subdivision to provide access to adjoining properties.

**Service Manager:** The relevant Council officer who manages the property. The Service manager is allocated based on the nature of the use of the property.

**Stratum:** Includes the land above ground level (airspace) and below ground level (subterranean).

**Vested in Council**: Land that has been transferred into Council's possession (eg. Right of way).

# Responsibilities

Council's property portfolio is managed through a centre-led approach with key responsibilities outlined below for the Executive Management Team, Property Management Team and Service Managers.

Department	
Executive Management Team	<ul> <li>Direct relevant teams across the organisation to create strategic policies, documents, masterplans and business cases involving future decision making relating to the sale, transfer and acquisition of property to meet current and future service needs and endorse the documentation created.</li> <li>As required by Council's instruments of delegation, refer relevant matters to Council for consideration.</li> </ul>
Service Manager	Create strategic documentation and provide strategic advice regarding current and future community service needs. Strategic documentation and advice provided to identify location, size and key features of property required to meet current and future service needs. Create masterplans and business cases to objectively justify future decision making relating to the sale, transfer and acquisition of property.
Property Management	Provision of strategic advice regarding property matters. Develop policy, provide advice, guidance, template agreements and key terms relating to the sale, transfer and acquisition of property. Management of process (including consultation) and transaction (including legal). Advice regarding compliance with legislation. Maintain records and data flow.

## **Delegated Responsibilities**

Property transactions will be negotiated and executed in accordance with legislative requirements and Council's Instruments of Delegation. The decision to sell, transfer or acquire property will be made in accordance with Council's instruments of delegation.

## Policy

## 1. Principles

Council is committed to managing its land holdings so that municipal benefit is maintained and recognises it has a responsibility to ensure this land is used, retained, maintained, and disposed of in a manner that best meets the interests of past, current and future residents of the municipality.

The management of Council's property holdings will be guided by the following principles:

## Principle 1

Council will aim to retain existing land holdings except where service consolidation strategies and community infrastructure planning identifies redundant assets. Any disposal of identified surplus land will be in accordance with the Property Sale, Transfer and Acquisition Policy as adopted by Council.

## Principle 2

Council will aim to add to its existing landholdings where current or projected service provision necessitates additional facilities.

## Principle 3

Council will not deal with land matters for the purposes of speculation.

## **Principle 4**

Council will progressively dispose of "rights of ways" which are no longer required through discussion / negotiation with abutting landowners (as provided for under Section 189 of the *Local Government Act 1989*).

## Principle 5

Council will follow the Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land (Department of Planning and Community Development 2009) and applicable legislation.

## 2. Strategy

All land sales, transfers and acquisitions will be guided by the Council Plan, Council Strategies and this Policy. Council Strategies, including the Community Infrastructure Plan, Open Space Strategy and other relevant strategies will identify the current use and future needs of Council managed properties.

## 3. Sale of Land

Land determined to be surplus may be sold, in accordance with legislation and this Policy.

In accordance with the Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land (the Best Practice Guideline), sales will be conducted through a public process (public auction, public tender or selected tender by Expression of Interest) unless circumstances exist that justify an alternative method of sale. The most appropriate sale process will be selected based on the site-specific issues and Council's objectives in relation to the sale.

## 3.1 Right of Way (ROW)

Council has power under the *Local Government Act 1989* to discontinue roads and rights of way where Council forms the view a road or right of way is no longer reasonably required for public use. Statutory notification and consultation processes are required to discontinue a road.

Following discontinuance, Council may sell the land (usually by private treaty) to adjoining land owners.

Council may decide to sell the land resulting from a discontinued right of way where:

The amenity and neighbourhood character will be improved by the sale, and/or

The sale will help to address any health and safety issues (such as dumped rubbish and illicit activity), and/or

Where there is a maintenance or monitoring cost for Council, and/or

The sale will not create a land locked parcel of land (unoccupied land) that remains vested in Council, and/or

Vehicle access to property, including for construction/improvement purposes, will not be compromised. Convenient pedestrian access is not considered a determining factor, and/or

Utility provider access or easement is not inhibited.

A location that has been considered for discontinuance and the process abandoned will not be reconsidered unless property ownership has changed.

The preferred approach is to offer half the land which is proposed to be sold to each abutting land owner, where there is evidence of long term occupation of a parcel of a ROW of 15 years or more, the first option to purchase will be offered to that occupier. The second and further options will be offered to abutting property owners.

## 3.2 Revenge Strips

Revenge strips were historically created to prevent vehicular access to property from roads and rights of way.

While revenge strips have not been created for many years, there are still cases where they must be removed, for example, to consolidate land. There is a mechanism under the *Subdivision Act* 1988 for these revenge strips to vest in Council. They can then be sold with the relevant portion of the discontinued road.

Revenge strips may be sold to allow access to a property, particularly in the case of new developments and subdivisions. By the nature of location (ie. between Council managed land and private property), revenge strips will usually be sold by private treaty. Each proposal will be assessed on its merits and potential impact.

## 3.3 Public Open Space

Under Section 20(4) of the *Subdivision Act 1988*, Council must provide for replacement open space when selling open space.

Section 20(2) of the *Subdivision Act 1988*, requires councils to use the proceeds from the sale of any open space to:

Buy land for use for public recreation, as parklands or for similar purposes, or

Improve land already set aside (zoned or reserved) for use for public recreation, as parklands or for similar purposes, or

With Ministerial approval, improve land (whether set aside or not) used for public recreation, as parklands or for similar purposes.

However, should Council wish to dispose of a reserve without replacing it, the reserve status may be removed through a planning permit process and application of Section 24A of the Subdivision Act 1988.

## 3.4 Stratum

Any proposal to sell land at strata (airspace and subterranean) or enter into a Section 173 Agreement under the *Planning and Environment Act 1987* will be assessed based on the site specific proposal and issues, including potential future requirements and obligations.

## 4. Transfer of Land

A land exchange by private treaty between Council and another party will be considered where there is an identified need in line with the Council Plan or a strategic document and significant community benefit can be obtained by the exchange.

Where properties to be exchanged do not have the equivalent market value, Council will consider financial exchange in addition to the property exchange.

## 5. Acquisition of Land

The acquisition of land for identified Council purposes will be guided by the Council Plan, Council Strategies and this Policy. In line with the principles, Council will only look to acquire land where current or future service provision need is identified. No speculative land acquisition will be considered by Council.

Council will not acquire land at a price which is greater than the current market value as determined by a certified valuer engaged by Council. If exceptional circumstances exist where a specific site acquisition would provide significant community benefit and the strategic location of the site is unique in allowing Council to perform its functions and meet its objectives, then the additional value provided by the site will be explained and quantified when Council is considering the acquisition.

In accordance with section 192 of the *Local Government Act 1989*, if Council acquires land for a particular purpose, it will only use the land or part of the land for another purpose if the land is no longer required by Council for the purpose it was originally acquired. A public consultation section 223 process will be undertaken for the proposed use of the land for another purpose.

## 6. Adverse Possession

Land registered in Council's name cannot be adversely possessed (under the *Limitations of Actions Act 1958*), including ROWs that are a public highway.

Adverse possession of land can occur when the adverse possessor 1) has possessed the land for more than 15 years, 2) can demonstrate they have taken possession (physical control and an intention to possess) and, 3) that Council no longer enjoys possession.

If the adverse possession claim is successful, the land can be transferred to the possessor by the Titles Office.

## 6.1 Removal of private assets from Council managed property

Where no agreement can be reached between Council and the existing occupier of Council owned land, for the purchase of land being occupied, Council will notify the occupier to remove all buildings and obstructions (fences, gates) on the land.

## 7. Community Consultation and Transparency

At a minimum Council will meet statutory notification and community consultation requirements, and in some instances will consult more comprehensively.

Council will provide public information regarding the outcome of property sales, transfers or acquisition that does not compromise commercial in confidence or privacy requirements.

# **Related Legislation**

A number of laws and regulations govern Council owned land transactions:

*Local Government Act 1989*: Section 189 sets out the restrictions and requirements to sell land (public notice, s223 consultation, value not more than 6 months old). Sections 206 and 207 and Schedule 10 Clause 3, and Schedule 11 Clauses 5 and 8 provides Council's powers over roads, including discontinuance.

*Land Act 1958:* Law regarding the sale and occupation of Crown Land. Section 400 ability for Council to declare a government road to be unused.

*Subdivision Act 1998:* Deals with freehold land with the legal status of road (Right of Way). Section 20(2) provide restrictions and obligations regarding the sale of open space.

## Road Management Act 2004

*Planning and Environment Act 1987:* Provides for permitted uses of land through Council's planning scheme (zoning). Most encroachments or projections from buildings into the road space require planning permits.

Native Title Act 1993: Relevant where native title exists

The Building Regulations 2006: Division 2 – lists requirements for various projections or encroachments over Council owned property.

*Limitation of Actions Act 1958 Section 7* Sets out limitations for adverse possession for Crown, Victrack, Water authorities and Council land.

*Environment Protection Act 1970:* Sets out obligations for dealing with pollution/contamination of land.

Privacy and Data Protection Act 2014.

## **Related Documents**

Council Plan Council Long Term Financial Strategy Lease and Licence Policy Community Infrastructure Plan Open Space Strategy Local Government Best Practice Guideline for the Sale, Exchange and Transfer of Land (Department of Planning and Community Development 2009)

## **Review of Policy**

The Policy will be reviewed in 2022, or as legislation requires, or Council determines a need has arisen.

## LEASE AND LICENCE POLICY 2018

Director:	Celia Haddock Director Corporate Services
Author:	Lisa King Manager Governance and Commercial Services

## PURPOSE

To present the draft Lease and Licence Policy 2018 (the draft Policy) for Council to consider and approve the commencement of consultation.

## **ISSUES SUMMARY**

- Council's Lease and Licence Policy was last reviewed in 2013 and it is now timely for the Policy to be updated.
- The key updates proposed for the Policy are:
  - Alignment of responsibilities with the requirements of section 190 of the Local Government Act 1989 (the Act).
  - Provision of eligibility indicators to assist with determining which category of agreement (peppercorn, subsidised or commercial) occupants of Council owned or managed sites are suited to.
  - An expansion of subsidised rental categories to cover scenarios where Council may wish to enter into cost neutral agreements or agreements where there is a discounted market rental.
  - A preferred term of 5 years for Council leases (unless circumstances exist which justify a shorter or longer period).
  - A public process is required to be undertaken for vacant properties or agreement renewals, to allow for a fair and transparent process and identify organisations that will provide best value and highest community benefit.
  - Under certain circumstances agreements can be directly negotiated with current or prospective occupants without the need for a public process. Circumstances where a direct negotiation can occur include: an occupant which can provide significant community benefit, significant capital contributions, the site is specifically designed for their use and there is an absence of competition.
  - Removal of a table identifying responsibilities allocated to internal Council teams, the information is to be transferred to an internal document.
- Council's draft Lease and Licence Policy is in line with relevant legislation, such as: Local Government Act 1989, Crown Land (Reserves) Act 1978 and Retail Leases Act 2003.
- Consultation is to involve the draft Policy being sent electronically to all current occupants of Council premises requesting feedback within a 30 day period.

### Agenda Item 9.8

## ATTACHMENTS

1. Attachment 1 - Lease and Licence Policy 2018 J

## **OFFICER RECOMMENDATION**

That Council:

- 1. Approves the commencement of consultation of Council's draft Lease and Licence Policy 2018.
- 2. Notes that a further report will be presented at an upcoming Council meeting presenting the consultation findings and recommending the endorsement of the Lease and Licence Policy taking into consideration the findings.

## BACKGROUND

Council is the custodian of land on behalf, and for the benefit, of its community. This land includes property owned by Council, Crown Land where Council is the Committee of Management (CoM) and land leased or licensed by Council for identified purposes.

Council leases more than 69 properties to clubs, community based agencies and other incorporated organisations. Council also leases approximately 23 properties from other organisations, for its own identified purposes.

## DISCUSSION/KEY ISSUES

### 1. Key Issues

The draft Policy has been developed to meet the following key objectives:

- Custodianship: Ensure Council managed properties are appropriately maintained, developed and occupied, having regard to the interests of local communities and the care of the assets.
- Community Benefit: Ensure Council managed properties are used to meet demonstrated community needs consistent with the Council Plan, and in kind support from Council, including subsidised rent, is recognised and transparently applied in light of the community benefit to be achieved.
- Consistency: Guidance to Council and the broader community with regard to the eligibility, use, length of lease and pricing structures to meet the diverse and changing needs of the community.
- Equity: A framework for fair and equitable leasing and licensing of Council managed properties to the organisations, businesses, agencies and community groups based in the City of Maribyrnong.
- Financial: Ensure sound financial management and effective administration of Council managed properties to allow for an acceptable financial return.
- Legal: Ensure the legal use of Council managed properties.

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## The key updates proposed for the draft Policy are:

- Alignment of responsibilities with the requirements of section 190 of the Local Government Act 1989 (the Act).
- Provision of eligibility indicators to assist with determining which category of agreement (peppercorn, subsidised or commercial) occupants of Council owned or managed sites are suited to.
- An expansion of subsidised rental categories to cover scenarios where Council may wish to enter into cost neutral agreements or agreements where there is a discounted market rental.
- A preferred term of 5 years for Council leases (unless circumstances exist which justify a shorter or longer period).
- A public process is required to be undertaken for vacant properties or agreement renewals, to allow for a fair and transparent process and identify organisations that will provide best value and highest community benefit.
- Under certain circumstances agreements can be directly negotiated with current or prospective occupants without the need for a public process. Circumstances where a direct negotiation can occur include: an occupant which can provide significant community benefit, significant capital contributions, the site is specifically designed for their use and there is an absence of competition.
- Removal of a table identifying responsibilities allocated to internal Council teams, the information is to be transferred to an internal procedures document.

# There are 3 categories of agreements (listed below), eligibility indicators will be utilised to determine which category occupants are suited to:

- Category 1 Community Peppercorn Rental
- Category 2 Community Subsidised Rental
  - Category 2A Subsidised Percentage of Projected Costs
  - Category 2B Cost Neutral Agreement
  - Category 2C Discounted Market Rental
- Category 3 Commercial Market Rental

## The Eligibility Indicators are:

- Significance of community benefit to be provided.
- Alignment of proposed use with Council's objectives.
- Sources of funding.
- Sources of revenue.
- Whether the premises proposed to be occupied is fit for purpose.
- The level of community utilisation and access provided to the community by the prospective occupant.
- The operational structure of the prospective occupant.
- Compliance.

## 2. Council Policy/Legislation

## Council Plan 2017-2021

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Strong leadership lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

## Legislation

- Local Government Act 1989
- Crown Land (Reserves) Act 1978
- Retail Leases Act 2003
- Planning and Environment Act 1987

## **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

## Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

## 3. Engagement

Consultation is to involve the draft Policy being sent electronically to all current occupants of Council premises requesting feedback within a 30 day period.

## 4. Resources

Not applicable.

## Agenda Item 9.8

### 5. Environment

Not applicable.

## CONCLUSION

The Lease and Licence Policy 2018 provides a framework for fair and equitable leasing and licensing of Council managed properties to the organisations, businesses, agencies and community groups based in the City of Maribyrnong.

The Policy ensures the sustainable management of Council property while maximising the community benefit arising from its use.



## Lease and Licence Policy 2018

Records number:	TRIM 18\248989	Date Approved:	ТВС
Endorsed by	ТВС	Policy Author:	Manager Governance and Commercial Services
Policy Owner:	Property Management	Review date	ТВС
Policy Status:	Draft	Review Number:	

#### **REVISION RECORD**

REVISION RECORD		
Date	Version	Revision Description
13 Mar 2013	1	Adopted
19 Oct 2018	2	For Council consideration



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## Introduction

Council is the custodian of land on behalf, and for the benefit, of its community. This land includes property owned by Council, Crown Land where Council is the Committee of Management (CoM) and land leased or licensed by Council for identified purposes. Some Council-managed properties are leased for commercial purposes and generate market rents for Council. Most properties are leased at subsidised rates for community and not for profit purposes – to deliver a tangible community benefit. This includes properties used for community centres, child care centres, senior citizens centres, scout halls, club rooms, recreation spaces and sporting facilities. These uses deliver a range of public policy objectives, including health and wellbeing, recreation, space activation and community building.

Dependant on the land type and status, different legislation, with specific requirements and terms can apply. Therefore, each property must be dealt with in accordance with its specific legislative requirements.

## Purpose

Council is responsible for the sustainable management of assets and maximising the community benefit arising from its property use.

This policy has been developed to meet the following objectives:

- **Custodianship:** Ensure Council managed properties are appropriately maintained, developed and occupied, having regard to the interests of local communities and the care of the assets.
- **Community Benefit:** Ensure Council managed properties are used to meet demonstrated community needs consistent with the Council Plan, and in kind support from Council, including subsidised rent, is recognised and transparently applied in light of the community benefit to be achieved.
- **Consistency:** Guidance to Council and the broader community with regard to the eligibility, use, length of lease and pricing structures to meet the diverse and changing needs of the community.
- **Equity:** A framework for fair and equitable leasing and licensing of Council managed properties to the organisations, businesses, agencies and community groups based in the City of Maribyrnong.
- **Financial:** Ensure sound financial management and effective administration of Council managed properties to allow for an acceptable financial return.
- Legal: Ensure the legal use of Council managed properties.



## Scope

This policy applies to leases and licences of Council owned buildings and land across the municipality, Crown Land where Council is the designated Committee of Management and land or buildings leased or licensed by Council from another party for the purpose of Council performing its functions and meetings its objectives.

This policy does not apply to decisions relating to seasonal club agreements and casual hire agreements.

## Definitions

**Building and Improving Lease:** A lease granted for an appropriate period to allow for the construction or modification of a property.

**Commercial** – **Market Rent:** Market rental rates relate to the value of the property and are determined by an independent valuer or competitive tender, comparing with rent levels for similar properties in similar areas. Market rent will be applied when the primary use of a property is commercial.

**Community – Peppercorn Rent:** Nominal rents used to satisfy requirements by Council for creation of a lease agreement. Peppercorn rents recognise the delivery of a significant community benefit and may also offer significant capital improvement. **Community – Subsidised Rent:** Discounted rents from a market rate where there is

some community benefit and may also offer investment back into the facility.

**Crown Land:** Lands reserved and/or administered under the *Crown Land (Reserves) Act 1978.* 

**Council Managed Property:** Land which Council is responsible for. This includes land owned or leased by Council and Crown land which Council is Committee of Management.

**Lease:** A right granted by an owner of land (lessor) to another person / organisation (lessee) to have exclusive possession of that land for a fixed duration in return for rental payment.

**Licence**: A right granted by an owner of land (licensor) to another (licensee) to have shared use of that land for a fixed duration in return for rental and permits a person (licensee) to occupy land (or part thereof) on particular conditions.

**Not for Profit Organisation:** a not-for-profit is an organisation that does not operate for the profit, personal gain or other benefit of particular people (for example, its members, the people who run it or their friends or relatives).

**Occupancy Agreement:** The agreement providing rights granted for occupancy of a property.

Property: The land and or buildings to be leased or licensed.



**Service Manager:** The relevant Council Officer who manages the relationship (including lease/licence negotiations) with existing or prospective tenants or landlords. The Service Manager is allocated based on the purpose of the agreement, including the type of use.

**Term:** the period of time from the commencement of the lease to its termination, including any further terms.



## Responsibilities

Council	Resolve on leases which:
	<ul> <li>have a current market rental of \$50,000 or more (and are for a term of 1 year or more); or</li> </ul>
	<ul> <li>have a term of 10 years or more; or</li> </ul>
	a building or improving lease.
Chief	• Execute leases which have a term between 5 years and less than 10
Executive Officer	<ul> <li>e Execute licences which have a term greater than 5 years.</li> </ul>
Directors	Execute leases and licences which have a term of 5 years or less.
Service Manager	<ul> <li>Create strategic documentation relating to current and future service needs which is to be used to guide future occupancy agreements.</li> <li>Obtain information relating to organisations to assist with determining their eligibility to enter into an occupancy agreement with Council.</li> <li>Negotiates terms with Lessee / Licensee in line with Council's Policy.</li> <li>Consultation with relevant stakeholders to ensure policy, compliance and legal requirements are met.</li> <li>Monitors compliance with performance criteria, terms and conditions at minimum on an annual basis.</li> <li>Responsible for the day to day management of the occupancy agreement.</li> <li>Monitors reporting requirements from the Lessee / Licensee to ensure maximum community benefit and site optimisation is achieved.</li> </ul>
Property Management	<ul> <li>Develop policy, provide advice, guidance, template agreements and key terms.</li> <li>Attend negotiation meetings to support Service Manager (as requested).</li> <li>Maintain records and lease register.</li> <li>Advice to Service Manager regarding compliance with agreements and legislation.</li> <li>Provide relevant reporting from the lease register.</li> <li>Apply for approval in principle (grant and purpose) from Department of Environment, Land, Water and Planning (DELWP) if Council is considering to enter an occupancy agreement under the <i>Crown Land (Reserves) Act 1978</i>.</li> </ul>



## Policy

## 1. Principles

Council will enter into occupancy agreements for one or more of the following principles:

- To meet the Maribyrnong community's service needs by making its properties available to non for profit organisations or community groups.
- Ensure the optimisation and sustainable management of assets by obtaining maximum community utilisation.
- To make its properties available for commercial or private purposes, for activation or financial community benefit.
- To gain access to property required for service delivery or community access.

## 2. Categories of Agreements

Council has three categories of agreements:

- Category 1 Community Peppercorn Rental
- Category 2 Community Subsidised Rental
  - Category 2A Subsidised Percentage of Projected Costs
  - Category 2B Cost Neutral Agreement
  - Category 2C Discounted Market Rental
- Category 3 Commercial Market Rental



#### Category 1: Community – Peppercorn Rental

#### Eligibility Indicators

- **Community Benefit:** provides significant community benefit of which is in higher demand by the local community. The type of community benefit provided could not be delivered unless supported by Council.
- **Use:** aligns with a Council service and the Council Plan. Proposed use will increase social engagement and promote health and wellbeing for the City of Maribyrnong community.
- Funding: receives no funding from organisations other than Council.
- **Revenue:** no or limited capacity to generate revenue from use of the site (i.e. memberships or sub-leasing) or activities consistent with the organisational purpose.
- Fit for Purpose: the proposed use of the site is appropriate taking into account building and planning requirements.
- **Utilisation:** community access and utilisation of the site will be maximised either by direct use of the site or through shared use or hire arrangements.
- Operational: Not for profit organisation or community group or club run by volunteers.
- **Compliance:** Non-profit organisation, registered legal entity, has an ABN, financially viable, complies with all relevant legislation governing its activities, holds all relevant certificates, have a committee of management with appropriate governance arrangements.

#### Capital Contributions

 The organisation may be eligible for peppercorn rental or a rent free period for a period of time, if they have not satisfied all eligibility indicators identified above, however, have invested significant capital funds within the last 5 years or have committed to investing significant capital funds as part of a future site agreement.

#### Annual Rental

• \$104 per annum.

#### Preferred Term

- The base term offered by Council for a Peppercorn Lease is 5 years and a Licence is 3 years.
- Under certain circumstances shorter terms will be required or longer terms (if the arrangement involves significant capital investment).

#### Maintenance and Outgoings

- Council will have a standard maintenance template which provides for a partnership approach in which maintenance responsibilities will be reasonably and equitably shared.
- All other outgoings will be the responsibility of the occupants.



#### Category 2A: Community – Subsidised Rental (Based on Percentage of Projected Costs)

#### Eligibility Indicators

- **Community Benefit:** provides significant community benefit of which is in higher demand by the local community. The type of community benefit provided could not be delivered unless supported by Council.
- **Use:** aligns with a Council service and the Council Plan. Proposed use will increase social engagement and promote health and wellbeing for the City of Maribyrnong community.
- Funding: receives no or minimal funding from organisations other than Council.
- **Revenue:** has some capacity to generate revenue from use of the site (i.e. memberships or sub-leasing) or activities consistent with the organisational purpose.
- Fit for Purpose: the proposed use of the site is appropriate taking into account building and planning requirements.
- Utilisation: community access and utilisation of the site will be maximised either by direct use of the site or through shared use or hire arrangements.
- Operational: Not for profit organisation or community group or club run by volunteers or paid workers.
- **Compliance:** Non-profit organisation, registered legal entity, has an ABN, financially viable, complies with all relevant legislation governing its activities, holds all relevant certificates, have a committee of management with appropriate governance arrangements.

#### Capital Contributions

• The organisation may be eligible for subsidised rental or a rent free period for a period of time, if they have not satisfied all eligibility indicators identified above, however, have invested significant capital funds within the last 5 years or have committed to investing significant capital funds as part of a future site agreement.

#### Annual Rental

• Determined by calculating the projected costs associated with maintaining the premises, a standard formula of 2% of building replacement cost can be applied (unless there are site specific circumstances which justify a variance). The subsidised rental is then calculated by implementing a subsidy to the projected costs which may vary between 15% to 85%.

#### Preferred Term

• The base term offered by Council for a Subsidised Lease is 5 years and a Licence is 3 years. Under certain circumstances shorter terms will be required or longer terms (if the arrangement involves significant capital investment).

#### Maintenance and Outgoings

- Council will have a standard maintenance template which provides for a partnership approach in which maintenance responsibilities will be reasonably and equitably shared.
- All other outgoings will be the responsibility of the occupants.



# Category 2B: Community – Subsidised Rental (Based on Cost Neutral Agreement)

#### Eligibility Indicators

- **Community Benefit:** provides significant community benefit of which is in higher demand by the local community. The type of community benefit provided could not be delivered unless supported by Council.
- Use: aligns with a Council service and the Council Plan. Proposed use will increase social engagement and promote health and wellbeing for the City of Maribyrnong community.
- Funding: receives significant funding from organisations other than Council.
- **Revenue:** has capacity to generate revenue from use of the site (i.e. memberships or subleasing) or activities consistent with the organisational purpose.
- Fit for Purpose: the proposed use of the site is appropriate taking into account building and planning requirements.
- **Utilisation:** community access and utilisation of the site will be maximised either by direct use of the site or through shared use or hire arrangements.
- Operational: Not for profit organisation or community group or club run by paid workers.
- **Compliance:** Non-profit organisation, registered legal entity, has an ABN, financially viable, complies with all relevant legislation governing its activities, holds all relevant certificates, have a committee of management with appropriate governance arrangements.

#### Capital Contributions

• The organisation may be eligible for subsidised rental or a rent free period for a period of time, if they have not satisfied all eligibility indicators identified above, however, have invested significant capital funds within the last 5 years or have committed to investing significant capital funds as part of a future site agreement.

#### Annual Rental

 Determined by calculating the projected costs associated with maintaining the premises, a standard formula of 2% of building replacement cost can be applied (unless there are site specific circumstances which justify a variance).

#### Preferred Term

• The base term offered by Council for a Subsidised Lease is 5 years and a Licence is 3 years. Under certain circumstances shorter terms will be required or longer terms (if the arrangement involves significant capital investment).

#### Maintenance and Outgoings

- Council will have a standard maintenance template which provides for a partnership approach in which maintenance responsibilities will be reasonably and equitably shared.
- All other outgoings will be the responsibility of the occupants.



## Category 2C: Community – Subsidised Rental (Based on Discounted Market Rental)

#### Eligibility Indicators

- **Community Benefit:** there is a strong evidence base that the proposed use is in strong demand and will provide a significant community benefit and service which is in higher demand by the City of Maribyrnong community.
- Use: aligns with a Council service and the Council Plan. Proposed use will increase social engagement and promote health and wellbeing for the City of Maribyrnong community.
- **Funding:** receives significant funding from organisations other than Council or is a profit based organisation.
- **Revenue:** has increased capacity to generate revenue from use of the site or activities consistent with the organisational purpose.
- Fit for Purpose: the proposed use of the site is appropriate taking into account building and planning requirements.
- **Utilisation:** community access and utilisation of the site will be maximised either by direct use of the site or through shared use or hire arrangements.
- Operational: run by paid workers.
- **Compliance:** registered legal entity, has an ABN, financially viable, complies with all relevant legislation governing its activities and holds all relevant certificates.

#### Capital Contributions

• The organisation may be eligible for subsidised rental or a rent free period for a period of time, if they have not satisfied all eligibility indicators identified above, however, have invested significant capital funds within the last 5 years or have committed to investing significant capital funds as part of a future site agreement.

#### Annual Rental

• Determined by obtaining a commercial valuation of the site and deducting the quantifiable community benefit provided.

#### Preferred Term

• The base term offered by Council for a Subsidised Lease is 5 years and a Licence is 3 years. Under certain circumstances shorter terms will be required or longer terms (if the arrangement involves significant capital investment).

#### Maintenance and Outgoings

- Council will have a standard maintenance template which provides for a partnership approach in which maintenance responsibilities will be reasonably and equitably shared.
- All other outgoings will be the responsibility of the occupants.



#### Category 3: Commercial – Market Rental

#### **Eligibility Indicators**

- Community Benefit: desirable to provide community benefit.
- Use: aligns with and not detrimental to Council strategic objectives.
- **Funding:** receives significant funding from organisations other than Council or is a profit based organisation.
- **Revenue:** has increased capacity to generate revenue from use of the site or activities consistent with the organisational purpose.
- Fit for Purpose: the proposed use of the site is appropriate taking into account building and planning requirements.
- Utilisation: community access and utilisation of the site will be maximised either by direct use of the site or through shared use or hire arrangements.
- Operational: run by paid workers.
- **Compliance:** registered legal entity, has an ABN, financially viable, complies with all relevant legislation governing its activities and holds all relevant certificates.

#### **Capital Contributions**

• The organisation may be eligible for subsidised rental or a rent free period for a period of time, if they have not satisfied all eligibility indicators identified above, however, have invested significant capital funds within the last 5 years or have committed to investing significant capital funds as part of a future site agreement.

#### Annual Rental

- Determined by obtaining a commercial valuation of the site.
- Organisations may meet Peppercorn or Subsidised Eligibility Indicators but apply to occupy a site which is intended for a commercial use. Under these circumstances a commercial annual rental will apply.

#### **Preferred Term**

• The base term offered by Council for a Subsidised Lease is 5 years and a Licence is 3 years. Under certain circumstances shorter terms will be required or longer terms (if the arrangement involves significant capital investment).

#### Maintenance and Outgoings

Commercial terms for maintenance and outgoings apply.



### 3. Community Benefit

All agreements will be required to demonstrate the community benefit arising from the use of the site, including the recognition of Council's contribution. Reporting and review requirements will be included in agreements to ensure accountability to Council and its community.

### 4. Vacant Properties

When leasing or licensing vacant properties, Council will undertake a public process to identify the organisation that will provide best value and highest community benefit. Applications received by a public process will be assessed by a panel at Council with evaluation criteria which will be created to meet the specific requirements of the site.

Under certain circumstances, agreements will be directly negotiated with organisations, provided there are justifiable reasons that a direct negotiation is appropriate. Such circumstances include, a new occupant which will provide significant community benefit, significant capital contributions and there is an absence of competition.

#### 5. Agreement Renewals

When considering lease or licence renewals, Council will undertake a public process to identify the organisation that will provide best value and highest community benefit. Applications received by a public process will be assessed by a panel at Council with evaluation criteria which will be created to meet the specific requirements of the site.

Under certain circumstances, agreements will be directly negotiated with the current occupiers, provided there are justifiable reasons that a direct negotiation is appropriate. Such circumstances include, an existing occupant which provides significant community benefit, the site has been designed for their specific use and there is an absence of competition.



## Legislation

- Local Government Act 1989 section 190 includes restrictions on the maximum length of leases and provisions requiring leases to be advertised under section 223.
- Crown Land (Reserves Act) 1978 governs Council's responsibilities when appointed as Committee of Management of Crown Land, section 17B outlines requirements relating to Crown Land Licences and section 17D outlines requirements relating to Leases.
- Retail Leases Act 2003 outlines requirements for leases which are used wholly
  or predominantly for retail provision of goods or services.
- *Planning and Environment Act 1987* provides for permitted use of land through Council's planning scheme.

## **Related Documents**

- Council Plan
- Council Long Term Financial Strategy
- Property Sale, Transfer and Acquisition Policy
- Community Infrastructure Plan
- Open Space Strategy

## Review of Policy

The Policy will be reviewed in 2022, or as legislation requires, or Council determines a need has arisen.

# PROPOSED SALE OF AIRSPACE OVER RIGHT OF WAY ABUTTING 22-28 FORD STREET, FOOTSCRAY

Director:	Celia Haddock Director Corporate Services
Author:	Lisa King Manager Governance and Commercial Services

## PURPOSE

Following consideration of written and verbal submissions pursuant to section 223 of the *Local Government Act 1989* (Act), this report seeks Council's authority to not proceed with the proposal to sell airspace to the abutting owners of 22-28 Ford Street, Footscray.

## **ISSUES SUMMARY**

- On 17 October 2017 Council resolved to commence the statutory procedures for the proposed sale of airspace over the right of way abutting 22-28 Ford Street, Footscray by giving public notice under section 223 of the Act.
- The public notice period commenced on 1 August 2018 and closed on 31 August 2018.
- Council Officers received one written submission which did support the proposal and requested to be heard.
- On 9 October 2018 the submitter was heard in support of their written submission.
- The written and verbal submissions received have raised valid concerns regarding the proposal to sell the airspace, particularly in relation to: natural light, surveillance and the safety and security of current and future residents.
- It is recommended that Council does not proceed with the proposal to sell the airspace.

## ATTACHMENTS

1. Attachment 1 - summary of written and verbal submissions relating to proposed sale of airspace above right of way abutting 28 Ford Street, Footscray <u>U</u>

### Agenda Item 9.9

### **OFFICER RECOMMENDATION**

That Council:

- 1. Notes Attachment 1 of this Report which provides a summary of the written and verbal submissions received pursuant to section 223 of the *Local Government Act 1989* (Act) and the response from Council Officers.
- 2. Following consideration of the written and verbal submissions, resolves to not proceed with the proposal to sell the airspace at a height above 4 metres to the abutting owners of 22-28 Ford Street, Footscray for the following reasons:
  - a. It is reasonably foreseeable that any development above the airspace has the potential to impact the overall surveillance along the Council right of way impacting upon safety and security of its users; and
  - b. It is reasonably foreseeable that there will be a reduction of natural light to surrounding properties.
- 3. Notes that there are a number of concerns raised by the submitter (outlined in Attachment 1) which would be addressed through any future planning application. The probability of the concerns raised being addressed by any planning permit application is not certain and provides uncertainty to any additional future impacts (in addition to those identified in points 2a and 2b).

## BACKGROUND

On 17 October 2017 Council resolved to commence the statutory procedures for the proposed sale of airspace over the right of way abutting 22-28 Ford Street, Footscray by giving public notice under section 223 of the Act.

The public notice period commenced on 1 August 2018 and closed on 31 August 2018. Council Officers received one written submission which did support the proposal and requested to be heard.

On 9 October 2018 the submitter was heard in accordance with section 223 of the Act in support of their written submission.

## DISCUSSION/KEY ISSUES

## 1. Key Issues

## Proposal

On 23 September 2016, the owners of 22-28 Ford Street, Footscray (Applicant) submitted an application to Council proposing to purchase the airspace above the right of way. The Applicant has reported that the proposal to purchase the airspace is to allow for an improved development outcome.

A planning permit application has been lodged with Council for 22-28 Ford Street Footscray which seeks approval of a 13 storey building with elements built over the airspace. No decision on this application has been made and is on hold pending the outcome of the airspace request.

## Section 223 Submissions

Attachment 1 of this Report summarises the written and verbal submissions received and the response from Council Officers.

## 2. Council Policy/Legislation

## Council Plan 2017-2021

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Quality places and spaces lead the development of integrated built and natural environments that are well maintained, accessible and respectful of the community and neighbourhoods.

## Legislation

• Local Government Act 1989

## **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

## Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

## 3. Engagement

The section 223 public notice was published in a local newspaper, uploaded on Council's website and sent to owners of surrounding properties.

## 4. Resources

Legal, advertising, valuation and survey costs are estimated at \$10,000 plus GST.

If the sale was to proceed, the valuation of the airspace is \$110,000 plus GST.

## 5. Environment

Not applicable.

## CONCLUSION

Following consideration of written and public submissions received pursuant to section 223 of the Local Government Act 1989, it is recommended that Council does not proceed with the proposed sale of airspace to the abutting owners of 22-28 Ford Street, Footscray.

## Attachment 1 – summary of written and verbal submissions relating to proposed sale of airspace above right of way abutting 22-28 Ford Street, <u>Footscray</u>

Summar	ry of Submission	Council Officers Response
i)	If the air-space is sold and a development takes place the laneway will be very dark. Will there be lighting in the laneway when or if a future development takes place? Who will be responsible for the upkeep of such lighting?	It is likely that a combination of public and private lighting would be utilised to ensure appropriate lighting levels. Any assessment of a future planning application will consider matters pertaining to lighting.
ii)	Who will be responsible for the cleaning and maintenance of the laneway?	As part of this proposal, the laneway at ground level would continue to be owned and maintained by Council.
iii)	Who will ensure the laneway is open for use at all times?	The laneway would continue to have the status of road at ground level ensuring public access. As per all other roads, any illegal obstruction can be managed by local laws.
iv)	Is the laneway large (wide and height) enough for vans, trucks, garbage trucks, Emergency vehicles etc? We propose a widening of the laneway.	The height clearance of 4 metres is sufficient to cater for the majority of vehicles including a standard garbage truck. The sale of airspace does not alter the width of the existing laneway at ground level and retains the status quo.
v)	Will there be enough space for a garbage truck to flip a load of garbage from surrounding properties after the proposed sale of air- space and possible development?	It is not foreseeable that a garbage truck would need to lift a bin under the section of airspace proposed to be sold. The proposed sale of the airspace above the laneway would not further compromise any ability for waste collection.

Summa	ry of Submission	Council Officers Response
vi)	Will the proposed sale of the air-space have a detrimental impact on future development of surrounding properties?	Any assessment of a future planning application will consider equitable development rights of adjoining properties.
vii)	Will the proposed sale of air- space have a detrimental impact on natural light on the surrounding properties?	It is reasonably foreseeable that any development above the airspace would result in a reduction of natural light to surrounding properties.
viii)	Will the proposed sale of air- space and any future development have a detrimental impact on the traffic management around the laneway?	Any assessment of a future planning application will consider traffic impacts on surrounding area. The selling of the airspace would not impact the existing conditions of the laneway and would remain open to the public
ix)	We believe that the proposed sale of air-space will lead to a loss of an important amenity to the surrounding properties, customers of the surrounding businesses and to the general community.	This is to be considered during the submission of any future planning application.
x)	We believe that the proposed sale of air-space and future development will have a negative impact on privacy and security in the area and to the community.	This is to be considered during the submission of any future planning application.
xi)	We believe that the proposed sale of air-space and future development will have a negative impact on the views of current surrounding properties and will have a negative impact on future developments.	Any assessment of a future planning application will consider equitable development rights of adjoining properties.

Summar	ry of Submission	Council Officers Response
xii)	We believe that the proposed sale of air-space and future development is or might not be inline with building codes.	This is to be considered during any future planning and building permit application/s.
xiii)	Will there be a narrowing of the laneway?	There will not be a narrowing of the current laneway width.
xiv)	Will the laneway be dual use (for cars and for pedestrians) going forward?	Vehicles and pedestrians will be able to use the laneway as they currently are.
	Has this been taken into consideration with the proposed sale of the air-space?	
	How will the proposed sale of air-space and any future development impact on the dual use of the laneway?	
xv)	Will the proposed sale of the air-space have a detrimental impact on the security of tenants, residents or the general public?	It is reasonably foreseeable that development of the airspace would reduce surveillance of the Council laneway which would reduce safety and security for current and future residents.
xvi)	We believe that the proposed sale of the air-space will have a adverse impact on the surrounding environment.	This is to be considered during the submission of any future planning application.

## PROPOSED DISCONTINUANCE AND SALE OF RIGHT OF WAY ABUTTING 2 YORK STREET, YARRAVILLE

Director:	Celia Haddock Director Corporate Services
Author:	Lisa King Manager Governance and Commercial Services

### PURPOSE

To seek Council's approval to finalise the discontinuance and sale of part of the road abutting 2 York Street, Yarraville being part of the road contained in Certificate of Title Volume 11837 Folio 884 shown outlined in red in Attachment 1 of this report.

### **ISSUES SUMMARY**

- On 11 September 2018, Council resolved to remove part of the road from Council's register of public roads and commence the statutory procedures to discontinue part of the road pursuant to the Local Government Act 1989 (Act).
- On 19 September 2018, a notice was published in the local newspaper, uploaded on Council's website and sent to abutting owners. The notice invited submissions and advised that if the Road is discontinued, it will be sold to the owners of 2 York Street, Yarraville.
- No submissions were received in response to the public notice.
- Council is now in a position to complete the statutory procedures and make a final decision on whether to proceed with the discontinuance and sale or not.
- A valuation obtained on 5 June 2018 has identified the current market value of the Road to be \$40,000 plus GST.

## ATTACHMENTS

 Locality Map - Proposed Discontinuance and Sale of part of Road abutting 2 York Street, Yarraville <u>1</u>

### Agenda Item 9.10

#### **OFFICER RECOMMENDATION**

That Council:

- 1. Notes that no submissions were received in response to the public notice given under sections 207A and 223 of the *Local Government Act 1989* (Vic) (Act).
- 2. Authorises the Chief Executive Officer to undertake all statutory procedures pursuant to its powers under clause 3 of Schedule 10 of the Act to:
  - a. discontinue part of the road abutting 2 York Street, Yarraville being part of the road contained in Certificate of Title Volume 11837 Folio 884 (shown outlined in red in Attachment 1) (Road) by publishing a notice in the Victoria Government Gazette; and
  - b. sell the Road to the owners of 2 York Street, Yarraville for the current market value of \$40,000 plus GST.

## BACKGROUND

The owners of 2 York Street, Yarraville have expressed interest in purchasing the Road abutting their property and have requested that Council commence the statutory procedures to discontinue and sell the Road to them (shown outlined in red in Attachment 1).

On 11 September 2018, Council resolved to remove part of the Road from Council's register of public roads and commence the statutory procedures to discontinue part of the Road pursuant to the Act.

On 19 September 2018, a public notice of the proposed discontinuance and sale of the Road was published in the local newspaper, uploaded on Council's website and sent to the owners of abutting properties. No submissions were received in response to the public notice.

## DISCUSSION/KEY ISSUES

## 1. Key Issues

## Valuation

The Road which is proposed to be discontinued and sold is approximately 40.85 m<sup>2</sup>.

A valuation obtained on 5 June 2018 has identified the current market value of the Road abutting 2 York Street, Yarraville as \$40,000 plus GST.

The Road is encumbered by an active City West Water asset. City West Water has requested for an easement to be reserved in its favour.

## 2. Council Policy/Legislation

## Council Plan 2017-2021

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Quality places and spaces lead the development of integrated built and natural environments that are well maintained, accessible and respectful of the community and neighbourhoods.

## Legislation

- Local Government Act 1989 (Vic)
- Road Management Act 2004 (Vic)
- Property Sale, Transfer and Acquisition Policy 2013

## **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

### Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006.* 

### 3. Engagement

On 19 September 2018, a public notice was published in the local newspaper, uploaded on Council's website and letters sent to abutting owners inviting submissions in accordance with the statutory procedures described in section 223 of the Act.

Submissions could be made up until 19 October 2018. No submissions were received in response to the public notice.

#### 4. Resources

The owners of 2 York Street, Yarraville have agreed to acquire the Road for its market value (plus GST).

In addition to the market value of the Road (plus GST), the owners of 2 York Street, Yarraville have agreed to pay Council's professional costs and disbursements associated with the proposal, including valuation fees, survey costs, advertising costs and Land Use Victoria lodgement fees.

#### 5. Environment

Not applicable

### CONCLUSION

Having completed the statutory procedures pursuant to the Act and in consideration that there were no submissions received in relation to the matter, it is proposed that the Road adjoining 2 York Street, Yarraville be discontinued and sold to the owners of 2 York Street, Yarraville.



#### QUARTERLY PERFORMANCE AND FINANCIAL REPORT - SEPTEMBER 2018

Director:	Celia Haddock Director Corporate Services
Author:	Mark Connor Manager Finance
	Lucia Giagnorio Manager People, Culture and Safety

#### PURPOSE

To present the First Quarter, Performance Report on the Annual Council Action Plan 2018/2019 of the Council Plan 2017-2021 along with Council's financial operations and the Capital and Asset Improvement Program.

#### **ISSUES SUMMARY**

Progress reports on the Annual Council Action Plan 2018/2019, financial operations and Capital and Asset Improvement Program, are presented to Council quarterly.

- Of the 57 Council Plan actions underway, 2 are complete, 51 are progressing as planned and 4 are behind schedule.
- Variations to budget are addressed in the Operating and Capital sections of this report.
- Council is forecasting a favourable operating variance of \$673,070.
- Total Capital Forecast Variance transfer to Asset Renewal Reserve \$216,876.
- Council's financial operations and the Capital and Asset Improvement Program.
- Forecast expenditure for Capital and Assets Improvement Program down from \$73.09m to \$68.72m.

#### ATTACHMENTS

1. Annual Council Action Plan 2018-19 Q1 Progress Report J

#### OFFICER RECOMMENDATION

That Council notes the 2018/2019 First Quarter Performance and Financial reports.

The Council Plan 2017-2021 and integrated Health and Wellbeing Plan was adopted on 20 June 2017 and sets out Council's long-term vision and key commitment areas. Each year, Council develops a set of actions to ensure it can deliver on the commitments made in the Council Plan. This is the first year of developing priority actions against the Council Plan 2017-2021. The Annual Council Action Plan 2018/2019 commits to 57 actions across the six strategic objectives supporting Maribyrnong's vision.

Each quarter, the progress of these actions is monitored and reported to Council and then the community via the website. Some of the actions are funded through the capital works/initiatives budget as major initiatives.

### **Financial Operations**

The quarterly report for the current financial year is provided for the end of September 2018. The report indicates that Council is forecasting an operating favourable variance of \$673,070.

### Capital Works Program

As Council's infrastructure assets continue to age and deteriorate, the challenge of managing and sustaining them becomes even greater. The Capital and Asset Improvement Program consists of a total of 412 projects. A budget of \$55.11m was allocated to deliver new works, with 2017/2018 projects carried forward to 2018/2019 of \$17.98m with a total of (\$55.11m + \$17.98m) \$73.09m. Revised forecast expenditure for Capitals and Assets Improvement program is \$68.72m (\$73.09 - \$4.37m = \$68.72m).

The quarter report indicates that Council has a Capital Forecast Variance transfer to Reserve:

- \$216,876 from net savings transfer to Assets Renewal Reserve (refer to section 4).
- \$64,000 due to 1 project not progressing in 2018/2019 transfer to Asset Development Reserve (refer to section 4).

The quarter report indicates that Council has a Capital Projects carry forward to 2019/2020:

- \$1,885,084 Projects funded from Rates and Grants (refer to section 4).
- \$4,507,438 Projects funded from Reserve (refer to section 4).

### DISCUSSION/KEY ISSUES

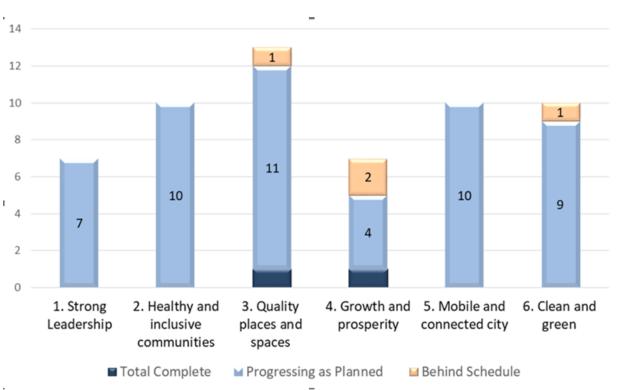
### 1. Key Issues

**Council Plan Actions** 

### a) Annual Council Action Plan

The Annual Council Action Plan 2018/2019 Progress Report (attached) shows Council's 2018/2019 progress against the 57 actions for the first quarter, July to September 2018. Progress is listed under each of the six strategic objectives and a traffic light system indicates the actions progress.

Of the 57 Council Plan actions, 2 or 4% are complete, 51 or 89% are progressing as planned and 4 or 7% are behind schedule.



### Council Plan Action Progress by Objective Area 2018/2019 (Q1)

### b) Actions behind schedule:

The 4 actions behind schedule are listed below. All actions are expected to be delivered this financial year except for the approach to community safety, to be confirmed in Q2.

Annual Actions	Comment
Continue to work with the VPA to develop the planning controls/ framework and community vision for the Defence Site Maribyrnong.	The Victorian Planning Authority is still progressing the various technical reports to support and inform the vision. It is anticipated that the vision document for the site will be completed by mid-2019.
Inspect and coordinate removal of illegally dumped rubbish in accordance with the Plan.	The service is being reviewed with the intention of increasing field-based resources to improve coverage and response times. The action will still be completed to time.
Establish Council approach to community safety with defined priorities for action, by 30 June 2019.	Work is on hold until outcomes and decisions from the service review are known.

Annual Actions	Comment
Streamline the planning process so that 70% of all decisions are made within 60 days and 100% of all VicSmart applications are decided within 10 days.	60% of decisions are being made within 60 days in Quarter 1. Work is on track to meet the annual target.

#### c) Financial Operations

Council's Long Term Financial Strategy guided the 2018/2019 Annual Budget. The March 2018 quarter forecast is an operating favourable variance of \$673,070 to the budget. The Quarterly Finance Report for September 2018 provides Council with the most up to date estimate of the year end result. Any significant operating variances are listed under Resources. The variances shown in the year-to-date section are the result of timing differences, grants being received prior to the cost of the service delivery being incurred, grants received in the previous financial year and capital works projects carried forward from the previous financial year or not progressing in 2018/2019.

#### d) Capital Report

The purpose of this report is to provide financial updates on the delivery of Councils 2018/2019 Capital and Asset Improvement Program. This report highlights any significant variances to the original adopted budget. The program consists of various projects including roads, footpaths, drainage works, transportation, parks and recreation, information technology and major redevelopment building projects.

The adopted Capital and Asset Improvement Program for 2018/2019 had new works of \$55.11m and comprised of 412 projects. The funding for the Capital and Asset Improvement Program comprised \$7.696m from grants, \$17.504m from reserves, \$90,000 from contributions, sale of assets \$400,000 and \$29.504m from rate revenue.

#### 2. Council Policy/Legislation

#### Council Plan 2017-2021

This report contributes to all of Council's strategic objectives and wellbeing priorities contained in the Council Plan 2017-2021, and incorporated Municipal Public Health and Wellbeing Plan.

#### Legislation

Performance reporting of Council Plan actions is provided in accordance with the Council resolution to receive quarterly monitoring reports, and is consistent with Council's principles of transparency and accountability.

• Quarterly Finance Reports are provided in accordance with section 138 of the Local Government Act 1989.

### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

#### Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

#### 3. Engagement

The 2018/2019 Annual Budget was developed in close consultation with the community. Quarterly progress reports on Council's performance against the Budget and Priority Action Plan are provided to the community.

#### 4. Resources

#### Forecast to Budget +/- \$20k Variance Operating Variance

Department	Major Variance Description	Budget to Forecast Variance_Q1 \$
Community Service Management	Savings in Legal expenditure.	15,000
Finance - Funding Mgmt.	Work cover premium savings.	925,635
Finance - Financial Accounting	VGC Grant reduction.	(67,350)
Finance - Management Accounting	Management Accounting savings due to restructure.	30,000
Organisational Development	Anticipated legal expenditure.	(130,000)
Operations & Maintenance - Park and Open Space	Income increased due to the project of Pipe update M102 (West Footscray to Yarraville water main renewal - Melbourne Water).	78,193
Strategic Asset Mgmt - Waste Mgmt.	Motor Vehicle insurance premium increase.	(29,445)
Strategic Asset Mgmt - Waste Mgmt.	Net recyclable impact.	(211,660)
City Future - City Concierge	Business Concierge funded from: \$40k from Regulatory Services, \$30k from Urban Planning Services, \$10k from City Business	(80,000)
Urban Planning	Increased in Statutory fee & charges (Town planning fees) savings to offset Business Concierge expenditure (\$30k).	38,000
Regulatory Services - Building Control	Increased permit fees.	25,000
Regulatory Services -	Local Laws is conducting a great deal of	20,000

Department	Major Variance Description	Budget to Forecast Variance_Q1 \$
Parking and Local Law	enforcement resulting in higher than expected income. In addition, Building Services are enforcing Local Laws around building sites resulting in additional unforeseen income. Prosecution around local laws is very reactive and is difficult to plan for	
Regulatory Services - Parking and Local Law	Staff are working well in the parking enforcement area with a reduction in errors resulting in higher income. This will trend upwards over the coming months	50,000
Variances +/- \$20k		9,697
Total		673,070

## Capital Budget Forecast Variance Summary

# Project Savings/Overrun

WO#	Project Title	Description	Budget to Forecast Variance \$
7200	Bristow Street Reserve Minor Upgrade - Lighting Upgrade to Paths	Revised estimate required.	(80,000)
448	RD Schild Street - Stephen St to Hyde St, Yarraville	Revised estimate required.	(65,000)
18779	Angliss Children`s Centre Outdoor area renewals	Revised estimate required.	(50,000)
3643	Pipe Makers Bridge - Bridge maintenance and renewal program	Joint project with MVCC. Reimbursement received in 2017/2018.	(23,612)
16761	VicRoad - Safety Study - Yarraville & Footscray one way street (DL607MAR-TS1)	Spend last year but grant received in 2018/2019.	15,000
16773	VicRoad - Braybrook LATM Design Works (DL607MAR-TS3)	Spend last year but grant received in 2018/2019	15,000
18824	Hanks Reserve Floodlight Renewal for Baseball Diamond Floodlights Renewal	Budget reallocated to Yarraville Tennis Club LED Flood Lights with a smaller estimation	15,000
18657	Ashley St - South Rd to Ballarat Rd - feasibility and design bike route	Work carried out as part of the bicycle network upgrade (W7176); saving expected	20,000
18790	Maribyrnong Community Centre Floor Coverings Renewal	Saving expected and works scheduled in December 2018.	25,000
7221	COWARD STREET - Nicholson Street to End - Footscray	Road package 02; project finished with saving achieved	27,810
3605	CAP1125 - Data Collection Building Hydraulics	Saving expected; audits completed - frames to be installed at all sites;	45,110
7208	RUPERT STREET - Neil Street to Alberta Street - West Footscray	Road package 03; project finished with saving achieved	51,042
18796	Footscray Rowing Club Floor Coverings Renewal	Saving expected; works to be programmed to suit needs.	60,000
5211	Town Hall Portico	Spent last year but grant received in 2018/2019	100,000
18869	Skinner Reserve - Sporting Fields and Facilities - Cricket Nets	Due to change in scope for cricket nets required less fund	120,000
	Variances +/- \$20k	Across 35 projects	(58,474)
	Net project savings/overrun tra Reserve	nsferred to Asset Renewal	216,876

WO#	Project Title	Description	Budget to Forecast Variance \$
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# Projects Transfer to Asset Development Reserve in 2018/2019

WO#	Project Title	Description	Budget to Forecast Variance \$
18826	Beever Reserve - Civil and Landscaping Structures - irrigation (Open Space)	Savings.	64,000
	Transfer to Asset Development Reserve		64,000
	Total Capital Forecast to Budget Variance		280,876

### Projects Carried Forward to 2019/2020

WO#	Project Title	Description	Rates Carried Forward \$	Grant Carried Forward \$
274	FP (Footpath) Improvement Program	Works in Yarraville gardens and Footscray park (design & construction) postponed due to unconfirmed scope	593,000	
1008	BLD - Scovell Reserve Pavilion - Rationalisation of 3 Buildings	Project final completion in October 2019.	234,935	225,000
7556	Henry Turner South Pavilion Detail Design	Re-scoping to master plan due to potential contribution of the two clubs	347,349	
18640	Building - Footscray Hockey Pavilion construction	Project final completion in September 2019.	106,000	
18822	Henderson House Heritage Renewal	Due to delay in obtaining heritage permit	250,000	
18845	Footscray Park - Civil and Landscaping Structures - irrigation (Open Space)	Expecting cash flow over two financial years	100,000	
18846	Goods Yard - Civil and Landscaping Structures - irrigation (Open Space)	Due to concurrent road works, works are unable to undertake in this FY	28,800	
	Carried forward 2019/2020	(rates & grant funded	1,660,084	225,000
	Total carried forward 2019	/2020		1,885,084

# Projects Funded from Reserve Carried Forward to 2019/2020

WO #	Project Title	Description	Major Reserve Carried Forward \$	Openspac e Reserve Carried Forward \$
717 7	Bicycle network upgrade - Medway Link	Land purchase in 2019/2020		803,464
100 5	CAP 2015/16 - BLD - Upgrade church St. MCH facility	Currently under construction and aim to complete August 2019; carried forward to reflect cash flow	1,628,073	
724 9	Town Hall Precinct	Forecast for current year \$2m to cover PM cost, architect cost and OD change management cost; remainder of budget CF to 2019/2020	2,075,901	
	Carried forward 2019/2020	(reserve funded)	3,703,974	803,464
	Total carried forward 2019/	2020		4,507,438

### Management Report FY 2018/2019 Q1 - 30 September 2018

Management Report FY 2018/2019 Q1 - 30 September 2018 Summary (\$'000)							
Branch	YTD Actuals	YTD Current Budget	YTD Variance	Annual Adopted Budget	Annual Forecast Budget	Carried Forward	Budget plus CFwd to Forecast Variance
Capital Expenditure							vananoo
Community Services	308	956	648	7,067	7,589	2,225	1,703
Corporate Services	42	559	517	6,360	6,360	0	C
Infrastructure Services	3,878	3,722	(155)	40,151	50,077	13,372	3,447
Planning Services	553	292	(262)	1,535	4,694	2,383	(776)
Capital Expenditure Total	4,781	5,529	748	55,113	68,720	17,980	4,374
Initiatives Expenditure							
Community Services	53	82	29	50	334	284	(
Corporate Services	132	95	(37)	70	187	117	(
Infrastructure Services	15	123	108	440	682	242	(
Planning Services	16	35	19	0	20	182	162
Initiatives Expenditure Total	216	335	119	560	1,223	825	162
Operating Expenditure							
Community Services	6,347	6,700	353	27,080	27,440	284	(76
Corporate Services	4,124	5,267	1,143	24,966	24,240	204	720
Infrastructure Services	7,716	8,039	323	35,280	35,663	246	(137
Planning Services	5,058	4,733	(325)	21,913	22,084	240 50	(137
Operating Expenditure							
Total	23,245	24,739	1,494	109,238	109,427	580	392
Expenditure Total	28,242	30,603	2,361	164,911	179,370	19,385	4,928
Capital Income							
Community Services	0	0	0	-1,173	-1,948	-495	280
Corporate Services	201	385	184	-5,000	-4,056	944	(
Infrastructure Services	-235	-305	(70)	-18,736	-21,604	-6,040	(3,172
Planning Services	-2,022	-56	1,966	-700	-2,946	-1,724	523
Capital Income Total	-2,056	24	2,080	-25,609	-30,554	-7,315	(2,369
Initiative Income							
Community Services	-	-	-	-	-	-	
Corporate Services	-	-	-	-	-	-	
Infrastructure Services	-	-	-	-	-	-	
Planning Services	-	-	-	-	-	-	
Initiative Income Total	-	-	-	-	-	-	
Operating Income							
Community Services	-2,907	-2,114	794	-12,078	-12,169	0	91
Corporate Services	-100,413	-95,831	4,582	-104,359	-103,125	1,203	(31
Infrastructure Services	-944	-765	180	-3,494	-3,468	0	(25
Planning Services	-4,463	-3,849	614	-19,371	-19,617	0	246
Operating Income Total	-108,727	-102,559	6,170	-139,302	-138,379	1,203	28 <sup>-</sup>
	-110,784	-102,535	8,251	-164,911	-168,933	-6,112	(2,088
Revenue Total							
Revenue Total Projects Transferred to Reser	ve/Carry forw	ard					
	ve/Carry forwa -82,542	ard -71,932	10,612	0	10,437	13,273	2,840
Projects Transferred to Reser	-82,542	-71,932			10,437	13,273	2,840 2,840

Strategic Initiative - Budget to Forecast Net surplus/ (Deficit)	162
Capital Improvement - Budget to Forecast Net surplus/ (Deficit)	2,005
	2,840

Comprehensive Income Statement			
Q1 2018/2019 Financial Statements			
	2019	2019	2018
	Q1	Annual	Annual
	Actuals	Budget	Actuals
	\$'000	\$'000	\$'000
Income			
Rates and charges	99,436	99,937	96,335
Statutory fees and fines	3,685	14,784	13,868
User fees	2,239	11,909	10,578
Grants - operating	2,119	8,383	8,422
Grants - capital	(61)	7,696	3,026
Contributions - monetary	1,888	3,243	3,688
Contributions - non monetary	-	-	268
Net gain on disposal of property, infrastructure, plant		480	
and equipment	-	400	-
Other income	867	2,244	3,305
Total income	110,173	148,676	139,490
Expenses			
Employee costs	12,558	57,500	52,781
Materials and services	9,277	53,214	49,298
Depreciation and amortisation	4,493	17,971	18,581
Bad and doubtful debts	663	2,412	1,900
Net loss on disposal of property, infrastructure, plant and equipment	(121)	-	1,066
Other expenses	473	1,568	1,414
Total expenses	27,343	132,665	125,040
	21,545	152,005	123,040
Surplus/(deficit) for the year	82,830	16,011	14,450
Other comprehensive income			
Net asset revaluation increment/(decrement)	-	-	157,265
			101,200

Balance Sheet			
Q1 2018/2019 Financial Statements	2019 Q1 Actuals \$'000	2019 Annual Budget \$'000	2018 Annual Actuals \$'000
Assets			
Current assets			
Cash and cash equivalents	23,141	13,301	71,922
Other financial assets	68,000	40,000	18,000
Trade and other receivables	91,389	9,841	12,798

Balance Sheet			
Q1 2018/2019 Financial Statements	2019 Q1 Actuals \$'000	2019 Annual Budget \$'000	2018 Annual Actuals \$'000
Inventories	\$ 000 6	<del>پاران</del> 8	<b>\$ 000</b> 6
Other assets	305	1,680	1,006
Total current assets	182,841	64,830	103,732
Non-current assets			
Trade and other receivables	177	198	177
Property, infrastructure, plant and equipment	1,254,735	1,119,134	1,254,446
Total non-current assets Total assets	1,254,912 1,437,753	1,119,332 1,184,162	1,254,623 1,358,355
Liabilities			
Current liabilities			
Trade and other payables	3,118	12,743	8,429
Trust funds and deposits	5,199	3,092	3,382
Provisions	13,648	14,889	13,586
Total current liabilities	21,965	30,724	25,397
Non-current liabilities			
Provisions	991	1,069	991
Total non-current liabilities	991	1,069	991
Total liabilities	22,956	31,793	26,388
Net assets	1,414,797	1,152,369	1,331,967
Equity			
Accumulated surplus	457,015	381,387	374,185
Reserves	957,782	770,982	957,782
Total Equity	1,414,797	1,152,369	1,331,967

Statement of Changes in Equity Q1 2018/2019 Financial Statements Q1 Actuals	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	<sub>Other</sub> Reserves \$'000
Balance at beginning of the financial year	1,331,967	374,185	891,344	66,438
Surplus for the year	82,830	82,830	-	-
Balance at end of the financial year	1,414,797	457,015	891,344	66,438
Annual Actuals	Total \$'000	Accumulated Surplus \$'000	Revaluation Reserve \$'000	Other Reserves \$'000
Balance at beginning of the financial year	1,160,252	381,001	734,079	45,172

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Surplus for the year	14,450	14,450	-	-
Net asset revaluation increment	157,265	-	157,265	-
Transfers to other reserves	-	(39,429)	-	39,429
Transfers from other reserves	-	18,163	-	(18,163)
Balance at end of the financial year	1,331,967	374,185	891,344	66,438

Statement of Cash Flows Q1 2018/2019 Financial Statements			
QT 2016/2019 Financial Statements	2019	2019	2018
	Q1	Annual	Annual
	Actuals	Budget	Actuals
	\$'000	\$'000	\$'000
	Inflows/	Inflows/	Inflows/
	(Outflows)	(Outflows)	(Outflows)
Cash flows from operating activities			
Rates and charges	18,974	99,784	95,779
Statutory fees and fines	2,739	14,681	11,250
User fees	3,808	12,948	11,241
Grants - operating	2,119	8,383	8,422
Grants - capital	(61)	7,696	3,026
Contributions - monetary	1,888	3,243	3,688
Interest received	543	1,216	2,154
Trust funds and deposits taken	2,289	2,459	3,811
Other receipts	394	1,028	1,418
Net GST refund	2,143	4,130	5,623
Employee costs	(13,829)	(56,622)	(52,563)
Materials and services	(14,182)	(60,929)	(56,713)
Trust funds and deposits repaid	(472)	(2,459)	(3,521)
Other payments	(473)	(1,568)	(1,414)
Net cash provided by/(used in) operating activities	5,880	33,990	32,201
Cash flows from investing activities			
Payments for property, infrastructure, plant and equipment	(4,782)	(48,178)	(18,153)
Proceeds from sale of property, infrastructure, plant and equipment	121	480	4,128
Payments for investments	(50,000)	(2,000)	(23,000)
Proceeds from sale of investments	-	16,000	59,000
Net cash provided by/(used in) investing activities	(54,661)	(33,698)	21,975
Net increase (decrease) in cash and cash equivalents	(48,781)	292	54,176
Cash and cash equivalents at the beginning of the financial year	71,922	13,009	17,746
Cash and cash equivalents at the end of the financial year	23,141	13,301	71,922

Statement of Capital & Improvement Works Q1 2018/2019 Financial Statements			
	2018/2019	2018/2019	2017/2018
	Q1	Annual	Annual
	Actuals	Budget	Actuals
	\$'000	\$'000	\$'000
Property			
Land	183	2,214	-
Total land	183	2214	-
Buildings	1301	27,784	1,902
Works in progress	-	-	1875
Total buildings	1,301	27,784	3,777
Total property	1,484	29,998	3,777
Plant and equipment			
Plant, machinery and equipment	578	1,200	1,245
Computers and telecommunications	29	1,360	993
Library books	262	967	884
Works in progress	-	-	19
Total plant and equipment	869	3,527	3,141
Infrastructure Roads	4050	11010	0.504
	1353 195	14,649 30	2,534
Bridges	77	2,878	975
Footpaths and cycle ways		,	
Drainage Recreational, leisure and community facilities	93	400	<u>1,446</u> 1104
Waste management	104	350	1104
Parks, open space and streetscapes	596	9,223	122
Off street car parks	11	9,223	122
Other infrastructure		483 80	199
Works in progress			5,032
Total infrastructure	2,429	28,095	11,563
Total capital works expenditure	4,782	61,620	18,481
rotal ouplial worke experiatare		01,020	10,401
New	1,233	30,782	1,017
Renewal	3,345	24,346	10,411
Upgrade	204	6,492	127
Works in progress	0	0	6,926
	4,782	61,620	18,481

### 5. Environment

Not applicable.

### CONCLUSION

The Quarterly Performance and Financial Report is a regular and ongoing mechanism for Council to be accountable to its community. In broad terms, the September 2018 Quarter One report demonstrates that there is a high level of compliance and a high level of delivery for both Council's annual budget and Annual Council Action Plan.

	ANNUAL COUNCIL ACTION PLAN 2018-19 Q1 Progress Report				
KEY	Completed	On Track	Behind Schedule		
	* Major Initiative	HW - Health & Wellbeing Action			
No.	Strategy	Action	Progress Comment	Status	
1.1	Build a customer focused culture providing targeted services to meet our community needs	Implement an online customer request system that enables residents to lodge and track actions undertaken	Work in progress. Completion expected in December followed by testing and rollout in January 2019.		
1.3	Strengthen engagement and communications with the community	Continue to grow Council's online engagement portal	Visits to the site continue to grow, with nearly 49,000 visits to date.		
1.4	Develop and deliver a strategic advocacy plan Health and wellbeing (HW)	Revise advocacy plan according to state announcements and community needs	This is being regularly updated and has resulted in substantial funding from the State Government. A plan was also developed for the upcoming State election which has also resulted in a number of funding promises.		
1.5	Secure the long term financial sustainability of council	Consider impacts of changing the rating system from NAV to CIV through modelling and charges.	Consultant preparing rating strategy and CIV options.		
	Undergo service planning to ensure services and	Continue service planning across the organisation to align services with community need, quality and effective service provision and greater efficiency	Service Planning was kick-started with a leadership forum on September 20 2018 to align with the budget cycle.		
1.6	programs are relevant and targeted to meet community needs	Facilitate the production and implementation of the following Level of Services Plans: road management, parks and open spaces, buildings and drainage	An audit as been scheduled to verify compliance with the Road Management Plan targets and Levels of Service.		
1.7	Implement Council Plan actions that address the community's priorities over the next four years	Prepare the 2019-20 Annual Council Action Plan	Service planning has begun with teams considering appropriate actions for the Annual Council Action Plan to be finalised by Q3/4		
	Deliver sport and recreation programs and capital works that increase capacity, accessibility and wellbeing HW	* Develop the Leisure Health and Wellbeing Framework	Draft Framework is in development. Department workshops held in Q1.		
		Complete the Maribyrnong Aquatic Centre Feasibility Study	Consultants have completed reviews of future facility development, asset management and management options.		
2.1		Complete the municipal wide Indoor Stadium Plan	Draft Indoor Stadium Plan has gone to EMT and will be going to Council for adoption in October		
		Develop a gender equity strategy and action plan	Extensive internal stakeholder consultations took place in Q1. Draft Gender Equity is developed and expected to be endorsed by Council in Q2. Biannual Action Planning will occur in Q3.		
2.4	Facilitate early years, children, youth and family- focused services for a rapidly growing community HW	*Develop the Integrated Child, Family and Youth Strategy 0-25 years.	Service Review across the community services will be used to inform the strategy development. PCG/PWG developing consultation plan to be rolled out in early 2019		
2.5	Deliver and support arts and culture opportunities that enhance social connection, inclusion and the experience of living in Maribyrnong HW	Deliver on the Arts and Culture Strategy 2018-23 and progress year one actions by 30 June 2019	Year 1 action items are currently in planning, underway and/or out for quotes. All year 1 actions are on track to be completed by June 2019.		
2.6	Support and deliver community health and wellbeing initiatives HW	Develop and implement policy, plans and programs that contribute to physical activity and wellbeing, and reduce harm from alcohol and other drugs	Spring into Summer Series program finalised. Program will run in Q2. Get Active Program will run in Q3. Active Grants applications are currently open and will be assessed in Quarter 2. CoActive program commenced registrations in Q1 and will continue in		
2.7	Facilitate the development of Maribyrnong as an 'intercultural city'4 that promotes inclusivity and diversity HW	Undertake feasibility study re utilisation of Yarraville Seniors' Centre to explore future program and service model	The process is being consolidated and discussions are being held about the future use and relationship to rethinking spaces in an Intercultural and Intergenerational City.		
2.8	Enable formal and informal volunteering, community leadership, civic participation and place-based neighbourhood development HW	Design and implement the process to deliver the volunteer strategy 2018-2021	Recruitment of Volunteer officer to commence shortly, progress will commence once this has been completed.		

No.	Strategy	Action	Progress Comment	Status
2.9	Plan and promote services and opportunities that promote positive ageing HW	Through consultation with the community develop a holistic strategy addressing the diversity of needs and aspirations of older people to create a community that celebrates and is accessible for older people	Scoping has commenced for strategy. Further preparatory work will continue as the departmental plan (incorporating an intergenerational and intercultural approach) and direction is finalised.	
		*Implement the Quarry Park Masterplan Stage 2 including mountain bike track.	Earthworks have commenced on site. Mountain bike trail design and construct contract has been awarded and detailed design has commenced.	
3.1	Plan and deliver a diverse range of open space in natural and urban environments HW	*Prepare a Stony Creek Linear park connections (West Footscray to Tottenham linkages) Plan	Opportunities and Constraints Plan has been prepared. Brief to appoint consultant is in progress.	
		Prepare a land acquisition report identifying priority sites for purchasing future open space in identified gap areas.	Report has been prepared and will be presented to Council in October 2018.	
		* Complete the Business Case for the Footscray Library, Community & Cultural Hub.	Business case is expected to be completed within initial timeframe set.	
3.2	Facilitate the renewal and development of contemporary community infrastructure that are multi- purpose and multi-generational HW	Development of Council's 10 year Asset Renewal Program	The 4 year renewal program and Capital Improvement Program (CIP), 10 year capital expenditure for new, expanded and upgraded civil assets will be produced during Q2 and approved in Q3.	
		Provide end to end project management support for Footscray Learning Precinct and Footscray Community and Cultural Hub redevelopments	Support continues to be provided in accordance with the timelines and deliverables outlined in the Project Charter.	
		Complete a Public Toilet Strategy	Draft Strategy prepared, requires updating before presenting the strategy to Council in December	
3.3	Develop a City intrastructure Plan aligning to	Develop a Victoria University & Footscray Park Precinct Plans	Commence in Q3	
		Development of Council's CAPEX Model and Tool - Develop 20 Year Capital Investment Program/City Infrastructure Plan.	Capex Model upgrade completed and CIP for next 6 years is in progress. During Q2 and Q3 the CIP will be reviewed, verified and recommended for Council approval.	
3.4	Promote community safety through space activation, crime prevention partnerships, and amenity improvements HW	Establish Council approach to community safety with defined priorities for action, by 30 June 2019	Work on hold in Q1 - awaiting outcomes and decisions from the service review.	
		* Complete construction of Church St Early Years Centre	Construction well underway with slab and footings completed in Q1. As well as underground servicing works.	
3.6	Plan and deliver Council's capital works program	Complete construction of Kingsville Tennis Pavilion	Awarded and commenced construction in Q1. project due for completion May 2019.	
		Deliver open space and urban design projects in the capital works program and support delivery through the Project Office.	Capital works program proceeding to planned timelines.	
	Plan for diverse, high quality and affordable housing in	*Implement the strategic directions of the revised Housing Strategy.	Amendment C154 was submitted to the Minister for Planning on 17 July 2018 (seeking authorisation to prepare and exhibit). Council received notice from DEWLP on 25 July 2018 that the amendment requires further review and was placed on hold. On 28 August 2018 Council wrote to the Minister seeking an update on the status of the amendment. We are still awaiting a response.	
4.1	4.1 appropriate locations that responds to community growth and needs HW	*Investigate and prepare draft Development Contribution Plan for the City.	Work has commenced on the preparation of the municipal Development Contribution Plan. A project manager has been appointed and a draft project charter prepared.	
		Continue to work with the VPA to develop the planning controls/ framework and community vision for the Defence Site Maribyrnong	The Victorian Planning Authority is still progressing the various technical reports to support and inform the vision. It is anticipated that the vision document for the site will be completed by mid 2019.	
4.2	Support the business community and actively promote the city for business	* In partnership with Victoria University implement Footscray University Town business plan including a Smart City Initiative	Footscray University Town actions continue to be delivered via Victoria University & Council partnership. Progressing as planned.	

No.	Strategy	Action	Progress Comment	Status
4.3	Land set aside for employment is protected and enhanced	Continue to implement the strategic land use directions of Maribyrnong Economic and Industrial Development Strategy via the preparation of precinct framework plans or suitable planning policy	Project plan prepared to update the draft Tottenham and West Footscray Framework Plan (2014). However due to the serious fire incident that occurred in August the project plan is being review and considering how to proceed. Also VPA have commenced a new project to review industrial land in Yarraville Crawley and Brooklyn (Hobsons Bay) to redevelop the area into a Business Park.	
4.5	Manage planning applications in a timely manner to accommodate stakeholder and community expectations	Streamline the planning process so that 70% of all decisions are made within 60 days and 100% of all VicSmart applications are decided within 10 days.	60% of decisions are being made within 60 days in Quarter 1.	
4.7	Develop a community plan to capture the community's vision and aspirations to 2040	Develop community plan and undertake community comment	Maribyrnong 2040 was endorsed by Council in September	
5.1	Create a connected, pedestrian and bicycle friendly city HW	* Update Council's Cycle Strategy with an active transport focus	Responsibility for this Action reassigned to Planning Services - Manager City Design, Matt Slavin, effective 17 September 2018.	
5.2	Support the development of sustainable transport	* Continue to work with the State Government and Transurban on the West Gate Tunnel Project to optimise community benefits	Council continues to meet with West Gate Tunnel Project, Transurban and CPB John Holland on a regular basis to obtain the best possible outcomes from the project	
5.2	options to reduce truck traffic and pollution HW	Continue to work with the state government and Transurban on the West Gate Tunnel Project to optimise community benefits.	Relevant meetings attended, as scheduled, and action provided by Project Manager - Major Transport Programs. This role ceases to exist effective 26 October 2019. Responsibility for this Action transferred to Adrian Havryluk, effective 26 October	
5.3	Improve amenity and reduce traffic congestion through local area traffic management	Reduce traffic speeds and improve road safety.	The detailed signage plan for 40 km/h speed zone in Yarraville and Seddon have been submitted to VicRoads and await their approval. Two speed humps will be implemented on Severn St this financial year.	
5.4	Work with the State Government on improved North South freight traffic linkages (Ashley Street/Paramount Road)	Increase road capacity and alternate routes to ease congestion and improve transit and economic opportunities.	Advocacy opportunities through Western Transport Alliance and other groups.	
5.5	Provide locally responsive and safe parking throughout the city	Implement Council's Parking Management Policy	The plan is on track for completion by May 2019 for 4 of the 8 precincts	
		Inspect and maintain all footpaths to ensure compliance with the requirements of Council's Road Management Plan Inspect and maintain all roads related to infrastructure, to ensure compliance with the requirements of Council's Road Management Plan	Full Network Audit scheduled to commence mid October 2018	
5.6	Develop an Asset Management System	Review all asset management plans and align them to ISO 55000	We are planning to integrate all our asset management (AM) plans into one document "the Council's Civil Asset Plan". We are also planning to review our policy and strategy to determine if it is still relevant and aligned to the Council's long term financial plan. The proposed new AM Structure will consists of: policy, manual and plan.	
5.7	Develop the city as a 'smart city'5 using technology initiatives to manage the city's resources and services in more effective ways	Deliver a Smart City Action Plan to embed Smart city thinking in Council practices	Action plan endorsed by EMT, a cross organisation working group convened and light house actions underway	
6.1	Deliver an urban forest strategy and a sustainable urban tree population HW	*Develop a Significant Tree Register by 30 June 2019.	nominations for significant trees is currently open and will close in November 2019. Nominations will then be assessed against the criteria.	
6.2	Improve the city's resilience to environmental challenges and in particular air quality HW	Develop Council's Environmental Aspect and Impact Register and provide draft policy and guidelines for consideration	Aspect and Impact Register has been completed. The issue of Air Quality and Water Quality need further discussion and clarification.	
6.3	Progress Zero Carbon Maribyrnong HW	* Implement solar panels on priority buildings	Solar Program has commenced. Solar on Drill Hall completed, other buildings are planned for Q2,3 & 4	
		Continue the progressive implementation of the Integrated Amenity Improvement Plan and measure success by a maintained or improved 2018 Community Satisfaction Survey result	Integrated Amenity Improvement Plan continues to drive the delivery of Graffiti Management and Illegally Dumped Rubbish programs	

No.	Strategy	Action	Progress Comment	Status
6.4	Improve the visual presentation, cleanliness and amenity of the city HW	Deliver the Graffiti Inspection and Reporting Program and ensure contractor compliance regarding the timely removal of graffiti	High standard of Graffiti Management continues to be delivered. Proactive inspections and contract auditing. 5,330 m2 of Graffiti removed in Q1	
		Inspect and coordinate removal of illegally dumped rubbish in accordance with the Plan	Service being reviewed, with the intention of increasing field based resources to improve coverage and response times.	
6.7	Incorporate Ecologically Sustainable Design and measures in Council buildings	Implement and monitor the Ecologically Sustainable Design Policy for Council	No council building projects completed this year.	
6.8	Maintain healthy and protected waterways	Develop a Water Management Plan inclusive of stormwater management, water quality and a community education plan	Council has applied for a grant from Melbourne Water to complete an Integrated Water Management Strategy. Results due later this year. Strategy expected to commence in Q3	
0.0	Maintain nearthy and protected waterways	Prepare draft policy and guidelines for Council	Agreements are yet to be reached on who will be responsible for the production of the Water Quality Policy and ultimate responsible Department for controlling and reporting on performance.	
6.9	Educate the community on environmental issues and best practice in waste management	* Sustainable increase in Council's waste diversion rate (Diversion rate equals all recycled items as a proportion of all waste plus recycled items)	The second phase of the recycle right program is about to be implemented with another 10,000 residents to be audited and assisted in the education of waste recycling.	

#### AUDIT & RISK COMMITTEE ANNUAL REPORT FOR YEAR ENDING 30 JUNE 2018

Director:	Celia Haddock Director Corporate Services
Author:	Mark Connor Manager Finance

#### PURPOSE

To Present to Council the Audit & Risk Committee Annual report for the year ending 30 June 2018.

Maribyrnong City Council Audit and Risk Committee Charter, Reporting and Transparency Responsibilities Clause 7.8.3.

"The Annual Committee Performance Report is to be presented to Council in November annually and published on the Council's website."

#### **ISSUES SUMMARY**

The Committee considers that work undertaken in this period has demonstrated the benefits of establishing the Audit and Risk Committee and the internal audit function. The audits undertaken identified some areas of improvement for management implementation.

The Committee would like to express its appreciation for the support and cooperation that it has received from all levels of Council personnel and management in answering questions, facilitating audits and responding to audit concerns. Overall, the Council personnel and management displayed openness in discussion and were able to demonstrate their commitment to sound management practices in the areas reviewed and discussed.

#### ATTACHMENTS

Not applicable

#### OFFICER RECOMMENDATION

That Council notes the Audit and Risk Committee report for year ending 30 June 2018.

### BACKGROUND

The Committee met six times during the period under review, on the following dates:-

- 1. 22 August 2017 (Special)
- 2. 19 September 2017
- 3. 21 November 2017
- 4. 20 February 2018
- 5. 24 April 2018
- 6. 26 June 2018
- Meeting Attendance

Six Committee meetings were conducted with a quorum of at least one independent and one Councillor.

Members	Eligible to Attend	Attended	Apologies
Cr. Catherine Cumming Mayor Ex Officio (up	2	2	
to Nov 2017)			
Cr. Cuc Lam Mayor Ex-officio (from Nov 2017)	4	3	1
Cr. Sarah Carter Deputy Mayor	4	4	
Cr. Simon Crawford	4	3	1
Cr. Mia McGregor	2	1	1
Cr. Gina Huynh	2	2	
Linda MacRae Chair Person	6	6	
Mark Anderson Independent Member	6	5	1

Note Cr Mia McGregor attended two meetings as an observer.

### DISCUSSION/KEY ISSUES

### 1. Key Issues

The Chief Executive Officer and members of the executive management team (EMT), Finance Manager and Coordinator Management Accounting were regularly in attendance. At least one representative from the Internal Auditors, DFK Kidsons, was also in attendance at each meeting.

Council's External Auditors, HLB Mann Judd, who are appointed by the Victorian Auditor General (VAGO) attended the 22 August 2017 meeting to discuss the 2016/2017 Annual Financial Statements. The External Auditors also attended the meeting on the 24 April 2018 to discuss the 2017/2018 External Audit Strategy and Interim Management Letter.

Other Senior Officers of the Council were in attendance at Audit and Risk Committee meetings, as required when specific matters or reports were under discussion.

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### Independent Members

The independent members have appropriate financial and industry expertise. All independent members are financially literate and have an appropriate knowledge of the operations of the Council.

In accordance with the Audit and Risk Committee Charter 5. Composition.

*"5.1 The Audit Committee will comprise 4 Members 2 Independents 2 Councillors and the Mayor as a substitute for Councillors."* 

Ms. Linda MacRae after serving a term as the independent member assumed the role of Chair in 2012. Mr. Mark Anderson was appointed to the Committee as an independent member in September 2012.

### Responsibilities

It is considered that the Responsibilities, as detailed in Section 7 were adequately fulfilled during the review period. The following reports were considered by the Committee:

### Internal Audit Reports Considered

The following Internal Audit Reports were presented by the Internal Auditors – DFK Kidsons - to the Audit and Risk Committee for consideration and comment.

- Contract Tendering
- Procurement Policy and Delegated Authority
- Asset Management
- Payroll
- Rates Data Base Integrity
- Capital Planning & Budgeting
- Data Transaction Analysis

### External Audit Reports

- 2016/2017 Financial Statements & Performance Statement
- VAGO Final Management Letter Financial Audit 2016/2017
- Audit Strategy for the financial year ending 30th June 2018
- 2017/2018 VAGO Interim Management Letter

### **Other Regular and Special Reports**

- Overdue Debtors Reports
- Rate Debtors Report
- Asset Management Processes and Procedures
- Overdue Annual Leave
- Risk Management Status
- Status Report Contamination Of Maribyrnong Land And Buildings

- Council's Road Management Plan
- Business Continuity Plan
- Quarterly Finance And Performance Reports To Council
- Councillor Expenses
- Actions Arising from Previous Audit's
- Review Audit and Risk Committee Charter
- Draft Submission Local Government Bill Exposure Draft
- 2018/2019 Annual Budget and Strategic Resource Plan Report
- Draft Non-Current Asset Accounting Policy
- Long Term Financial Strategy 2018/19 to 2027/28
- Information Technology Strategy 2018/2023

### Emerging Issues Discussed

- VAGO reports
- Review of Local Government Act
- Ombudsman report
- Federal and State Budgets State Government major infrastructure announcements within municipality.
- Local Government Act Review
- The Local Government Investigations and Compliance Inspectorate report 'Protecting Integrity: Central Goldfields Shire Council Investigation (18/8/17)'

### 2. Council Policy/Legislation

### Council Plan 2017-2021

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Strong leadership lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

### Legislation

The Audit and Risk Committee Charter section 7.8.3 states:

"The Annual Committee Performance Report is to be presented to Council in November annually and published on the Council's website."

### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

### Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

### 3. Engagement

Not applicable.

#### 4. Resources

Not applicable.

#### 5. Environment

Not applicable.

### CONCLUSION

Council notes the Audit and Risk Committee Annual Performance Report for Year Ending 30 June 2018.

#### **COUNCILLOR APPOINTMENTS TO COMMITTEES 2019**

Director:	Celia Haddock Director Corporate Services
Author:	Lisa King Manager Governance and Commercial Services

#### PURPOSE

To appoint Councillor Representatives to Council Advisory Committees and other external bodies for 2019.

#### **ISSUES SUMMARY**

- Council is a member of, and leads a number of committees and advisory groups, • with a focus on regional and local issues.
- Annually, Council nominates representatives to attend meetings of these • committees and advisory groups and report back to Council with issues and updates on a monthly basis, via the delegates' report.
- 2018 representatives are listed in the attachment for information. •

#### **ATTACHMENTS**

1. 2019 Councillors on Committees 4

#### **OFFICER RECOMMENDATION**

- That Council:
- 1. Approves the following Councillor appointments for 2019:
  - a) Councillor Mia McGregor as representative to the Brooklyn Community Reference Group.
  - b) All Councillors as representatives to the Chief Executive Officer Performance Review Committee.
  - c) The Mayor (ex-officio) and Councillor Cuc Lam from the Stony Creek Ward, Councillor Mia McGregor from the Yarraville Ward and Councillor Gina Huynh from the River Ward as members of the Civic Awards Judging Panel.
  - d) The Mayor (ex-officio) as representative to the Disability Advisory Committee and Councillor Mia McGregor as substitute.
  - e) The Mayor as representative to the Heritage Advisory Committee and Councillor Gina Huynh as substitute.
  - f) Councillor Simon Crawford and the Chief Executive Officer as representatives to LeadWest and Councillor Sarah Carter as substitute.
  - g) Councillor Martin Zakharov as Chair of the Maribyrnong Arts Ambassadors Committee.
  - h) The Mayor as Chair and Councillor Mia McGregor as representative to the Maribyrnong Reconciliation Action Plan Advisory Committee.
  - i) Councillor Lam as representative to the Metropolitan Local Government's Waste Forum and Councillor Simon Crawford as substitute.
  - j) Councillor Martin Zakharov as representatives to the Metropolitan Transport Forum and Councillor Sarah Carter as substitute.
  - k) Councillor Catherine Cumming as representative to the Municipal Association of Victoria and Councillor Cuc Lam as substitute.
  - I) Councillor Mia McGregor as representative to the Older Persons Reference Group and Councillor Gina Huynh as substitute.
  - m) Councillor Martin Zakharov as representative to the RoadSafe Westgate Community Road Safety Council.
  - n) Councillor Sarah Carter as representative to the Victorian Local Governance Association and Councillor Cuc Lam as substitute.
  - o) Councillor Gina Huynh as representative to the Youth Advisory Committee.
- 2. Amends the Terms of Reference of the Maribyrnong Active Transport Advisory Committee to have Councillor representatives appointed in November and appoints Councillor Simon Crawford as representative and Councillor Martin Zakharov as substitute.

### BACKGROUND

Each year, Council nominates Councillors to be representatives on various committees and advisory groups. Some committees are established by Council (advisory committees) and others are community or industry based organisations that have requested a Councillor Representative for their group. Each committee has different responsibilities as per their terms of reference or membership requirements.

These committees and advisory groups operate outside of the Special Committees established by Council under section 86 of the *Local Government Act* 1989 (*the Act*).

#### DISCUSSION/KEY ISSUES

#### 1. Key Issues

A Councillor's role as a member of these committees is to represent the position of Council and report on issues and/or progress as necessary.

It is the responsibility of each Councillor to attend the meetings for which they have been appointed and report back to Council on updates via the monthly delegates' report at Ordinary Council Meetings.

The MAV convenes a number of committees that are subject to an annual appointment process initiated and coordinated by the MAV. Nominations to these Committees will occur in 2019.

#### 2. Council Policy/Legislation

#### Council Plan 2017-2021/Municipal Public Health and Wellbeing Plan

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, and the wellbeing priorities contained in the Municipal Public Health and Wellbeing Plan by considering:

- Strategic Objective:
  - Strong leadership lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

#### Legislation

• Council Plan 2017-2021.

#### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

In accordance with section 79C of *the Act*, a Councillor is not taken to have a conflict of interest in relation to the nomination or appointment by the Council of the Councillor, to a position for which the Councillor will not be remunerated.

### Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

### 3. Engagement

Not applicable.

### 4. Resources

Not applicable.

### 5. Environment

Not applicable.

### CONCLUSION

The list of Council representatives to committees is presented for 2019 appointments.

COMMITTEE	2019 COUNCILLOR REPRESENTATIVE	2018 COUNCILLOR REPRESENTATIVE	MEETING FREQUENCY	RESPONSIBLE COUNCIL OFFICER	COMMENTS	ASSEMBLY OF COUNCILLORS
Brooklyn Community Reference Group		Cr Mia McGregor	Quarterly Generally held on a Wednesday in March, July and November with a possibility for a fourth meeting. Location: Brooklyn Community Centre	Steve Hamilton	A community reference group meeting facilitated by the EPA with industry, residents groups, Hobsons Bay and Brimbank councils as participants.	No
Chief Executive Officer Performance Review Committee (MCC)		The Mayor Cr Simon Crawford Cr Catherin Cumming Cr Mia McGregor	Annually Two meetings held in October at a time suitable to Councillors involved. Location: Council	Celia Haddock	Under section 97A of the <i>Local Government Act</i> 1989, Council must at least once each year review the performance of its Chief Executive Officer.	Yes
Civic Awards Judging Panel		The Mayor Cr Catherine Cumming Cr Simone Crawford Cr Gina Huynh	Annually Held in December each year. Location: Council	Celia Haddock	Panel of Councillors (Mayor and a Councillor representing each of the three wards within the municipality) and the most recent Citizen of the Year to judge the Civic Awards which recognises individuals and organisations that have made significant contributions to the life of citizens in the City of Maribyrnong.	No
Disability Advisory Committee (MCC)		The Mayor (ex-officio)	Every 6 weeks Time: 10am Location: Council	Clem Gillings	To facilitate consultation with people with disabilities and establish a process that allows community discussion on disability issues. To provide strategic advice on disability access and promote the interests of people with disabilities in relation to the Disability Action Plan. Vice-Chair elected by Committee members.	Yes
Heritage Advisory Committee (MCC)		Cr Martin Zakharov	Quarterly Generally held on a Tuesday in February, May August and November Location: Council	Nigel Higgins	To oversee strategic and statutory planning processes impacting on heritage places, and to strategically influence budget allocations and external funding to support heritage conservation and interpretation.	Yes

COMMITTEE	2019 COUNCILLOR REPRESENTATIVE	2018 COUNCILLOR REPRESENTATIVE	MEETING FREQUENCY	RESPONSIBLE COUNCIL OFFICER	COMMENTS	ASSEMBLY OF COUNCILLORS
LeadWest		Cr Simon Crawford (Cr Catherine Cumming as substitute)	Monthly Generally held on a Wednesday each month.	Celia Haddock	LeadWest is formed by the councils of Brimbank, Maribyrnong, Moonee Valley, Wyndham and Melton. LeadWest provides a focal point for the Western Suburbs, ensuring a strategic approach to advocacy and lobbying. Council's representative automatically becomes a Director on the Board of LeadWest Ltd. Two representatives per Council are to be appointed – one Councillor, one being the Council's CEO or a senior officer. Councillor representatives are eligible to remain a Director for up three two year periods.	No
Maribyrnong Arts Ambassador Committee (MCC)		Cr Martin Zakharov	Quarterly Location: Council	Clem Gillings	Provides a formal broad-based mechanism for Council to receive strategic advice across a range of arts and cultural matters, to strengthen partnerships and opportunities between Council and the community/organisations/artists.	Yes
Maribyrnong Active Transport Advisory Committee		Cr Simon Crawford (appointed in June) (Cr Catherine Cumming as substitute)	Quarterly Location: Council	Nigel Higgins	The Maribyrnong Active Transport Advisory Committee's purpose is to provide strategic advice to Council on Active Transport (cycling and walking) issues affecting the community, and inform Council on decision making in relation to policy, program, and service delivery.	Yes
Maribyrnong Reconciliation Action Plan Advisory Committee		Mayor (ex-officio) (Sub - Cr Catherine Cumming)	Quarterly Location: Council	Clem Gillings	Provide guidance and support to Council on issues and barriers that affect the Reconciliation process.	Yes
Metropolitan Local Governments' Waste Forum		Cr Simon Crawford (appointed in June) (Cr Catherine Cumming as substitute)	Bi-monthly Generally a Thursday every second month. Location: CBD	Steve Hamilton	Provides a strategic approach to metropolitan waste management needs.	No
Metropolitan Transport Forum		Cr Sarah Carter Cr Martin Zakharov	Monthly Generally first Wednesday of the month. Location: Melbourne Town Hall	Steve Hamilton	To promote effective, efficient and equitable transport in the metropolitan area of Melbourne by providing a forum for debate, research, policy development and the dissemination of information to improve public/road transport.	No

COMMITTEE	2019 COUNCILLOR REPRESENTATIVE	2018 COUNCILLOR REPRESENTATIVE	MEETING FREQUENCY	RESPONSIBLE COUNCIL OFFICER	COMMENTS	ASSEMBLY OF COUNCILLORS
Municipal Association of Victoria (MAV)		Cr Catherine Carter (Cr Cuc Lam as substitute)	Bi-annually Two State Council Meetings per year on a Friday in May and October. Location: Sofitel CBD	Celia Haddock	<ul> <li>Peak representative/lobbying body for local government in Victoria. Major role in policy development for the whole industry. Board is made up of 12 Members plus a President, 13 in total.</li> <li>Councils form the membership. One vote per Council. There are no individual Councillor memberships.</li> <li>Two representatives are required – a primary and a secondary. The secondary member votes in the absence of the primary member.</li> </ul>	No
Older Persons Reference Group (MCC)		Cr Mia McGregor (Cr Cuc Lam as substitute)	Monthly Location: Rotating throughout municipality	Clem Gillings	Provides advice in relation to the needs of older persons throughout the municipality.	Yes
Roadsafe Westgate Community Road Safety Council		Cr Mia McGregor	Monthly Generally every third Wednesday of the month. Location: Hobsons Bay Civic Centre, Altona	Steve Hamilton	Aims to reduce the incidence of road crashes by facilitating the implementation of effective road safety programs and initiatives through collaborative arrangements with stakeholders (councils, VicRoads, Victoria Police).	No
Victorian Local Governance Association		Cr Sarah Carter (Cr Martin Zakharov as substitute)	Annually	Celia Haddock	A peak body promoting good governance and sustainability by supporting local governments and communities through programs of advocacy, training, information provision and support. Council can have one delegate appointed only which represents the Council's vote. Individual Councillors can nominate for membership on the Board, which entitles them to one vote.	No
					Individual Councillors vote as individuals, not on behalf of the Council. Tenure on the Board is for a period of two years. One Councillor needs to be primary representative in order to provide the Council's vote.	

COMMITTEE	2019 COUNCILLOR REPRESENTATIVE	2018 COUNCILLOR REPRESENTATIVE	MEETING FREQUENCY	RESPONSIBLE COUNCIL OFFICER	COMMENTS	ASSEMBLY OF COUNCILLORS
Youth Advisory Committee (MCC)		Cr Gina Huynh	Annually Attendance would be once, perhaps twice, throughout the year.	Clem Gillings	To provide leadership and training for young people, and maximise participation in Council.	No

#### COUNCIL AND COMMITTEE MEETING DATES 2019

Director:	Celia Haddock Director Corporate Services
Author:	Lisa King Manager Governance and Commercial Services

#### PURPOSE

• To present the proposed schedule of dates for the 2019 calendar year for Ordinary Council Meetings (including a Special Meeting of Council to elect the Mayor to be held in November), the City Development Special Committee, the Enterprise Maribyrnong Special Committee and the Inner Melbourne Action Plan Implementation Committee.

#### **ISSUES SUMMARY**

- The Local Government Act 1989 (the Act) requires Council to give public notice of its meeting times, dates and venues. This is not a requirement for Councillor Strategic Briefing Sessions.
- Council has traditionally held meetings on Tuesday evenings, with no meetings being scheduled in January.
- The proposed schedule of meeting dates also takes into consideration school holiday dates, with no meetings scheduled during these times.
- With the exception of the Inner Melbourne Action Plan Implementation Committee and Enterprise Maribyrnong Special Committee, it is proposed that all meetings commence at 6.30pm, where possible.
- The Special Council Meeting to elect the Mayor for 2019/2020 is proposed to be held on Wednesday, 6 November 2019.
- The Inner Melbourne Action Plan Implementation Committee determined its dates for 2019 in August 2018.

### ATTACHMENTS

1. Council and Committee Meeting Dates 2019 J

#### OFFICER RECOMMENDATION

- That Council:
- 1. Approves the meeting dates for the 2019 Council Meetings and the Special Committee Meetings as attached to this report.
- 2. Authorise the Chief Executive Officer to amend the 2019 Meeting Schedule as required, to cover for workload or other special circumstances.
- 3. Request the Chief Executive Officer to ensure that the Schedule of Council Meetings and any meeting date changes are appropriately advertised in the local newspapers and Council's website.

### BACKGROUND

Historically, Council has operated on a four week cycle, with meetings being scheduled on a Tuesday evening.

A schedule of proposed meeting dates has been developed for the period February 2019 to the end of 2019 and will not include meetings during school holidays when members of the public may find it more difficult to attend. The meeting schedule will be adjusted to accommodate Council and Committee meetings in a compressed cycle for those months, such as the April and September meeting cycles.

It is noted that as per section 89 of the Local Government Act 1989, Council must give public notice of Ordinary Council, Special Council and Special Committee meetings.

#### DISCUSSION/KEY ISSUES

#### 1. Key Issues

It is proposed that all meetings commence at 6.30pm where possible, with the exception of the Enterprise Maribyrnong Special Committee which will commence at 4.30pm, and IMAP meetings which commence at 8.00am. All meetings will be held in the Council Offices except for IMAP meetings which will be rotated amongst participating Councils.

The proposed 2019 meeting cycle includes two Councillor Strategic Briefing Sessions, an Ordinary Meeting of Council and City Development Special Committee meeting each month where possible.

In order to provide additional time for meeting agenda papers to be distributed to Councillors and the public, a two week split is proposed. The first meeting of the month will be a Councillor Strategic Briefing Session primarily for items intended to be considered at the Ordinary Meeting of Council. The second meeting of the month will be a Councillor Strategic Briefing Session for items to be considered at the City Development Special Committee meeting. The third meeting of the month will be the Ordinary Meeting of Council and the fourth meeting will be the City Development Special Committee.

During months that are affected by school holidays, the Councillor Strategic Briefing Sessions will be amalgamated. The Ordinary Meeting of Council and City Development Special Committee will continue to take place in separate weeks where possible. The proposed meeting cycle is demonstrated in Attachment 1.

#### **Councillor Strategic Briefing Sessions**

It is proposed that all Councillor Strategic Briefing Sessions commence at 6.30pm and be held on a Tuesday at the Council Offices. These information sessions are not open to the public and provide for Councillors to seek clarification where needed, on matters which may be subject to formal resolution of the Council or its Special Committees.

These information sessions are scheduled to be held twice monthly where possible, or as required to be held by the Chief Executive Officer. As defined by *the Act*, these

information sessions are considered an Assembly of Councillors and must be reported to Council on a monthly basis.

## Ordinary Council Meeting

It is proposed that all Ordinary Council Meetings commence at 6.30pm and be held on a Tuesday in the Council Chambers at the Council Offices.. These meetings are open to the public for discussion and ruling on matters which may be subject to formal resolution of the Council or its Special Committees.

These meetings are scheduled to be held monthly, usually on the 3rd Tuesday of the month, or as required to be held by the Chief Executive Officer.

## **City Development & Enterprise Maribyrnong Special Committee**

It is proposed that all City Development Meetings commence at 6.30pm and be held on a Tuesday, usually the 4th Tuesday of the month, in the Council Chambers at Council Offices. Enterprise Maribyrnong Special Committee Meetings are proposed to commence at 4.30pm and be held on a Tuesday in the Council's Functions Room. These meetings are open to the public for discussion and ruling on matters which may be subject to formal resolution of the Council or its Special Committees.

City Development Committee Meetings are scheduled to be held monthly, or as required to be held by the Chief Executive Officer. Enterprise Maribyrnong Special Committee Meetings are to be held bimonthly where possible, or as required to be held by the Chief Executive Officer.

### Inner Melbourne Action Plan (IMAP)

As IMAP is a partnership between the Cities of Maribyrnong, Melbourne, Stonnington, Yarra and Port Phillip (with four Section 86 Special Committees meeting as one, bound by identical Council Delegations and Terms of Reference), meetings are rotated between each Council throughout the year. Meetings are held quarterly on the last Friday of the month at 8am.

# **Calling of Special Meetings**

From time to time, Council may hold Special Meetings outside the meeting schedule. Where this is required, public notice will be provided in accordance with *the Act*.

# 2. Council Policy/Legislation

# Council Plan 2017-2021/Municipal Public Health and Wellbeing Plan

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, and the wellbeing priorities contained in the Municipal Public Health and Wellbeing Plan by considering:

• Strategic Objective:

- Strong leadership - lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

### Legislation

• Local Government Act 1989.

#### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

#### Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

#### 3. Engagement

The meeting cycle provides a number of formal opportunities for community members to participate in Council's decision making processes and are in addition to a wide range of community consultation and engagement methods used by Council.

#### 4. Resources

Not applicable.

#### 5. Environment

Not applicable.

#### CONCLUSION

The dates for Councillor Strategic Briefing Sessions, Council Meetings and the City Development Special Committee Meetings for 2019 are presented for consideration.

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Month	Meeting	Day/Date	Time
	Councillor Strategic Briefing Session (ORD)	Tuesday 5	6.30pm
2019	Councillor Strategic Briefing Session (CDSC)		6.30pm
	Ordinary Council Meeting	Tuesday 19	6.30pm
Ordinary Council Meeting Inner Melbourne Action Plan		Friday 22	8am
	City Development Special Committee	Tuesday 26	6.30pm

Month	Meeting	Day/Date	Time
	Enterprise Maribyrnong Special Committee	Tuesday 5	4.30pm
2019			6.30pm
	Councillor Strategic Briefing Session (CDSC)	Tuesday 12	6.30pm
March	Ordinary Council Meeting	Tuesday 19	6.30pm
	City Development Special Committee	Tuesday 26	6.30pm

Month	onth Meeting		Time
ıril 19	Councillor Strategic Briefing Session (ORD & CDSC)	Tuesday 23	6.30pm
April 2019	Ordinary Council Meeting	Tuesday 30	6.30pm
	City Development Special Committee (if required)	Tuesday 30	8.00pm

Month	Meeting	Day/Date	Time
	Councillor Strategic Briefing Session (ORD)	Tuesday 7	6.30pm
19	Enterprise Maribyrnong Special Committee		4.30pm
May 2019	Councillor Strategic Briefing Session (CDSC)	Tuesday 14	6.30pm
Ma	Ordinary Council Meeting	Tuesday 21	6.30pm
	City Development Special Committee	Tuesday 28	6.30pm

## Agenda Item 9.14 - Attachment 1

	Inner Melbourne Action Plan		8am
Month Meeting		Day/Date	Time
June 2019	Councillor Strategic Briefing Session (ORD & CDSC)	Tuesday 4	6.30pm
	Ordinary Council Meeting*	Tuesday 11	6.30pm
	City Development Special Committee	Tuesday 25	8.00pm

Month	Meeting	Day/Date	Time
19	Councillor Strategic Briefing Session (ORD & CDSC)	Tuesday 16	6.30pm
ly 201	Ordinary Council Meeting	Tuesday 23	6.30pm
July	City Development Special Committee	Tuesday 30	6.30pm

Month	Meeting	Day/Date	Time
	Enterprise Maribyrnong Special Committee	Tuesday 6	4.30pm
2019	Councillor Strategic Briefing Session (ORD)	Tuesday 6	6.30pm
			6.30pm
August	Ordinary Council Meeting	Tuesday 20	6.30pm
	City Development Special Committee	Tuesday 27	6.30pm
	Inner Melbourne Action Plan	Friday 30	8am

Month	Aonth Meeting		Time
Jer	Councillor Strategic Briefing Session (ORD & CDSC)	Tuesday 3	6.30pm
September 2019	Ordinary Council Meeting	Tuesday 10	6.30pm
Sep	City Development Special Committee	Tuesday 17	6.30pm

\*Ordinary Meeting held on 11 June instead of 18 June due to ALGA National General Assembly

Month	Meeting	Day/Date	Time
	Enterprise Maribyrnong Special Committee	Tuesday 8	4.30pm
2019	Councillor Strategic Briefing Session (ORD)	Tuesday 8	6.30pm
		Tuesday 15	6.30pm
October	Ordinary Council Meeting	Tuesday 22	6.30pm
	City Development Special Committee	Tuesday 29	6.30pm

Month	Month Meeting		Time
	Special Council Meeting – Election of the Mayor	Wednesday 6	6.30pm
2019	Councillor Strategic Briefing Session (ORD & CDSC)	Tuesday 12	6.30pm
	Ordinary Council Meeting	Tuesday 19	6.30pm
November	City Development Special Committee	Tuesday 26	6.30pm
2	Inner Melbourne Action Plan	Friday 29	8am

Month	onth Meeting		Time
)19	Enterprise Maribyrnong Special Committee	Tuesday 3	4.30pm
oer 201	Councillor Strategic Briefing Session (ORD & CDSC)	Tuesday 3	6.30pm
December	Ordinary Council Meeting	Tuesday 10	6.30pm
Dec	City Development Special Committee	Tuesday 17	6.30pm

# Agenda Item 9.14 - Attachment 1

	2019 Public Holidays (sourced from www.australia.gov.au)				
•	New Year's Day, Tuesday 1 January	•	ANZAC Day, Thursday 25 April		
•	Australia Day, Monday 28 January	•	Queen's Birthday, Monday 10 June		
•	Labour Day, Monday 11 March	•	Friday before AFL Grand Final, Friday 27		
•	Good Friday, Friday 19 April		September		
•	Saturday before Easter Sunday, Saturday	•	Melbourne Cup Day, Tuesday 5 November		
	20 April	•	Christmas Day, Wednesday 25 December		
•	Easter Sunday, Sunday 21 April	•	Boxing Day, Thursday 26 December		

Easter Monday, Monday 22 April

2018 School Terms (sourced from www.education.vic.gov.au)					
Term One	Tuesday 29 January to Friday 5 April				
Term Two	Tuesday 23 April to Friday 28 June				
Term Three	Monday 15 July to Friday 20 September				
Term Four	Monday 7 October to Friday 20 December 2019				

#### MAYOR AND COUNCILLOR ALLOWANCES

Director:	Celia Haddock Director Corporate Services
Author:	Lisa King Manager Governance and Commercial Services

#### PURPOSE

To allow Council to formally note the Minister for Local Government's adjustment of Mayoral and Councillor allowances.

#### **ISSUES SUMMARY**

- Section 74 of the *Local Government Act 1989* (the Act) requires Council to determine the level of Councillor and Mayoral allowances, within the range set by the State Government which was determined by Council at its meeting held 21 March 2017.
- In accordance with section 73B of the Act, the Minister for Local Government must, at least once every year, review the limits and ranges of Councillor and Mayoral allowances.
- The Minister for Local Government has determined under section 73B of the Act that the Mayor and Councillor Allowances be increased by an adjustment factor of 2 per cent effective from 1 December 2018.

#### ATTACHMENTS

Not applicable

#### OFFICER RECOMMENDATION

That Council note the 2 per cent adjustment to Councillor and Mayoral Allowances, to apply from 1 December 2018, as determined by the Minister for Local Government.

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## BACKGROUND

The Local Government Act 1989 (the Act) sets out the requirements for the fixing and review of allowance categories, limits and ranges of Councillor and Mayoral allowances, together with the general provisions relating to the review and determination of allowances as a result of Orders in Council made by the Governor in Council.

Section 74 of the Act, stipulates that Councils are required to determine allowances, and as such Council at its meeting held 21 March 2017 set the Mayoral and Councillor allowances at \$76,521pa and \$24,730pa respectively, plus an amount equivalent to the superannuation guarantee contribution (currently 9.5%). This was increased by the Minister for Local Government who approved an adjustment factor increase of 2.0% to the Mayoral and Councillor Allowances, effective 1 December 2017, under section 73B(4) of the Local Government Act 1989.

### **DISCUSSION/KEY ISSUES**

#### 1. Key Issues

In accordance with section 73B of the Act, the Minister for Local Government must, at least once every year, review the limits and ranges of Councillor and Mayoral allowances. If the review conducted by the Minister under this section results in a finding that the allowances should be adjusted, an adjustment factor will be specified by the Minister by notice published in the Government Gazette.

On 29 October 2018, the Minister for Local Government, gave notice through the Government Gazette that the Councillor and Mayoral allowances will be increased by an adjustment factor of 2.0% from 1 December 2018.

Section 73B(5) of the Act requires Council to increase the level of Councillor and Mayoral allowances in accordance with the adjustment factor specified in the notice.

### 2. Council Policy/Legislation

### Council Plan 2017-2021/Municipal Public Health and Wellbeing Plan

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, and the wellbeing priorities contained in the Municipal Public Health and Wellbeing Plan by considering:

- Strategic Objective:
  - Strong leadership lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

### Legislation

Sections 73A, 73B, 74, 74A and 74B of the Local Government Act 1989 set out the provisions with respect to the Mayoral and Councillor allowances.

### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

#### Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

#### 3. Engagement

As this is a procedural report, it has not been necessary to undertake any specific engagement.

#### 4. Resources

Provision has been made in Council's 2017-2018 operating budget.

### 5. Environment

There are no environmental implications associated with this report.

#### CONCLUSION

The 2 per cent adjustment set by the Minister for Local Government to Mayoral and Councillor Allowances, is to be noted by Councillors.

#### COUNCILLOR SUPPORT AND EXPENSES AUGUST 2018 TO OCTOBER 2018

Director:	Stephen Wall Chief Executive Officer
Author:	Renu Naicker Executive Assistant to Mayor and Councillors

#### PURPOSE

To present the Councillor support and expenses for the period August 2018 to October 2018.

#### **ISSUES SUMMARY**

- Council's Councillor Support and Expenses Policy 2017, requires details of Councillors' support and expenses to be reported to an Ordinary Council Meeting, and to be made available on Council's website for the term of the Council.
- The reporting period is August 2018 to October 2018.

#### ATTACHMENTS

1. Councillor Expense - Quarter 4 (InfoCouncil Attachment) J

#### OFFICER RECOMMENDATION

That Council notes the Councillor Support and Expenses Report for August 2018 to October 2018 which will be made available via Council's website for the term of the current Council.

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# BACKGROUND

As part of Council's commitment to open and transparent governance, Council's Councillor Support and Expenses Policy - 2017 requires details of Councillors' expenses to be reported to an Ordinary Council Meeting.

## **DISCUSSION/KEY ISSUES**

### 1. Key Issues

Under the *Local Government Act 1989*, Councillors are entitled to resources and facilities support and reimbursements of expenses, related to their duties as a Councillor.

In carrying out civic and statutory functions, Councillors are required to attend both statutory committee and sector based meetings, attend seminars, functions and other information meetings, in order to be kept informed of issues facing the municipality, wards, and local government in general.

Details of Councillor support and expenses in relation to the following support items, are reported to Council on a quarterly basis:

- Councillor Development/Training
- Conferences/Seminars
- Events
- Memberships
- Child/Family Care
- Photocopy use
- Communications
- Travel.

# 2. Council Policy/Legislation

### Council Plan 2017-2021

This report contributes to Council's strategic objectives contained in the Council Plan 2017-2021, by considering:

- Strategic Objective:
  - Strong leadership lead our changing city using strategic foresight, innovation, transparent decision making and well-planned, effective collaboration.

# Legislation

- Councillor Support and Expenses Policy 2017
- Local Government Act 1989
- Council Plan 2017-2021.

#### **Conflicts of Interest**

No officer responsible for, or contributing to, this report has declared a direct or indirect interest in relation to this report.

#### Human Rights Consideration

This report complies with the rights listed in the Victorian *Charter of Human Rights and Responsibilities Act 2006*.

#### 3. Engagement

Not applicable.

#### 4. Resources

All Councillor support and expenses are within existing budgetary allocations.

#### 5. Environment

Not applicable.

#### CONCLUSION

The Councillor support and expenses from August 2018 to October 2018 are presented for noting.

#### Agenda Item 9.16 - Attachment 1

#### Cr Catherine Cumming

#### Stony Creek Ward

2017/2018	1st	2nd	3rd	4th Quarter	Financial Year Total
	Quarter	Quarter	Quarter	Total	
	Total	Total	Total		
Councillor	\$0.00	\$0.00	\$986.90	\$0.00	
Development/Training					\$986.90
Conferences/Seminars	\$0.00	\$0.00	\$59.11	\$0.00	\$59.11
Events	\$0.00	\$0.00	\$75.00	\$55.00	\$130.00
Memberships	\$0.00	\$575.00	\$0.00	\$0.00	\$575.00
Child/Family Care	\$1,675.00	\$1,775.00	\$0.00	\$0.00	\$3,450.00
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Communications	\$284.94	\$286.65	\$379.92	\$284.94	\$1,236.45
Travel	\$19.63	\$0.00	\$50.00	\$6.30	\$75.93
TOTAL	\$1,979.57	\$2,636.65	1550.93	\$346.24	\$6,513.39
					\$6,513.39

Cr Cuc Lam MAYOR

#### Stony Creek Ward

2017/2018	1st	2nd	3rd	4th Quarter	Financial Year
	Quarter	Quarter	Quarter	Total	
	Total	Total	Total		
Councillor	\$2,350.00	\$199.00	\$1,870.00	\$330.00	
Development/Training					\$4,749.00
Conferences/Seminars	\$55.00	\$1,199.00	\$1,143.60	\$789.35	\$3,186.95
Events	\$0.00	\$55.00	\$503.00	\$55.00	\$613.00
Memberships	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Child/Family Care	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$26.98	\$126.00	\$0.00	\$129.35	\$282.33
Communications	\$319.74	\$307.67	\$427.11	\$212.84	\$1,267.36
Travel	\$4.10	\$299.00	\$73.00	\$450.10	\$826.20
TOTAL	\$2,755.82	\$2,185.67	\$4,016.71	\$1,966.64	\$10,924.84
					\$10,924.84

#### Cr Gina Huynh

#### River Ward

2017/2018	1st	2nd	3rd	4th Quarter	Financial Year
	Quarter	Quarter	Quarter	Total	
	Total	Total	Total		
Councillor	\$0.00	\$0.00	\$0.00	\$0.00	
Development/Training					\$0.00
Conferences/Seminars	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Events	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Memberships	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Child/Family Care	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Communications	\$246.76	\$245.64	\$331.55	\$162.46	\$986.41
Travel	\$6.00	\$21.50	\$0.00	\$0.00	\$27.50
TOTAL	\$252.76	\$267.14	\$331.55	\$162.46	\$1,013.91
					\$1,013.91

Cr Sarah Carter

#### Agenda Item 9.16 - Attachment 1

River Ward

#### DEPUTY MAYOR 2017/2018 1st 2nd 3rd 4th Quarter **Financial Year** Quarter Quarter Quarter Total Total Total Total Councillor \$0.00 \$0.00 \$0.00 \$0.00 Development/Training \$0.00 Conferences/Seminars \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 Events \$0.00 \$575.00 \$0.00 \$0.00 \$575.00 Memberships \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 Child/Family Care \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 Other \$0.00 Communications \$872.01 \$1,482.07 \$1,073.40 \$4,805.81 \$1,378.33 Travel \$0.00 \$0.00 \$0.00 \$0.00 \$0.00 TOTAL \$1,447.01 \$1,378.33 \$1,482.07 \$1,073.40 \$5,380.81 \$5,380.81

Cr Mia McGregor

#### Yarraville Ward

2017/2018	1st	2nd	3rd	4th Quarter	Financial Year
	Quarter	Quarter	Quarter	Total	
	Total	Total	Total		
Councillor	\$0.00	\$165.00	\$594.00	\$0.00	
Development/Training					\$759.00
Conferences/Seminars	\$55.00	\$1,199.00	\$1,231.11	\$789.35	\$3,274.46
Events	\$0.00	\$22.50	\$67.61	\$0.00	\$90.11
Memberships	\$795.00	\$0.00	\$0.00	\$0.00	\$795.00
Child/Family Care	\$120.00	\$2,524.00	\$1,382.00	\$2,181.00	\$6,207.00
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Communications	\$334.53	\$327.88	\$370.79	\$171.03	\$1,204.23
Travel	\$10.00	\$591.96	\$0.00	\$140.34	\$742.30
TOTAL	\$1,314.53	\$4,830.34	3645.51	\$3,281.72	\$13,072.10
					\$13,072.10

#### Cr Simon Crawford

#### Yarraville Ward

2017/2018	1st	2nd	3rd	4th Quarter	Financial Year
	Quarter	Quarter	Quarter	Total	
	Total	Total	Total		
Councillor	\$0.00	\$0.00	\$0.00	\$0.00	
Development/Training					\$0.00
Conferences/Seminars	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Events	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Memberships	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Child/Family Care	\$90.00	\$30.00	\$240.00	\$0.00	\$360.00
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Communications	\$251.16	\$248.16	\$342.51	\$180.57	\$1,022.40
Travel	\$16.40	\$44.88	\$85.85	\$28.60	\$175.73
TOTAL	\$357.56	\$323.04	668.36	\$209.17	\$1,558.13
					\$1,558.13

# Agenda Item 9.16 - Attachment 1

#### Cr Martin Zakharov

Yarraville Ward

2017/2018	1st	2nd	3rd	4th Quarter	Financial Year
	Quarter	Quarter	Quarter	Total	
	Total	Total	Total		
Councillor	\$0.00	\$0.00	\$0.00	\$0.00	
Development/Training					\$0.00
Conferences/Seminars	\$594.00	\$0.00	\$0.00	\$176.00	\$770.00
Events	\$0.00	\$267.09	\$0.00	\$0.00	\$267.09
Memberships	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Child/Family Care	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Other	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Communications	\$218.08	\$211.13	\$301.19	\$214.57	\$944.97
Travel	\$41.40	\$233.51	\$0.00	\$284.18	\$559.09
TOTAL	\$853.48	\$711.73	\$301.19	\$674.75	\$2,541.15
					\$2,541.15

#### ASSEMBLY OF COUNCILLORS - OCTOBER 2018

Director:	Celia Haddock Director Corporate Services
Author:	Lisa King Manager Governance and Commercial Services

#### PURPOSE

To receive and note the record of Assemblies of Councillors for October 2018.

#### **ISSUES SUMMARY**

Section 80A of the *Local Government Act 1989* requires that the written record of an assembly of Councillors is, as soon as practicable, reported at an ordinary meeting of the Council and incorporated in the minutes of that Council meeting.

An assembly of Councillors is:

- A meeting of an advisory committee of the Council if at least 1 Councillor is present; or
- A planned/scheduled meeting of at least half of the Councillors and 1 member of staff which considers matters that are intended/likely to be the subject of a decision of the Council or subject to the exercise of a function, duty or power of the Council that has been delegated to a person/committee.

An assembly of Councillors does not include:

- A meeting of the Council
- A special committee of the Council
- An audit committee
- A club, association, peak body, political party or other organisation.

The attached record of Assemblies of Councillors is reported to Council in accordance with this requirement.

#### ATTACHMENTS

1. Assembly of Councillors - October 2018 J

#### OFFICER RECOMMENDATION

#### That Council notes the record of Assemblies of Councillors for October 2018.

#### Maribyrnong City Council Ordinary Council Meeting - 20 November 2018

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# Agenda Item 9.17 - Attachment 1

Meeting and Date	Councillor Attendees	Council Staff Attendees	Matters Considered	Conflict of Interest Disclosures
Councillor Strategic Briefing 9 October 2018	Cr Sarah Carter Cr Simon Crawford Cr Catherine Cumming Cr Gina Huynh Cr Cuc Lam Cr Mia McGregor Cr Martin Zakharov	Stephen Wall (Chief Executive Officer) Steve Hamilton (Director Infrastructure Services) Clem Gillings (Director Community Services) Nigel Higgins (Director Planning Services) Lisa King (Manager Governance and Commercial Services) Patrick Jess (Manager Leisure, Health and Wellbeing) Bridger Monro-Hobbs (Manager Community Development, Positive Ageing and Inclusion) Craig Rogers (Arts and Culture Coordinator) Sebastian Han (Corporate Systems Project Officer)	<ul> <li>Waterways of the West</li> <li>Upcoming Openings and Events</li> <li>Pick My Project Update</li> <li>Indoor Stadium Strategy</li> <li>Public Art Strategy 2019-2029</li> <li>West Footscray Local Area Traffic Management</li> <li>Waste Minimisation Update</li> <li>Update on Council's Risk Management Framework</li> <li>Review of Risk Management Policy</li> <li>Consideration of the Maribyrnong City Council Annual Report 2017/2018</li> <li>LGBTIQA+ Policy Position – Commitments</li> <li>Petition: Keep Cycle Saloon in Pipemakers Park</li> <li>Delegates Reports – September 2018</li> <li>Assembly of Councillors – September 2018</li> <li>Noting of the Confirmed Minutes of Special Committees</li> <li>Noting of the Confirmed Audit and Risk Committee Meeting – 26 June 2018 and 21 August 2018</li> <li>Confirmation of the Minutes of the Previous Council Meeting</li> </ul>	Nil
Councillor Strategic Briefing 16 October 2018	Cr Sarah Carter Cr Simon Crawford Cr Catherine Cumming Cr Cuc Lam Cr Mia McGregor Cr Martin Zakharov	Stephen Wall (Chief Executive Officer) Celia Haddock (Director Corporate Services) Steve Hamilton (Director Infrastructure Services) Clem Gillings (Director Community Services) Nigel Higgins (Director Planning Services) Lisa King (Manager Governance and Commercial Services) Katy McMahon (Manager City Futures)	<ul> <li>Melbourne Airport Briefing</li> <li>Westgate Tunnel Update</li> <li>Destination Parking Management Policy</li> <li>Major Projects Update</li> <li>Sunshine Road Update</li> <li>Aged Care Update</li> <li>Update on Footscray Library Community and Cultural Hub – NeXT Project</li> <li>Maribyrnong Open Space Strategy Update</li> </ul>	Nil

#### Maribyrnong City Council Ordinary Council Meeting - 20 November 2018

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# Agenda Item 9.17 - Attachment 1

Meeting and Date	Councillor Attendees	Council Staff Attendees	Matters Considered	Conflict of Interest Disclosures
Disability Advisory Committee 17 October 2018	Cr Cuc Lam Cr Catherine Cumming Cr Mia McGregor	Jim Siamsiaras (Service Desk & Desktop Support Officer) Adrian Havryluk (Manager Major Projects and Strategic Relationships) Steven Lionakis (Manager Urban Planning) Katherine Marshall (Disability Access and Inclusion Planner) Liz Wright (MetroAccess Officer) Sam Le Page (Community Liaison and Transition Officer)	<ul> <li>West Footscray Neighbourhood Plan</li> <li>72 Paisley Street, Footscray</li> <li>11-13 Pickett Street, Footscray</li> <li>5 Hillside Crescent, Maribyrnong</li> <li>11-13 Whitehall Street, Footscray (Ryco)</li> <li>Confirmation of the Minutes of the Previous City Development Special Committee Meeting – 18 September 2018</li> <li>Workshop feedback</li> <li>Future of MetroAccess funding at Maribyrnong City Council</li> <li>Bandmates update and video</li> <li>NDIS update</li> <li>Accessible Car Parking</li> <li>Other Business</li> </ul>	Nil
Councillor Only Time 22 October 2018	Cr Simon Crawford Cr Catherine Cumming Cr Gina Huynh Cr Cuc Lam Cr Martin Zakharov	Stephen Wall (Chief Executive Officer)	<ul> <li>Special Council Meeting Agenda and Process 7 November 2018</li> <li>Councillor Appointments to Committees</li> <li>Wurundjeri Cultural Consultation Session</li> </ul>	Nil

#### Maribyrnong City Council Ordinary Council Meeting - 20 November 2018

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# Agenda Item 9.17 - Attachment 1

Meeting and Date	Councillor Attendees	Council Staff Attendees		Matters Considered	Conflict of Interest Disclosures
Maribyrnong Reconciliation Action Plan Advisory Committee 26 October 2018	Cr Mia McGregor	Catherine Hedley (Coordinator Diversity and Inclusion)	•	Innovate – Reconciliation Action Plan – July 2019 to July 2021	

#### **DELEGATES REPORTS - OCTOBER 2018**

Director:	Celia Haddock Director Corporate Services
Author:	Lisa King Manager Governance and Commercial Services

#### PURPOSE

To present the Councillor delegates' reports for the period October 2018.

#### **ISSUES SUMMARY**

- The Councillor delegates' reports demonstrate Council's commitment to open and transparent governance. Details of Councillor Delegates Reports are presented to an Ordinary Council Meeting on a monthly basis, and made available on Council's website.
- As part of their governance and representation obligations, individual Councillors • represent Council on a range of committees. The committees operate outside of the section 86 (of the Local Government Act 1989) Committees established by Council.
- Councillor participation in peak associations, local and regional forums and specific issues committees is an important part of effective governance and representation.
- Attached are the Councillor delegates' reports for October 2018.

#### **ATTACHMENTS**

1. Delegates Reports - October 2018 4

#### OFFICER RECOMMENDATION

That Council notes the Councillor delegates' reports October 2018 which will be made available on Council's website for the term of the current Council.

# Agenda Item 9.18 - Attachment 1

# **Delegates Reports September 2018**

Delegate	Committee	Meeting Date	Items Discussed	
Cr Martin Zakharov Cr Sarah Carter	Metropolitan Transport Forum	3 October 2018	<ul> <li>MTF Strategic Public Transport Advocacy</li> <li>Presentation: Autonomous Vehicles</li> <li>Other Advocacy</li> <li>Council Information Sharing</li> <li>Regular Reports</li> <li>General Business</li> <li>Items of a general nature</li> </ul>	
Cr Crawford	LeadWest Board Meeting	10 October 2018		
Cr Crawford Cr McGregor	RoadSafe Westgate Monthly Meeting	17 October 2018	Items of a general nature	
Cr Cuc Lam Cr Catherine Cumming Cr Mia McGregor	Disability Advisory Committee	17 October 2018	<ul> <li>Discussion of workshop feedback</li> <li>Future of MetroAccess funding at Maribyrnong City Council</li> <li>Bandmates update and video</li> <li>NDIS update</li> <li>Accessible Car Parking</li> <li>Other business</li> </ul>	
Cr Catherine Cumming	MAV State Council	19 October 2018	<ul> <li>Minutes of previous State Council</li> <li>Motions for October 2018 State Council</li> </ul>	
Cr Mia McGregor	Maribyrnong Reconciliation Action Plan Advisory Committee	26 October 2018	<ul> <li>Innovate – Reconciliation Action Plan – July 2019 to July 2021</li> </ul>	