

16 April 2009

Councillor
(as addressed)

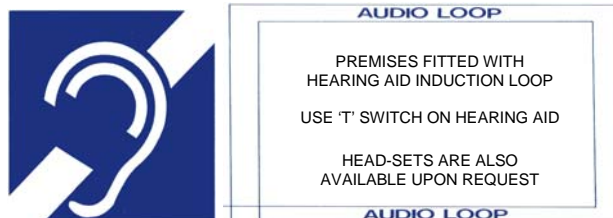
The next Council Meeting will be held in the Council Chamber, Braeside Avenue, Ringwood on Monday 20 April 2009, commencing at 7.30pm and your presence is requested.

Yours faithfully



Michael Marasco
CHIEF EXECUTIVE OFFICER

NOTE: Dinner will precede the Council Meeting at 6.00pm



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AGENDA

1. Prayer
 2. Apologies
 3. Declaration of Interests
 4. Confirmation of Minutes of the Ordinary Council Meeting held on Monday 16 March 2009.
 5. Public Question Time
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NEW RESIDENTIAL ZONES

ITEM 1

PURPOSE

To consider the draft new residential zones prepared by the Department of Planning and Community Development and to endorse and formalise Council's response to the draft zones.

STRATEGIC / POLICY ISSUES

The following directions contained within the Council Plan 2008-2012 provide the strategic framework that underpins the purpose and recommendations of this report:

Urban Design and Development

Strategic Objective – Maroondah will foster the development of distinct urban forms with a variety of land uses, visual designs and housing types that offer an attractive and safe environment, value the municipality's diverse heritage and assist in creating the community's sense of place.

1. Utilise good design principles including community safety and sustainability to enhance the development of a sense of community through the integration of the built and natural environment.
2. Develop and implement an urban form that recognises and incorporates the heritage, culture and neighbourhood character of Maroondah and builds on existing private and public infrastructure.

BACKGROUND

In January 2008 the State Government, through the Department of Planning & Community Development released a discussion paper on draft new residential zones for Victoria.

The development of new residential zones was a key action in the Victorian Government's five (5) point priority action plan to implement the 'Making local policy stronger' report.

The new zones are intended to more directly reflect the State and local planning policies for housing due to the high levels of population growth.

The discussion paper proposed three zones referred to as:

- Substantial change zone,
- Incremental change zone, and
- Limited change zone.

NEW RESIDENTIAL ZONES

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Major changes proposed in the discussion zones were:

Substantial Change Zone

- Exemption from notice and review at VCAT if the development meets specified ResCode standards
- Some non-residential uses (medical centres) do not require a permit if located at street level
- Permit required for one dwelling on a lot
- Subdivision permit not required if development meets Clause 55
- Fast track approval process for straight forward developments

Incremental Change Zone

- Exemption from notice and review at VCAT if the development meets specified ResCode standards
- A permit is required on a property area / site area less than 300m²
- Subdivision permit not required if development meets Clause 55
- Fast track approval process for straight forward developments

Limited Change Zone

- Exemption from notice and review at VCAT if the development meets specified ResCode standards
- Subdivision permit not required if development meets Clause 55
- Ability to specify a maximum number of dwellings on a lot
- Fast track approval process for straight forward developments

ISSUE / DISCUSSION

Following on from the 2008 Discussion Paper the Department of Planning & Community Development has released the Consultation Draft Residential Zones for community consultation until 9 April 2009. (In order to meet the deadline a draft submission was forwarded to the Department of Planning and Community Development in accordance with the content of this report.)

Whilst the draft retains the three zone approach and the development intensity levels of the discussion paper, there have been changes made to each of the three zones.

The three draft zones are:

Substantial change zone

Purpose

To promote a significant increase in new dwellings, greater housing diversity and new built form and character

Key elements of the zone

- Council has discretion to specify exemptions from public notice and third party VCAT review of multi unit developments
- Permit required for a fence that exceeds the scheduled height on lots less than 300m² and in multi unit development.
- Office (100m²) becomes a permitted use in the zone
- Provision in the schedule to the zone to specify building heights

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Incremental change zone

Purpose

To respect existing neighbourhood character and provide for an increase in housing diversity with a moderate increase in new dwellings

Key elements of the zone

- Council has discretion to specify exemptions from public notice and third party VCAT review of multi unit developments
- Permit required for a fence that exceeds the scheduled height on lots less than 300m² and in multi unit development.
- Building height not to exceed 9 metres. The schedule to the zone allows Council to specify building height greater or less than 9 metres.

Limited change zone

Purpose

To recognise specific residential neighbourhood characteristics to be protected and provides limited opportunity for increased housing.

Key elements of the zone

- Council has discretion to specify exemptions from public notice and third party VCAT review of multi unit developments
- Council has the ability to specify a maximum number of dwellings possible on a lot – however this must not be less than 2 dwellings
- Council has the ability to specify minimum lot size for the zone
- Permit required for a fence that exceeds the scheduled height on lots less than 300m² and multi unit development.
- Building height not to exceed 9 metres. The schedule to the zone allows Council to specify building height greater or less than 9 metres

Comments on the proposed zones

The intent of the new zones is supported in principle as the three new residential zones provide greater certainty in development intensity throughout residential areas. However there are a number of areas of concern with the content of the zones or the manner in which they operate.

Office as discretionary use in Substantial Change zone

Although the proposed zone limits the floor space to 100 square metres it is unclear whether there is any real benefit that will accrue to the community from making small offices discretionary in the Substantial change zone. The home occupation definition currently allows for an office up to 100m² in a residential zone provided it is conducted as part of a residence.

The Substantial change zone is a residential zone and the emphasis should remain on residential development.

It is recommended that “office” remain a prohibited use in all residential zones.

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Minimum lot size and maximum dwelling number – Limited change zone.

The ability to specify a minimum lot size in the zone is supported as this sends a clear signal about the intensity of development expected in the zone. However the ability to specify a minimum lot size is undermined by the requirement that the maximum number of houses can be no less than two dwellings. This sends a confusing message whereby it encourages a situation where the actual development density would be half of that required by the subdivision density.

If the intention of the zone is to provide for limited change – the number of dwellings should be limited to the number of lots the land could be subdivided into.

Front fences

The new zones retain the two tiered approval system for front fences that exceed the height specified in the schedule to the zone.

Any front fence that exceeds the height specified in the schedule requires Council approval however the current and proposed controls provide for two separate consideration and approval processes.

Where a front fence exceeds the height specified in the schedule to the zone on a lot less than 300m² or in a multi unit development a planning permit is required for the construction of the fence.

Where a front fence exceeds the height specified in the schedule to the zone on a single lot over 300m² a building dispensation is required.

A simpler approach would be to require a planning permit to be obtained where a front fence exceeded the height specified in the schedule to the zone. This would allow all 'over height' fence application to be subject to the same consideration and approvals process.

FINANCIAL / ECONOMIC ISSUES

There are no direct financial implications arising from the issues discussed in this report.

Council will be required to undertake a major planning scheme amendment once the new zones are finalised in order to implement the new zones.

ENVIRONMENTAL / AMENITY ISSUES

The intent of the new zones is to allow Councils a greater ability to control the intensity of development in residential areas. This should lead to improved environmental and amenity outcomes for Maroondah.

NEW RESIDENTIAL ZONES

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SOCIAL / COMMUNITY ISSUES

The intent of the new zones is to allow Councils a greater ability to control the intensity and form of development in residential areas. This should lead to improved social and community outcomes for Maroondah.

COMMUNITY CONSULTATION

Not applicable

CONCLUSION

The draft zones represent an improvement over the initial discussion paper zones released in 2008. Importantly they give Councils the ability to retain “third party notification and appeal rights” or the advertising of applications.

The ability to limit building height and specify a minimum lot size for the subdivision of land is welcomed. However the limited change zone requires modification to the maximum dwelling number to ensure that the maximum number of dwellings does not exceed the maximum number of lots the land could be subdivided into.

The opportunity should also be taken to standardise the consideration and approvals process for front fences that exceed the height specified in the schedule to the zones.

CONFIDENTIALITY

Not applicable

RECOMMENDATION

THAT COUNCIL ENDORSES THE SUBMISSION MADE TO DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT ON THE CONSULTATION DRAFT RESIDENTIAL ZONES.

MELBOURNE SOUTH EAST STRATEGY

ITEM 2

PURPOSE

To seek Council endorsement of the Regional Economic Strategy for Melbourne's South East (2009-2030).

STRATEGIC / POLICY ISSUES

The Strategy is focused on delivering sustainable prosperity and liveability to Melbourne's South East region and provides a long-term framework for the economic and strategic development.

BACKGROUND

This report details the work of a regional economic development group that Council has supported since late 2000. Known as 'Melbourne's South East' (MSE) it includes representation from the following organisations.

- Eleven (11) Local Government Areas (Bayside, Cardinia, Casey, Frankston, Greater Dandenong, Kingston, Knox, Maroondah, Monash, Mornington Peninsula, and Whitehorse);
- Three (3) utility companies: South East Water, Alinta (formally United Energy), Telstra; and
- Associate Members:
 - Department of Innovation, Industry & Regional Development (DIIRD), (State Government)
 - Melbourne East Area Consultative committee (ACC), (Federal Government),
 - South East Water,
 - United Energy/Multinet Gas

ISSUE / DISCUSSION

The catchment for the Melbourne South East aligns along the Mitcham-Frankston corridor and therefore its success is inextricably linked with the major infrastructure projects, which support the strategy.

The Strategy accords with Council's Economic Strategy 2002 – 2005 Action Plan, in particular Strategy 5 - 'Regional Development' and will be reviewed in 2013.

The research and analysis that underpins the Strategy has provided a new perspective of Melbourne's South East as a clearly identifiable region of national significance.

The development of the Strategy was initiated because of recognition that a coordinated approach is needed to attract business investment if the region is to compete against other regions in Australia. It is also imperative that the region continues to offer the amenity and labour force skills to attract the new generation of advanced manufacturing and business services.

The essential elements of the Strategy are identifiable projects that can be developed in partnership with business, government and institutional stakeholders.

MELBOURNE SOUTH EAST STRATEGY

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The Strategy:

- identifies the current and likely increasing disparity between areas of employment growth and areas of population growth (the areas of employment growth being concentrated in the west and north west of the region and the areas of population growth in the outer South East)
- articulates a need to improve intra-regional accessibility to facilitate journeys to work and the integrated development of the region
- confirms the manufacturing significance of the region in a national context, and the need to provide a secure future for ongoing industry development and investment, based on the recognition that future industry development will be increasingly linked to a range of knowledge-based services
- identifies significant projects identified in the Strategy that have also been implemented and as a result, have strengthened the economic dynamics and inter-relationships within the region. Projects include: Eastlink, Synchrotron, Technology Capability Alignment Project, Industrial Land Supply Study (Casey-Cardinia growth corridor) and the Dandenong Creek Project
- expresses the need to foster a partnership approach between the region's education and research resources and its manufacturing and business community, to add value to the region's export capacities through value-added innovation, research and intellectual development building on existing strengths and capabilities
- recognises the need to improve the region's amenity, liveability and image as integral components of a balanced approach for the long-term sustainability of the region and
- highlights that Melbourne's South East Region represents 29% of Victoria's population and provides 26% of the State's jobs. Jobs within a 30 minute drive of Ringwood in 2006 were 208,162 and due to the completion of Eastlink a 67% is expected by 2011 of 347,898. (Source: "The Strategic Significance of Ringwood Transit City – January 2008").

'Melbourne's South East' does not have a dedicated paid secretariat and the group is not incorporated. Alinta has provided the services of its Economic Development Manager to assist with the day-to-day running of the project. Representatives from Casey and Kingston Councils are project managing 'Melbourne's South East' supported by a Steering Committee of economic development representatives from the 11 councils and the associate members. In addition to financial contributions from each of the partners, funding was also received from the Victorian Department of Innovation, Industry and Regional Development and the Commonwealth Department of Transport and Regional Services.

Some of the key components of the Economic Strategy that directly impact the City of Maroondah are:

- the joint development and communication of a shared vision for the future prosperity of the region;
- focus on the Mitcham-Frankston Corridor as an integrated employment and transport area with provision of a regional framework to utilise the new access potentials offered by the Freeway and potentials for a new high quality public transit link.

MELBOURNE SOUTH EAST STRATEGY

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- an investment structure to fund infrastructure requirements for the central activity centres of the region;
- proposed green link to extend the length of Dandenong Creek from the Basin to the Bay. The comprehensive planning of the Creek and its surrounds could achieve a range of amenity, image and liveability benefits in the region.

FINANCIAL / ECONOMIC ISSUES

\$5,000 has been allocated in 2008/2009 to support projects associated with Melbourne's South East.

ENVIRONMENTAL / AMENITY ISSUES

The Strategy refers to a range of environmental issues and projects that should be pursued across the region. That said, the predominant focus of the document is on improving the business and investment climate.

SOCIAL / COMMUNITY ISSUES

A vibrant economy is vital to the enhancement of amenities and quality of life for all residents of the Melbourne South East catchment.

COMMUNITY CONSULTATION

Melbourne's South East initially consulted widely with business, education, government and the community on the contents of the first draft Strategy. Specifically, in September 2001, MSE arranged a regional research conference with attendance by 130 key business leaders from across the region to discuss important issues impacting upon business and investment.

CONCLUSION

In summary, the *Regional Economic Development Strategy for Melbourne's South East (2009-2030)* calls for an integrated second Melbourne, focused to achieve improved and new environments for manufacturing, advanced business services and supporting research and services. It incorporates a view of the region's future as dependent on linking new investment in manufacturing and business services to new and improved activity areas and to substantial improvements in environments and accessibility. There are a range of benefits associated with involvement with MSE. From Maroondah's immediate perspective, recommended projects relating to the Central Activity District and Mitcham Frankston employment corridor are two areas that the Strategy advocates for.

CONFIDENTIALITY

Not applicable

RECOMMENDATION

THAT COUNCIL ENDORSES THE REGIONAL ECONOMIC STRATEGY FOR MELBOURNES SOUTH EAST (2009 – 2030).

DELEGATE'S REPORTS

ITEM 1

PURPOSE

To provide an opportunity for Councillors to report on those Committees to which they were formally appointed at the meeting of Council held on 15 December 2008.

STRATEGIC / POLICY ISSUES

The following directions contained in the Council Plan 2008-2012 provide the strategic framework that underpins the purpose and recommendation in this report:

Strategic Objective – Maroondah will underpin its services to the community with the principles and practice of good governance, sustainable and responsible financial management, participative decision making processes and an organisational culture that highly values its partners, citizens, employees and customers.

Strategy 3 – Ensure open, accessible and accountable local government provided through the application of good governance practices and utilising appropriate human and physical resources.

BACKGROUND

Not Applicable

ISSUE / DISCUSSION

It is intended that the Mayor and Councillors be given the opportunity to present a verbal or written report to the open meeting of Council, updating Council on the actions of such a Board or Organisation.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

COMMUNITY CONSULTATION

Not Applicable

CONCLUSION

Council is represented on numerous Boards and Organisations and it is important that Council and the Community be advised of the actions and activities of same.

DELEGATE'S REPORTS

ITEM 1

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL RECEIVES AND NOTES THE DELEGATES' REPORTS AS PRESENTED BY COUNCILLOR

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ITEM 2

PURPOSE

To consider motions for submission to both the Municipal Association of Victoria (MAV) State Council Meeting to be held on Wednesday 27 May 2009 and Australian Local Government Association (ALGA) National General Assembly of Local Government to be held 21 – 24 June 2009 in Canberra.

STRATEGIC / POLICY ISSUES

Council's Vision, as articulated in the Council Plan, is to be a vibrant city with an active community, a strong local economy and a diverse cultural life in a prosperous and sustainable environment. A significant component of achieving this vision is to advocate to State and Federal Governments regarding the needs and aspirations of the Maroondah Community.

BACKGROUND

The Municipal Association of Victoria State Council Meeting will be held on Wednesday 27 May 2009. The three proposed motions are viewed as being of significance across the Victorian Local Government section and therefore of importance for debate and consideration by the State Council Meeting.

The Australian Local Government Association National General Assembly of Local Government to be held 21 – 24 June 2009 in Canberra. The 6 motions are seen as of national significance particularly as issues such as climate change need to be approached at the national level in the interest of all Australians.

Both these local government sector Council peak body associations, together with local members of parliament provide significant advocacy to State and Federal Governments on behalf of Maroondah residents and ratepayers.

ISSUE / DISCUSSION

MAV State Council Meeting

The rationale for each motion is identified below:

Depreciation

Depreciation expense should be calculated on a consistent basis across all Councils as it is a major expense for all Councils and is used in many indicators when assessing the financial viability of Councils.

There are a variety of viability/sustainability measures from several different sources in the sector at the moment, all using the same figures but producing varying results, depending on how the figures are interpreted and used.

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These figures are being used to compare Councils and the source data can, while being accurate in themselves, not be comparable. ie comparing apples with oranges.

There are a number of facets of the depreciation expense that can result in inconsistencies when comparisons are made. Depreciation is calculated by taking the replacement value divided by the useful life of each and every asset.

The replacement value of the assets requires a uniform methodology to ensure consistency across all Councils. Presently, there appears a wide spectrum of recorded replacement values for the same asset class. For example,

Council	Replacement Value of Drainage- Extracted from 2008 Annual Reports	Size of Municipality
Metropolitan Council 1	\$305m	61 square kilometres
Metropolitan Council 2	\$167m	64 sq. km.
Metropolitan Council 3	\$263m	113 sq. km.
Metropolitan Council 4	\$203m	114 sq. km.

The useful life depends on many factors including the condition of the asset, the maintenance regime, the renewal regime and community expectations as to the service level required from a particular asset. Some Councils are still using the original published useful lives from the Local Government Asset Accounting Manual (commonly referred to as the “red book”) while others have made a detailed assessment of the useful lives from condition audits and maintenance and renewal regimes that are in place. This can have a significant effect on the depreciation charged for like assets in like condition, and hence a direct impact on Council’s bottom line operation result.

FReeZA Program

The MAV State Council Meeting in May 2008 passed a resolution calling on a review to be conducted by the State Government and regretfully such review has not occurred. It is therefore seen as appropriate that a further call be made to the State Government to undertake a review.

The FReeZA program provides funding for drug, alcohol and smoke free music events for young people. It further provides opportunities for young people to plan and run cultural events, support local bands and provide work experience ranging from stage management and event co-ordination to media relations.

This program has not undertaken any review process or subsequent funding increase consideration for at least the last six years and receivers of the funds are now faced with the real prospect of cutting back on the services able to be provided. Maroondah’s experience is that the funding now only pays for less than half of the costs in wages and expenses to deliver the program and the number of events run has been substantially downscaled. It is understood this situation is similar across the sector.

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2009 represents the second year of a two year grant (based on calendar years) and therefore represents the most appropriate time for a review to be conducted. A review of the program would need to address the base rate of the grant – currently \$19,450 per annum and no increase in the last 6 years – and introducing a more appropriate cost effective base rate with annual CPI increases.

Tax Deductibility - Election Expenses

Australian Tax Office information states that "a deduction for local government body election expenses cannot exceed \$1,000 for each election contested..." The amount appears to be grossly inadequate given the cost of running as a candidate within an election far exceeds the quantum of the deduction and that the amount able to be claimed has remained almost permanently fixed at \$1,000.

This system is in stark contrast to the public funding of elections available to candidates at other levels of Government. A review of the ceiling amount is therefore not only highly desirable but also highly appropriate to assist in attracting candidates.

The motion seeks to provide the opportunity for all potential candidates to stand at Council elections and not feel constrained from doing so due to the potential cost.

The MAV State Council Meeting in October 2008 passed a resolution calling on a review to be conducted by the Australian Tax Office and regrettably such has not occurred. It is therefore seen as appropriate that a further call be made to the Australian Tax Office to undertake such a review.

ALGA National General Assembly Local Government

The rationale for each motion is identified below:

Climate Change - Local Adaptation Pathways Program

Through the Local Adaptation Pathways Program, the Australian Government is providing funding to help Councils undertake climate change risk assessments and develop action plans to prepare for the likely local impacts of climate change. The funding will help Councils integrate climate change risk assessment into their broader decision-making processes.

Under Round 1 of the Local Adaptation Pathways Program, more than 60 local governments received funding for a total of 33 projects. This funding totalled \$1.5 million. The majority of these Councils were located in coastal and urban areas.

Worth up to \$500,000, Round 2 of the Local Adaptation Pathways Program seeks to complement and build on the work from Round 1.

There are 562 local governments in Australia. At the rate of current funding, it will take several years for all Councils to undertake climate change risk assessments and develop

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adaptation strategies. Further funding, and a process to align Councils with similar issues together is required immediately.

Climate Change – Strategic Documents

Adaptation to climate change and management of the associated risks is likely to require significant capital investment. While local government may be able to afford some investment, there will be locations and particular projects that will require large capital investment, particularly in coastal areas.

When this is the case and Commonwealth or State funding is provided, it should be linked to ensuring sustainability, climate change and climate change adaptation considerations are integrated in Council and community plans. The issue of climate change is a great challenge and needs to be recognised through the organisation and processes of all Councils across the sector.

It is envisaged that linking funding to the integration of climate change into strategic documents, will be a major catalyst to ensure this occurs.

Climate Change – Carbon Neutrality

In 2007 the Intergovernmental Panel on Climate Change (IPCC) released their fourth assessment report, concluding that:

- Warming of the climate system is unequivocal
- Humans are very likely to be causing most of the warming that has been experienced since 1950
- It is very likely that changes in the global climate system will continue well into the future, and that they will be larger than those seen in the recent past.

Climate change will affect all natural and man-made systems to some extent. In particular, water resources and agricultural systems are likely to be further stressed. Across the local government sector, the likely impacts will include increased energy demand, more damage to infrastructure (drainage, roads, works) and housing, increased insurance risk, threats to health from disease and heat, and increased stress on stormwater management systems. These impacts are likely to have serious financial implications for all Councils. Sectors of the community such as the elderly, low-income earners and those with medical conditions will be impacted upon due to rising costs and health issues.

Modelling carried out by the CSIRO presents low, medium and high emission scenarios. With sufficient action now we are likely to avoid greater changes of a high emission scenario, however some change is already locked in. It is likely for instance that in southern Victoria temperature will increase and rainfall will decrease.

It is estimated by the IPCC that to ensure impacts are minimised beyond the aforementioned increases, significant reductions in emissions are needed into the future. The IPCC indicates that by 2050, emissions will need to be reduced by 50-85% of current levels to ensure that climate change is kept to a minimum in the future.

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The Australian Government has responded by setting a target of between 5-15% reduction in emissions by 2020, and 60% by 2050. The urgency of the situation requires a greater response from the Commonwealth. Many Local Governments have targets of becoming carbon neutral by 2020 (including Maroondah) and are leading the way on mitigation efforts through the Cities for Climate Protection program. By all Local Governments setting a carbon neutral target, it indicates to the Commonwealth Government, State Governments and the community that this is a serious issue and a strong response is required.

Climate Change - Carbon Pollution Reduction Scheme

The Carbon Pollution Reduction Scheme (CPRS) will make industries for the first time, take the cost of carbon pollution into account in their investment and production decisions, and pay for the carbon pollution they generate. This will affect the pattern of competitiveness across the economy, the relative price of goods and services, and the consumption choices made by households and businesses.

The introduction of a national CPRS will restrict the quantity of greenhouse gas emissions from sources covered by the scheme. In effect the CPRS acts as a 'cap' above which the aggregate quantity of emissions, from these sources, cannot rise. The cap is imposed to achieve the Government's announced emissions reduction target of 5-15 per cent by 2020 below 2000 levels.

In the absence of the scheme, many companies and individuals, including Councils, have undertaken voluntary action to reduce or offset emissions arising from their operations. This action has largely been in the form of purchase of carbon offsets, energy efficiency activities and the purchase of GreenPower™.

In the absence of the CPRS, voluntary action, such as the purchase of carbon offsets, GreenPower™ or consumption of less emissions-intensive fuels, led to a direct reduction of emissions at the company / household (i.e. the 'entity') level and in the quantity of greenhouse gases emitted to the atmosphere (i.e. the 'aggregate quantity of emissions').

With the introduction of the CPRS, voluntary action will continue to reduce emissions at the entity level, however, many forms of voluntary action will no longer reduce the aggregate quantity of emissions as the actions will not be recognised through the official trading system.

This effectively means that any emission reduction actions carried out by local government or the individual will allow large polluters to not reduce their emissions. Through acknowledging voluntary emission reduction actions in the CPRS, the cost to pollute will increase, causing demand for better efficiencies, technologies and improve the competitiveness of renewable energy.

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Infrastructure - Energy Efficient Street Lighting

It is estimated that the local government sector spends \$50 million annually on public lighting services; the major component of which is street lighting. In Victoria street lighting represents between 25% and 65% of any given Council's corporate greenhouse gas emissions. The provision of Public lighting is reliant on electricity that is predominantly generated from brown coal resulting in significant greenhouse emissions. There is now a widely held view that these emissions must be significantly reduced to mitigate the effects of climate change and prevent global warming.

Implementing energy efficient street lighting is the single biggest issue for Councils trying to reduce greenhouse emissions and meet greenhouse reduction targets. The City of Maroondah estimates that street lighting constitutes 36% of Council's greenhouse emissions and 39% of its electricity costs.

Recently energy efficient street lighting has been approved for use in Victoria, in particular the T5 light and Compact Fluorescent Light. Current street lighting is predominantly, industry standard 80 watt Mercury Vapour. There are substantial changeover costs associated with the introduction of T5 lights as current estimates put the change over in the order of \$300 per lamp unit. This is a significant barrier to the uptake of the technology and the reduction of greenhouse gas emissions.

Local Government Finance – Tax Deductibility

Australian Tax Office information states that "a deduction for local government body election expenses cannot exceed \$1,000 for each election contested..." The amount appears to be grossly inadequate given the cost of running as a candidate within an election far exceeds the quantum of the deduction and that the amount able to be claimed has remained almost permanently fixed at \$1,000.

This system is in stark contrast to the public funding of elections available to candidates at other levels of Government. A review of the ceiling amount is therefore not only highly desirable but also highly appropriate to assist in attracting candidates to stand at Council elections.

The motion seeks to provide the opportunity for all potential candidates to stand at Council elections and not feel constrained from doing so due to the potential cost.

FINANCIAL / ECONOMIC ISSUES

Refer to rationale as highlighted under Issue / Discussion.

ENVIRONMENTAL / AMENITY ISSUES

Refer to rationale as highlighted under Issue / Discussion.

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SOCIAL / COMMUNITY ISSUES

Refer to rationale as highlighted under Issue / Discussion.

COMMUNITY CONSULTATION

Council, through various forums, consultations and strategies, has engaged the Maroondah community regarding these various issues. This report further demonstrates Council's preparedness to advocate to other spheres of government on behalf of Maroondah residents.

CONCLUSION

The proposed motions have either a state-wide or a national significance throughout the Local Government sector and therefore should be discussed at the respective State Council Meeting or National General Assembly.

CONFIDENTIALITY

Not applicable

RECOMMENDATION

1. THAT COUNCIL SUBMITS THE FOLLOWING 3 MOTIONS FOR CONSIDERATION AND DEBATE AT THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL MEETING:

• DEPRECIATION

Motion: THAT THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL CALLS ON THE STATE GOVERNMENT TO ENSURE CONSISTENCY IN THE CALCULATION OF THE DEPRECIATION EXPENSE TO ENSURE VALID COMPARISONS BETWEEN COUNCILS.

• FReeZA PROGRAM

Motion: THAT THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL REITERATES ITS SUPPORT FOR AN URGENT REVIEW OF STATE GOVERNMENT FUNDING FOR THE FReeZA PROGRAM.

• TAX DEDUCTIBILITY - ELECTION EXPENSES

Motion: THAT THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL FURTHER WRITE TO THE AUSTRALIAN TAX OFFICE AUSTRALIAN TAX OFFICE SEEKING AN URGENT REVIEW OF THE CURRENT CEILING OF \$1,000 FOR ELECTION EXPENSES THAT CAN BE CLAIMED BY CANDIDATES FOR COUNCIL ELECTIONS.

MAROONDAH MOTIONS TO THE MUNICIPAL ASSOCIATION OF VICTORIA STATE COUNCIL MEETING & THE AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION – NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT

ITEM 2

2. THAT COUNCIL SUBMITS THE FOLLOWING 6 MOTIONS FOR CONSIDERATION AND DEBATE AT THE AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION NATIONAL GENERAL ASSEMBLY OF LOCAL GOVERNMENT:

- CLIMATE CHANGE – LOCAL ADAPTATION PATHWAYS PROGRAM

Motion: THAT THIS NATIONAL GENERAL ASSEMBLY ENCOURAGE THE AUSTRALIAN GOVERNMENT TO CONTINUE TO PROVIDE FUNDING FOR THE LOCAL ADAPTATION PATHWAYS PROGRAM UNTIL ALL LOCAL GOVERNMENTS (OR GROUPS OF LOCAL GOVERNMENTS) HAVE UNDERTAKEN RISK MANAGEMENT ASSESSMENTS AND DEVELOPED CLIMATE CHANGE ADAPTATION STRATEGIES.

- CLIMATE CHANGE – STRATEGIC DOCUMENTS

Motion: THAT THIS NATIONAL GENERAL ASSEMBLY SUPPORT COMMONWEALTH AND STATE FUNDING FOR CAPITAL WORKS ASSOCIATED WITH CLIMATE CHANGE ADAPTATION TO BE LINKED TO THE INCORPORATION OF CLIMATE CHANGE AND ADAPTATION CONSIDERATIONS IN COUNCIL AND COUNCIL'S COMMUNITY PLANS.

- CLIMATE CHANGE – CARBON NEUTRALITY

MOTION: THAT THIS NATIONAL GENERAL ASSEMBLY SUPPORTS ALL LOCAL GOVERNMENTS TO ADOPT TARGETS OF CARBON NEUTRALITY BY NO LATER THAN 2020.

- CLIMATE CHANGE – CARBON POLLUTION REDUCTION SCHEME

MOTION: THAT THIS NATIONAL GENERAL ASSEMBLY ENCOURAGE THE AUSTRALIAN GOVERNMENT TO RECOGNISE VOLUNTARY EMISSION REDUCTION ACTIONS BY THE COMMUNITY AND LOCAL GOVERNMENT IN THE CARBON POLLUTION REDUCTION SCHEME.

- INFRASTRUCTURE – ENERGY EFFICIENT LIGHTING

Motion: THAT THIS NATIONAL GENERAL ASSEMBLY CALLS ON THE STATE AND FEDERAL GOVERNMENTS TO PROVIDE FINANCIAL ASSISTANCE FOR THE ROLL OUT OF ENERGY EFFICIENT STREET LIGHTING.

- LOCAL GOVERNMENT FINANCES – TAX DEDUCTIBILITY

Motion: THAT THIS NATIONAL GENERAL ASSEMBLY SUPPORT AN URGENT REVIEW BY THE AUSTRALIAN TAX OFFICE OF THE CURRENT CEILING OF \$1,000 FOR ELECTION EXPENSES THAT CAN BE CLAIMED BY CANDIDATES FOR COUNCIL ELECTIONS.

**COMMUNITY REPRESENTATION ON COUNCIL'S
AUDIT ADVISORY COMMITTEE**

ITEM 3

PURPOSE

To consider the external independent membership for the Audit Advisory Committee for the period May 2009 to end of November 2012.

STRATEGIC / POLICY ISSUES

Council may at any time appoint an Audit Advisory Committee to undertake specific tasks or provide ongoing support in any areas of operations in accordance with the provisions of section 139 of the Local Government Act 1989.

The continuation the Audit Advisory Committee demonstrates Council's commitment to maintaining a community approach in working towards optimal risk management outcomes on a range of issues and controls that impact upon the operations of Council.

BACKGROUND

Maroondah City Council has had an Audit Advisory Committee since 27 November 1995 to assist Council in the discharging of its responsibilities for financial reporting, maintaining a system of internal control, and fostering the Council's ethical climate. Since its inception, the Local Government Sector and the State Government have continued to advance the importance of this Advisory Committee to the overall governance of Local Governments. This was reinforced by updates to the Local Government Act 1989 to included section 139 specifically relating to Audit Advisory Committees.

Similarly, the private sector in recent years have sought to strengthen the role of Audit through a range of compliance elements led by a range of institutions including the Australian Stock Exchange.

Membership of Maroondah's Audit Advisory Committee has been revised on several occasions and the current membership comprises the Mayor plus one Councillor, two qualified independent persons and the Chief Executive Officer.

The main aim and objectives of the Committee are to:

- Review the scope, outcomes and process of internal and external audits;
- Ensure strong internal controls are in place; and
- Assist Council to make informed decisions regarding accounting policy and practices.

ISSUE / DISCUSSION

Membership is determined by the skills and areas of interest that particular individuals are able to bring to the Audit Advisory Committee. A broad range of skills and experience is required to ensure the strongest possible balanced overall membership.

Expressions of Interest for membership have recently been called, with advertisements placed in the Maroondah Journal and the Maroondah Leader Newspapers – the closing date being 27 February 2009.

**COMMUNITY REPRESENTATION ON COUNCIL'S
AUDIT ADVISORY COMMITTEE**

ITEM 3

Council is very fortunate in receiving three expressions of interest of an exceptionally high calibre making the task of appointments difficult. All three were interviewed by the Chair of the Audit Advisory Committee as determined by Council at the December 2008 Statutory meeting and the Director Corporate Services.

The following nominees are recommended:

- Mr David Brooks, and
- Ms Julie Postma

Mr David Brooks, a Maroondah resident, since 2006 has been one of two independent members on the Maroondah City Council Audit Advisory Committee. He is a Fellow of the Australian Institute of company Directors and an Associate Member of the CPA Australia. He is currently the Director of the Broadmeadows Schools Regeneration Project.

In previous roles, David has seen leadership of the development and implementation of a new School Accountability and Improvement Framework and improved internal audit and risk management within the Education Department including new audit committee arrangements for the department and some statutory authorities.

Current board and related experience include President of the Park Orchards Basketball Club Inc., School councillor Parkwood Secondary College and a trustee of the Daffyd Lewis Scholarship Trust (a philanthropic trust which provides scholarships to disadvantaged young men to attend university).

Ms Julie Postma, also a local resident, is a qualified Chartered Accountant and has vast experience in large complex organisations, including health care, education and professional services. She has hands on experience in designing and implementing internal control environments and risk management programs. She is aware of how and where these programs can be breached and the various actions that may be taken to minimise the risk.

Julie has completed MBA studies with the Australian Graduate School of Management.

In recent years, she has been working part time following the arrival of her children in 2005 and 2006, and prior to this, has had many years of financial management responsibility at senior management and executive levels.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

Not Applicable

**COMMUNITY REPRESENTATION ON COUNCIL'S
AUDIT ADVISORY COMMITTEE**

ITEM 3

COMMUNITY CONSULTATION

Community consultation with prospective participants has taken place via a number of advertisements in local papers in accordance with Council's Consultation Policy and legislative obligations.

This consultation has resulted in expressions of interest from a range of representatives, which represent the diverse and valuable resources of community knowledge and engagement within Maroondah.

CONCLUSION

The community consultation undertaken has resulted in a number of expressions of interest and it is now appropriate for Council to make appointments to the Audit Advisory Committee.

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL:

- 1. APPOINTS MR DAVID BROOKS AND MS JULIE POSTMA TO THE MAROONDAH AUDIT ADVISORY COMMITTEE FOR THE PERIOD MAY 2009 – END OF NOVEMBER 2012; AND**
- 2. ADVISES THE SUCCESSFUL AND UNSUCCESSFUL NOMINEES ACCORDINGLY.**

DRAFT GRANTS POLICY

ITEM 1

PURPOSE

The purpose of this report is to provide council with a draft Grants Policy and to seek endorsement for public exhibition in accordance with Council's Community Engagement Policy 2008.

STRATEGIC / POLICY ISSUES

The draft Grants Policy has been written in accordance with the principles and recommendations of other key Council documents. In the Maroondah Council Plan 2008-2012, under the 'Community' theme, there is a Key Action for 2008 / 2009 to "Implement the recommendations from the Community Grants Programs review".

The policy has also been developed in alignment with Council's Sponsorship Policy (2008).

BACKGROUND

Maroondah City Council provides financial assistance to individuals, community and not for profit organisations to support the provision of programs and services which respond to identified community need, contribute to the building of stronger communities and are in accordance with Council's strategic objectives. This financial assistance is distributed to the community through several grant schemes that provide direct funding to organisations to provide a service to the Maroondah community on behalf of Council.

ISSUE / DISCUSSION

In 2006 a cross - Council Steering Committee was convened to oversee the Community Grants Review and the development of the supplementary draft Grants Policy. This included representatives from Aged and Disability, Leisure Services, Community Planning, Early Childhood Services, Community Development, Youth Services, and Arts and Cultural Services.

Discussions held by the Steering Committee highlighted the need to articulate Council's definition of a grant and the need to develop a broad framework, which would guide the provision of consistent grant administration and assessment processes across Council. As such the development of an overarching Grants Policy was one of the recommendations from the Community Grants Review, endorsed by Councillors on Monday 25 February 2008.

FINANCIAL / ECONOMIC ISSUES

The draft Grants Policy specifically aims to identify acquittal and evaluation requirements to ensure Council and funding recipients remain appropriately accountable. The findings of the Community Grants Review highlighted that Council did not have a consistent acquittal and evaluation process across the separate schemes and that there was a clear need to clarify external auditors expectations and to determine what information Council required for annual reporting mechanisms.

DRAFT GRANTS POLICY

ITEM 1

ENVIRONMENTAL / AMENITY ISSUES

Not applicable

SOCIAL / COMMUNITY ISSUES

Council is committed to working in partnership with the community to encourage, develop, support and sustain a wide range of initiatives that make a positive contribution to the Maroondah community and strengthen the development of strong community networks. Each year Council makes funds available via a number of grants programs to enhance these partnerships.

A primary aim of having an overarching Grants Policy is to ensure that the administration and assessment of all Council grant programs are transparent, equitable, inclusive and clearly understood by the community. This will be achieved in part by the development of an overarching policy framework that clearly outlines the key processes and minimum procedure requirements for all Council grant programs. The draft Policy also clarifies Council's grievance processes and conflict of interest provisions.

COMMUNITY CONSULTATION

As part of the Community Grants Review, telephone interviews were conducted with 18 grant recipient organisations and individual interviews/surveys were undertaken with 8 Councillors (across two Council terms).

The next stage of the community consultation process will include:

1. Public exhibition of the draft Policy at all Council Service Centres, local libraries and on the Council web page.
2. Advertisements in the local papers calling for comments or feedback from the community on the draft Policy.

The opportunity to make a submission will be available until Wednesday 27 May 2009. Following consideration of feedback, the draft Plan will be amended as appropriate and Council endorsement sought.

CONCLUSION

The draft Grants Policy provides a clear administrative framework for all Council grant programs, which will provide consistency, clarity and transparency to Council's funding provision. Council's *Vision 2025*, *The Council Plan* and other strategies, plans and policies have guided the development of this policy framework to ensure that Council invests in projects that support Maroondah City Council's strategic direction.

CONFIDENTIALITY

Not applicable

DRAFT GRANTS POLICY

ITEM 1

RECOMMENDATION

THAT COUNCIL:

- 1. ENDORSES THE PUBLIC EXHIBITION OF THE DRAFT GRANTS POLICY THROUGH ADVERTISING IN THE LOCAL NEWSPAPERS AND DISPLAYS OF THE DOCUMENT AT ALL CUSTOMER SERVICE OUTLETS, LOCAL LIBRARIES AND THE MAROONDAH WEBSITE.**
- 2. NOTIFIES ALL KEY STAKEHOLDERS OF THE EXHIBITION OF THE DRAFT GRANTS POLICY.**

**MAROONDAH FESTIVAL – CROYDON & DISTRICT
DOG OBEDIENCE CLUB PETITION**

ITEM 2

PURPOSE

The purpose of this report is for Council to receive, note and action the petition received from the Croydon and District Dog Obedience Club requesting to be included in the Maroondah Festival program.

STRATEGIC / POLICY ISSUES

A key strategy of the Council Plan 2008 –2012 is to promote, provide and support cultural and artistic activities and celebrations in Maroondah and to monitor and evaluate such programs and events to ensure they continue to meet community needs.

BACKGROUND

Following the 1995 Maroondah Festival, Council received official complaints regarding the number of large, aggressive dogs that were brought onto the Festival site by visitors to the event.

Since 1996, to maintain public safety, a dog ban has been placed over the Maroondah Festival site under Section 26 of the Domestic Feral & Nuisance Animal Act. This Section states that “A Council may by resolution make an order under this section which may; Prohibit the presence of dogs and cats in any public place of the municipal district of the Council”.

To enforce this resolution Council have only allowed the Croydon and District Dog Obedience Club to participate at the Maroondah Festival through a community stall promoting responsible pet ownership, however dogs from their Demonstration Team have not been permitted on to the site.

A petition containing 274 signatures was submitted to Council on 23 January 2009.

The prayer of the petition includes:

We, the undersigned, are respectfully requesting that the Maroondah City Council allow the Croydon & District Obedience Dog Club Demonstration Team and their dogs to perform and educate visitors at the Maroondah Festival about dog obedience and responsible dog ownership.

ISSUE / DISCUSSION

Since the prohibition of dogs at the Maroondah Festival, Council’s Neighbourhood Services Officers have worked across the site on the day of the Festival enforcing the ban. No official complaints or incidences have been reported to Council since the introduction of the ban.

In 2009 the Maroondah Festival will relocate to a new site at Town Park, Croydon. Town Park allows for a safer demonstration area on Fred Geale Oval clearly separating the audience from the demonstration participants. Given the location of the demonstration space, the Croydon and District Dog Obedience Club’s Demonstration Team should be allowed to participate in the Festival Program under a trial arrangement.

**MAROONDAH FESTIVAL – CROYDON & DISTRICT
DOG OBEDIENCE CLUB PETITION**

ITEM 2

The following points are recommended as guidelines for the inclusion of the Dog Obedience Demonstration Team's involvement in the Maroondah Festival:

- One demonstration time is provided to the Croydon and District Dog Obedience Club where there is minimal conflict with the remaining Festival program i.e. the demonstration space does not have additional activities in the area at the time of the dog obedience demonstration
- All participants must meet at a designated time and place within 30 minutes of the allocated demonstration time and proceed to the demonstration area together. All participants must leave the Festival Site together at the completion of the demonstration
- Dogs are to be brought on and off the site on leads at all times
- No dogs are to be walked through the general Festival site at any time
- During the demonstration, advanced participants or agility displays are only allowed to display with their dogs off the lead, however they must remain under the owners control at all times
- All members and the dogs participating in the demonstration must be clearly identified as members of the Croydon & District Dog Obedience Club i.e. T-shirt, name tag, dog collars
- Whilst on the Festival Site all members of Croydon & District Dog Obedience Club participating in the demonstrations are to act on all instructions given by Council and Festival Staff.

FINANCIAL / ECONOMIC ISSUES

Not Applicable

ENVIRONMENTAL / AMENITY ISSUES

Not Applicable

SOCIAL / COMMUNITY ISSUES

To maintain public safety at the Maroondah Festival, Council will continue under resolution of Section 26 of the Domestic Feral & Nuisance Animal Act, to prohibit dogs, owned by the general public from the Festival Site. This resolution will be considered when developing promotion and the performance times for the display of the Croydon and District Dog Obedience Club's Demonstration Team to minimise any confusion to the public.

Public safety is the primary focus of Council when undertaking any activities involved with the Maroondah Festival. The trial to include the Croydon and District Dog Obedience Club's Demonstration Team in the Maroondah Festival program will be monitored on the day of the event and reviewed following the completion of the event.

COMMUNITY CONSULTATION

Throughout 2007/08 a major review of the Maroondah Festival has been undertaken incorporating a comprehensive community consultation program. While there has been no comment from the general public regarding the exclusion of dogs from the event, the

**MAROONDAH FESTIVAL – CROYDON & DISTRICT
DOG OBEDIENCE CLUB PETITION**

ITEM 2

Croydon and District Dog Obedience Club has actively participated in the consultation in the hope of increasing their Club's participation in the event.

The Maroondah Festival Team will work closely with the Croydon and District Dog Obedience Club to ensure that the guidelines are properly adhered and will support the Club in their involvement at the 2009 Festival.

CONCLUSION

That the petition is noted and accepted by Council and that Council's Leisure Services and the Maroondah Festival Team work closely with the Croydon and District Dog Obedience Club in providing a safe, educational and entertaining demonstration at the 2009 Maroondah Festival. This arrangement will be trialled for one year under the guidelines included within this report and will be evaluated following the 2009 Festival for inclusion in future years.

CONFIDENTIALITY

Not Applicable

RECOMMENDATION

THAT COUNCIL:

- 1. RECEIVES, NOTES AND ACCEPTS THE PETITION FROM THE CROYDON AND DISTRICT DOG OBEDIENCE CLUB CONTAINING 274 SIGNATURES;**
- 2. AGREES TO ALLOW THE CROYDON AND DISTRICT DOG OBEDIENCE CLUB'S DEMONSTRATION TEAM TO PERFORM AT THE 2009 MAROONDAH FESTIVAL UNDER THE GUIDELINES OUTLINED IN THIS REPORT;**
- 3. MONITORS AND EVALUATES THE INCLUSION OF THE CROYDON AND DISTRICT DOG OBEDIENCE CLUB'S DEMONSTRATION TEAM IN THE MAROONDAH FESTIVAL PROGRAM FOLLOWING THE 2009 EVENT;**
- 4. ADVISES THE LEAD PETITIONER ACCORDINGLY.**

SECTION 173 AGREEMENT FOR 19 LANDSTROM QUADRANT, KILSYTH

BACKGROUND

Council issued planning permit M/2009/172 for two (2) lot subdivision of an existing property known as 19 Landstrom Quadrant, Kilsyth on 13 March 2009.

Condition 2 of the planning permit required the owner to enter into a Section 173 Agreement to provide for the following:

Prior to the issue of a Statement of Compliance for the subdivision permitted under this permit, the Owner of the land must complete to floor level, the unit development that is proposed to be subdivided or, enter into, and register on title, an agreement with the Responsible Authority under Section 173 of the Planning and Environment Act 1987, which among other things provides that:

- except with the consent of the Responsible Authority, the development of any lot created by the subdivision of the land must be in accordance with the development authorised by planning permit M/2008/518 issued by Council and the various conditions included in that planning permit and the development depicted in the plans from time to time endorsed pursuant to that permit, or any such lot must not be developed with more than one dwelling house
- in determining whether or not to give its consent, the Responsible Authority may consider any proposal against the provisions of any relevant design guide for medium density housing ; and
- the cost of the preparation or review of the agreement and its registration on the title to the land must be borne by the owner of the land.

The submitted agreement satisfies the provisions of the planning permit.

SECTION 173 AGREEMENT FOR RESERVE ABUTTING 16 BARDIA STREET, RINGWOOD

BACKGROUND

A site survey has established that the dividing fence and a portion of a brick shed belonging to 16 Bardia Street, Ringwood are located on the abutting Council land.

The land is described as a Reserve 2 on Plan of Subdivision No 418215Y and is located between the northern boundary of 16 Bardia Street and the southern boundary of the Ringwood Bypass.

At the Bardia Street frontage, the fence extends by 2.01 metres into Council's land and the brick shed located at the rear of the property encroaches by .49 metres.

Council has agreed with the owners, Mr Anselmo and Mrs Carmela Urbano, both of whom are very elderly, that the encroachment may be left in place until their property is sold, at

DOCUMENTS FOR SEALING

which time the shed must be removed and the 2.0 metre high paling fence relocated to the title boundary.

An agreement pursuant to Section 173 of the *Planning and Environment Act 1987* between Council and the owners has been drafted to provide for this outcome

RECOMMENDATION

THAT COUNCIL SIGNS AND SEALS:

- 1. THE SECTION 173 AGREEMENT SUBMITTED BY KAREN MAREE BREUKERS IN RELATION TO LAND AT 19 LANDSTROM QUADRANT, KILSYTH.**
- 2. THE SECTION 173 AGREEMENT WITH MR ANSELMO AND MRS CARMELA URBANO OF 16 BARDIA STREET RINGWOOD IN RELATION TO RESERVE 2 ON PLAN OF SUBDIVISION NO 418215Y.**