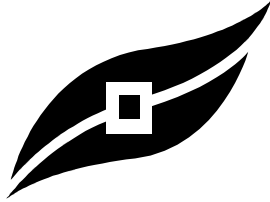


MINUTES



MANNINGHAM
BALANCE OF CITY AND COUNTRY

Ordinary Meeting of the Council

MEETING DETAILS:

MEETING NO: 8
MEETING DATE: 28 June 2016
TIME: 7:00 PM
LOCATION: Council Chamber, Civic Centre
699 Doncaster Road, Doncaster

MINUTES

PLEASE NOTE

This is the abridged version of the Council Minutes. The images / attachments have been removed in order to reduce the size of the document for ease of access purposes.

The full Council Minutes are also available on the Council's website. It is also available for inspection at the Municipal Offices, Bulleen Branch Library, Doncaster Branch Library, The Pines Branch Library, Warrandyte Library and Park Orchards Community House.

It should be noted that as a consequence of the removal of the attachments the page numbering in this abridged version has been affected.

Index

1.	OPENING PRAYER & STATEMENTS OF ACKNOWLEDGEMENT	1972
2.	APOLOGIES	1972
3.	PRIOR NOTIFICATION OF CONFLICTS OF INTEREST	1972
4.	CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 31 MAY 2016 AND THE MINUTES OF THE CONFIDENTIAL MEETING OF COUNCIL HELD ON 31 MAY 2016	1973
5.	VERBAL QUESTIONS FROM THE PUBLIC	1973
6.	PRESENTATIONS	1973
7.	PETITIONS	1973
7.1	Petition - Car Parking in King Street (Koonung and Heide Ward)	1973
8.	ADMISSION OF URGENT BUSINESS	1973
9.	PLANNING PERMIT APPLICATIONS	1973
10.	PLANNING & ENVIRONMENT	1974
10.1	Amendment C111 383 - 395 Manningham Road, Doncaster Proposal to Rezone Land - Consideration of Submissions	1974
11.	ASSETS & ENGINEERING	2009
11.1	Chippewa Avenue, Donvale - Petition Regarding Parking Concerns	2009
11.2	King Street - Special Charge Scheme Initiation	2023
12.	COMMUNITY PROGRAMS	2034
12.1	Community Grants Program 2016/2017	2034
13.	CORPORATE SERVICES	2046
13.1	General Valuation 2016 Return	2046
13.2	2016/17 Annual Budget, Strategic Resource Plan 2016-2020 and Annual Initiatives 2016/17 - Adoption and Declaration of Rates and Charges	2049
13.3	Results of the Local Government Community Satisfaction Survey 2016	2213

13.4	Proposed Sale of Part of the Discontinued Right of Way at Rear of 25 & 27 Queens Avenue Doncaster (Post Statutory Advertising)	2239
14.	CHIEF EXECUTIVE OFFICER	2242
14.1	Local Government Performance Reporting - Materiality Threshold	2242
14.2	Appointment of Independent Member to the Audit Committee	2246
14.3	Record of Assembly of Councillors - June 2016	2248
14.4	Documents for Sealing - 28 June 2016	2258
15.	URGENT BUSINESS REPORTS	2258
16.	NOTICES OF MOTION	2259
16.1	Notice of Motion by Jim Grivokostopoulos (Nom No.3/2016)	2259
16.2	Notice of Motion by Sophy Galbally (Nom No.4/2016)	2259
17.	QUESTIONS FROM THE PUBLIC	2260
18.	QUESTIONS WITHOUT NOTICE	2260
19.	CONFIDENTIAL REPORTS	2260

MANNINGHAM CITY COUNCIL
MINUTES OF THE ORDINARY COUNCIL MEETING
HELD AT COUNCIL CHAMBER, CIVIC CENTRE
ON
28 JUNE 2016

The meeting commenced at 7:00 PM.

Present: Councillor Paul McLeish (Mayor)
Councillor Dot Haynes (Deputy Mayor)
Councillor Meg Downie
Councillor Sophy Galbally
Councillor Geoff Gough
Councillor Jim Grivokostopoulos
Councillor Michelle Kleinert
Councillor Stephen O'Brien

Officers Present: Chief Executive Officer, Mr Warwick Winn
Director Assets & Engineering, Mr Leigh Harrison
Acting Director Community Programs, Mr Greg Cleave
Director Planning & Environment, Ms Teresa Dominik
Director Shared Services, Mr Philip Lee
Executive Manager People & Governance – Ms Jill Colson

1. OPENING PRAYER & STATEMENTS OF ACKNOWLEDGEMENT

The Mayor read the Opening Prayer & Statements of Acknowledgement.

2. APOLOGIES

There were no apologies for this meeting.

3. PRIOR NOTIFICATION OF CONFLICTS OF INTEREST

The Chairman invited Councillors to disclose any conflict of interest in any item listed on the Council Agenda.

There were no disclosures of interest.

4. CONFIRMATION OF MINUTES OF THE ORDINARY MEETING OF COUNCIL HELD ON 31 MAY 2016 AND THE MINUTES OF THE CONFIDENTIAL MEETING OF COUNCIL HELD ON 31 MAY 2016

**MOVED: DOWNIE
SECONDED: GRIVOKOSTOPOULOS**

That the Minutes of the Ordinary Meeting of Council held on 31 May 2016 and the Minutes of the Confidential Meeting of Council held on 31 May 2016 be confirmed subject to an apology from Mr A DiCenso for non-attendance at the Committee meeting associated with item 11.1, due to ill health being noted.

CARRIED

5. VERBAL QUESTIONS FROM THE PUBLIC

There were no questions from the public.

6. PRESENTATIONS

There were no Presentations.

7. PETITIONS

7.1 Petition - Car Parking in King Street (Koonung and Heide Ward)

**MOVED: HAYNES
SECONDED: KLEINERT**

That the petition received from thirty-five (35) residents of King Street concerned about the condition of King Street not allowing residents to park their vehicles safely and legally on the street and requesting Council to permit an exemption for parking on King Street and the nature strip until the road has been developed to include safe parking alternatives, be received and referred to the appropriate Officer for consideration.

CARRIED

8. ADMISSION OF URGENT BUSINESS

There were no items of Urgent Business.

9. PLANNING PERMIT APPLICATIONS

There were no Planning Permit Applications.

10. PLANNING & ENVIRONMENT

10.1 Amendment C111 383 - 395 Manningham Road, Doncaster Proposal to Rezone Land - Consideration of Submissions

Responsible Director: Director Planning & Environment

File No. T16/116

The ultimate destination for this report is: COUNCIL AGENDACOUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The purpose of this report is for Council to consider the submissions received in respect to the exhibition of Amendment C111 to the Manningham Planning Scheme and Planning Permit Application PL15/02875, and to make a decision with respect to changing the Amendment/Application in the manner requested by the submissions, abandoning the Amendment or referring the submissions to an Independent Panel for review.

On 23 June 2015, Council resolved to seek authorisation to amend the Manningham Planning Scheme as it relates to the front, vacant portion of the Council owned land at 383 – 395 Manningham Road, Doncaster in order to facilitate the future sale of that land for medium density housing, through an Expression of Interest process. In particular it is proposed to:

- *Rezone that land from Public Use Zone 3 (Health and Community) to the Residential Growth Zone (Schedule 2); and*
- *Apply Design and Development Overlay Schedule 8 – Sub-precinct 1 (DDO8-1) to the land.*

Exhibition of the combined Amendment and Application occurred for six weeks between 7 April and 20 May 2016. A total of six submissions have been received. Five submissions object to the combined Amendment and Planning Permit Application on grounds related to the need to retain land for future health facilities, the loss of open space and panoramic view lines, the sale of a Council asset, the need to retain the land for open space and negative impacts of future development of the site on adjoining properties. VicRoads also made a submission in relation to required conditions on any planning permit for subdivision.

After due consideration of the submissions received it is recommended that Council request the Minister for Planning to appoint an independent panel to consider all the submissions.

1 BACKGROUND

Site characteristics

- 1.1 The land known as 383 – 395 Manningham Road, Doncaster is owned by Manningham City Council and fronts Manningham Road, approximately 470 metres east of the intersection of Manningham Road and High Street. It has a total area of approximately 13,890sqm, and is more particularly described

as Lot 1 LP 219314W (Volume 10059 Folio 460) and forms part of land originally purchased for the Manningham Centre.

- 1.2 It adjoins the headquarters of the Metropolitan Ambulance Service and the Melaleuca Lodge low care aged hostel which forms part of the Manningham Centre, which provides a range of support services for older people.
- 1.3 That portion of the Council owned land fronting Manningham Road (known as 385-395 Manningham Road), is currently vacant and has an area of around 2,636sqm, which could be subdivided from the balance of the land occupied by Melaleuca Lodge. That land is roughly triangular in shape with a frontage and two other boundaries of 85 metres in length. **(Refer to Attachment 1 – Locality Plan).**
- 1.4 It is located at the crest of a rise with commanding 360 degree views, including expansive views to the north towards Kinglake National Park. The site has a fall to the north-east of about 5 metres.
- 1.5 Macedon Square Neighbourhood Activity Centre is 545 metres away from the subject site, Westfield 850 metres and Aquarena about 1 kilometre. The new open space proposed for the former Eastern Golf Course site will be less than 500 metres away.
- 1.6 The site is well serviced by public transport, with three bus routes to the City, Westfield, Eltham, Heidelberg and Box Hill. Manningham Road has a dedicated bus lane and the closest bus stop is only 20 metres to the west of the site.
- 1.1 The site currently shares a vehicle entrance off Manningham Road with Ambulance Victoria and Melaleuca Lodge, immediately adjacent to its western boundary. There is no on street parking available on Manningham Road.

Planning Scheme zoning

- 1.2 The site is currently zoned Public Use Zone 3 (Health and Community) under the Manningham Planning Scheme (**Refer Attachment 2 – Existing Zoning Map**). It is not affected by any overlays.
- 1.3 The adjoining land to the west along Manningham Road, which is occupied by the larger part of the Manningham Centre and Ambulance Victoria Head Office, is also zoned Public Use Zone 3. Land to the east fronting Manningham Road, up to George Street, is included in the Residential Growth Zone (Schedule 3) in conjunction with the Design and Development Overlay Schedule 8 (DDO8-1) and is currently developed primarily for single one and two storey dwellings.
- 1.4 Land further to the north and east is included in the General Residential Zone (Schedule 1) which applies to residential areas removed from activity centres and main roads (previously Residential 3).

Potential land use

Previous Studies

- 1.5 In March 2003 a feasibility study was commissioned by the Manningham Centre Association (MCA) in relation to options for affordable housing for older people on the vacant site. The report concluded that the site was

suitable for an apartment style affordable housing development comprising 31 apartments over three levels with a basement car park.

- 1.6 A further study was undertaken in 2008 by Manningham Council with government funding. That study was commissioned to investigate the possibility of facilitating affordable housing in addition to community uses. It concluded that the vacant portion of land at 383 Manningham Road was suitable for an apartment style development on the first and second levels with a yield of 53 units. The ground floor was proposed for community uses.
- 1.7 A report (Item 11.2 Community Hub – 383 Manningham Road, Doncaster) was considered by Council on the 30 September 2008 which adopted a set of principles to progress a community hub that incorporated community services/affordable housing residential units. The proposal did not progress due to lack of support from the former State Government.
- 1.8 More recently, the MCA 10 year Business Plan has indicated that the Centre is not interested in purchasing the portion of vacant land that fronts Manningham Road, but may still be interested in ground floor space for administrative or outreach activities.
- 1.9 At its meeting on 23 June 2015 Council resolved as follows:

That Council:

- (A) *Seeks authorisation from the Minister for Planning under section 8A(3) of the Planning and Environment Act 1987 to prepare Amendment C111 to the Manningham Planning Scheme to:*
 - *Rezone part of Lot 1 LP 219314W (Volume 10059 Folio 460) as generally shown in Attachment 5 from Public Use Zone 3 (Health and Community) to the Residential Growth Zone (Schedule 2); and*
 - *Apply Design and Development Overlay Schedule 8– Sub-precinct 1 (DDO8-1) to the land.*
- (B) *When authorisation is received to give notice of Amendment C111 to the Manningham Planning Scheme and notice of the planning permit application being considered concurrently in accordance with section 96C of the Act, resolve to place Amendment C111 and the draft planning permit on public exhibition for a period of six weeks generally in accordance with Attachment 5.*
- (C) *Subject to a further report authorising the commencement of statutory proceedings under section 189 of the Local Government Act 1989, gives in principle support for the sale of part of Lot 1 on as generally shown in Attachment 3 for residential purposes, subject to an expression of interest process and the following principle for future development of the site:*
 - *A preferred minimum 10% of the development to comprise affordable and/or disability housing.*

Proposed Planning Scheme Amendment

1.10 The Amendment proposes to:

- Rezone the site from a Public Use Zone – Health and Community (PUZ3) to the Residential Growth Zone (RGZ2); and
- Apply the Design and Development Overlay (DDO8-1) main road sub-precinct to the site.

Refer to **Attachment 3 for the Exhibited Amendment.**

Planning Application for Subdivision

1.11 At the same time as the preparation of Amendment C111, an application has been made for a planning permit PL15/025875 to create a lot that Council wishes to sell for residential development. More particularly, the planning permit application seeks to subdivide the Council owned land at 383-395 Manningham Road, known as Lot 1 LP 219314W, to create two separate lots. The new lot, referred to as Lot 2, is proposed to have an area of 2,440 square metres. Refer to **Attachment 4 for the exhibited proposed Planning Permit.**

1.12 Amendment C111 and proposed Planning Permit PL15/025875 were placed on public exhibition between 7 April to 20 May 2016. On 1 April 2016, notices were sent to affected owners and occupiers, to the prescribed Ministers and VicRoads. Notices were placed in the Manningham Leader and the Government Gazette on 4 and 7 April 2016 respectively. An article was also included in the May edition of *Manningham Matters*. A notice was also erected on the subject site.

2 PROPOSAL/ISSUE

2.1 The proposal is a combined request for an amendment to the Manningham Planning Scheme and application for a planning permit made under section 96(A) of the *Planning and Environment Act 1987* (the Act), which seeks to facilitate the sale and redevelopment of the vacant, front portion of the Council owned land at 383 – 395 Manningham Road, Doncaster, to enable the site to be redeveloped for medium density housing.

Consideration of submissions

2.2 A total of six submissions have been received in response to the exhibited Amendment and proposed Planning Permit.

2.3 Five objecting submissions are from residents. One conditional non-objection was received from VicRoads. A copy of Vic Roads submission is included in **Attachment 5**. The exhibition period is now closed and Council is required to consider all submissions received.

2.4 Under section 22 of the *Planning and Environment Act 1987*, Council must consider all submissions made in respect to an amendment. Where a submission requests a change to an amendment, Council must:

- Change the amendment in the manner requested; or
- Refer the submissions to a Panel appointed under Part 8 of the Act; or
- Abandon the amendment for part of the Amendment.

- 2.5 In summary, the main issues raised by the objecting submissions relate to:
- The need to retain land for future health facilities;
 - Proposed sale of a Council owned asset;
 - Loss of views;
 - The need to retain land for public open space; and
 - Increased traffic and negative amenity impacts that any redevelopment of the site would have on adjoining properties.
- 2.6 **Attachment 6** summarises the issues raised by the submitters and includes a Council's officers' response to all submissions.
- 2.7 Whilst the intention in the 1950s may have been a plan to develop the site for community and health related uses, circumstances have since changed, and Council no longer has the need for this land to be retained for health purposes. Furthermore, the business model for the provision of health related facilities is very different today to that of previous decades. Now there is a tendency for health related uses to form part of a larger building complex that includes a range of uses, rather than being restricted to a single purpose building. The Manningham Centre has indicated that it does not need the land subject to the rezoning, but may be interested in using a component of any future building for a health / administrative use. Council is also committed to ensuring that any future development of the site provides a form of affordable and/or disability housing, to ensure that housing diversity and choice is provided on the site.
- 2.8 The site does afford expansive views, and the development of the site will change the view lines to and from the site, and Manningham Road. However, the site on which the Ambulance Headquarters, the Manningham Centre and Melaleuca Lodge is built was once orchards, where there would have been even more expansive views. Any development of the site will mean that the view lines will be diminished. Loss of a view per se is not a material consideration in relation to applications for development of land. As a suburb evolves and develops view lines are constantly changing.
- 2.9 VicRoads has no objection in principle to the proposed rezoning provided that Condition 1 of the proposed planning permit PL15/025875 is amended to include the following:
1. *Prior to the Certification of Plan of Subdivision, amended subdivision plan to the satisfaction of VicRoads must be submitted to the Responsible Authority for endorsement. Once endorsed, the plan will form part of the permit.*
The Plan must generally be in accordance with the plan of subdivision PS719948Y Version 3 prepared by Lawlor and Loy Pty Ltd but modified to:
 - a. *Show the ROAD RESERVE (R-1) proposed in the south-east corner deleted.*
 - b. *The RESERVE No. 1 extended to the east for the entire frontage of Manningham Road.*
 - c. *A restriction on Lot 2, created under Section 23 of the Subdivision Act 1988, prohibiting vehicular access to the Manningham Road service road'.*

- 2.10 The changes requested by VicRoads are considered appropriate. A copy of the amended Planning Permit is included in Attachment 7.
- 2.11 Amendment C111 is for a combined planning scheme amendment and planning permit under section 96A of the *Planning and Environment Act 1987*. Submissions that cannot be resolved are referred to an independent panel appointed by the Minister for Planning which will review both the proposed planning scheme amendment and proposed planning permit.
- 2.12 It is noteworthy that any application to redevelop the subject site for apartment development will be referred to Vic Roads for its consideration, along with adjoining owners and occupiers and other interested stakeholders. At that stage, interested parties will be able to review detailed plans of the proposed apartment building and access arrangements.
- 2.13 No changes to the amendment are proposed in response to the submissions, accordingly it is recommended that all the submissions be referred to an independent panel appointed by the Minister for Planning under Part 8 of the *Planning and Environment Act 1987*.

Expression of Interest Process

- 2.14 It is expected that subject land would be sold by Council through an Expression of Interest (EOI) process. It may reasonably be expected that following the sale of the subject land the site would be redeveloped with a form of an apartment development, with possible community related uses, such as medical consulting room(s) on the ground level. Any application to redevelop the site for an apartment development would be subject to a separate planning permit application process that would include public notification and consideration of any submissions.
- 2.15 At its meeting of 23 June 2015 Council resolved that:
- Subject to a further report authorising the commencement of statutory proceedings under section 189 of the Local Government Act 1989, gives in principle support for the sale of part of Lot 1 for residential purposes, subject to an expression of interest process and the following principle for future development of the site:*
- *A preferred minimum 10% of the development to comprise affordable and/or disability housing.*
- 2.16 The statutory process to commence the EOI process will be enacted under sections 189 and 223 of the *Local Government Act 1989* (sale of land and public advertising).
- 2.17 Prior to the EOI process commencing, a further report on the final details of the EOI (documents and process) and the commencement of statutory proceedings under section 189 of the *Local Government Act 1989* will need to be considered and endorsed by Council at the time that Council considers the Panel Report and whether to adopt the Amendment. This is likely to be in November or December 2016. The EOI documents will outline Council's development parameters and requirements regarding how the site could be developed.

3 PRIORITY/TIMING

- 3.1 Ministerial Direction No. 15 sets the timeframe for completing the various steps in the planning scheme amendment process.
- 3.2 In accordance with clause 4(2) of Ministerial Direction No. 15, the following dates are proposed:
- Directions Hearing – 8 August 2016
 - Panel Hearing - 12 September 2016.
- 3.3 It can be reasonably expected that the panel report would be released early November 2016.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 In accordance with the *Manningham Residential Strategy (2012)*, the Municipal Strategic Statement (MSS) identifies that there is a need for housing diversity across the municipality in the form of medium and higher density residential developments. More specifically, the MSS also encourages increased residential densities around activity centres and along specified main roads where public transport, facilities, services and employment opportunities are available.
- 4.2 Rezoning the subject land to a Residential Growth Zone (RGZ2) and Design and Development Overlay (DDO8-1) is consistent with strategic direction of the *Manningham Residential Strategy (2012)* and key policy directions included in the Manningham MSS.

5 CUSTOMER/COMMUNITY IMPACT

- 5.1 The proposed rezoning and sale of the land would deliver housing choice, particularly in an area that is well serviced by retail and community facilities, and public transport networks.
- 5.2 The community has had an opportunity to comment on the Amendment and Planning Permit Application, and make submissions during the exhibition process. Further opportunity for community input will occur as part of any subsequent planning application lodged to develop the newly created lot. Consultation with key stakeholders who have a direct interest in the development of the precinct, was included in the planning amendment process and will also include affected stakeholders during future application processes.
- 5.3 All submitters to Amendment C111 and Planning Permit Application PL15/025875 would have the opportunity to be heard by an independent panel if Council resolves to request that a Panel be appointed.

6 FINANCIAL PLAN

- 6.1 The value of the land will be assessed by the City Valuer on the basis of it having been rezoned to a suitable residential zoning for medium density residential development and considering recent development site sales in the vicinity.

7 FINANCIAL RESOURCE IMPLICATIONS

- 7.1 Planning scheme amendments are prepared and administered by the Economic and Environmental Planning (EEP) Unit. The EEP Unit will meet the costs of the amendment process in accordance with the *Planning and Environment (Fees) Regulations 2000*, including any fees associated with a panel hearing.
- 7.2 Council will be responsible for all costs associated with its representation at a panel hearing.

8 SUSTAINABILITY

- 8.1 The proposed amendment would have positive social and environmental effects by providing residential opportunities at a range of dwelling densities on a strategic redevelopment site that has good access to Macedon Square Shopping Centre, medical facilities, community facilities and public transport. Ecologically sustainable design will be incorporated into the future development, particularly in the area of energy, passive solar design and integrated water management to minimise ongoing running costs.

9 CONSULTATION

- 9.1 The public exhibition period for the combined Amendment and Planning Permit Application was for 6 weeks from 7 April – 20 May 2016. Public notice of the combined Amendment and Application was placed in the Manningham Leader on 4 April and in the Government Gazette on 7 April 2016. A public notice was also erected at the front of the site.
- 9.2 Notice of the combined Amendment and Application was also sent by mail to approximately 35 interested parties, including the adjoining Manningham Centre, Ambulance Victoria, VicRoads, the Department of Health and Human Services and nearby land owners and occupiers in Palmerston Avenue and properties opposite the subject site in Manningham Road, Doncaster. Notice of the Amendment and Application was also given to the prescribed Ministers and relevant statutory authorities.
- 9.3 A meeting was also held with the Chief Executive Officer of the Manningham Centre on 4 April 2016 to explain the proposal and to respond to any questions.
- 9.4 Documentation, including the Amendment and the proposed planning permit, was made available via the *Your Say Manningham* portal on Council's website and was available for viewing at the Council offices and branch libraries. A total of 66 visits to the Council website to view the relevant documentation have been recorded.

10 COMMUNICATIONS STRATEGY

- 10.1 All submitters to the Amendment and Planning Permit Application will continue to be kept informed of the Amendment process. A letter will be sent to all submitters advising them of the forthcoming Council meeting on 28 June 2016. If the Amendment and Planning Permit Application proceeds to a panel hearing, all correspondence relating to the Hearing will be initiated by Planning Panels Victoria. All submitters will be invited to make a verbal submission to the independent panel, or are able to observe the Panel Hearing proceedings.

11 CONCLUSION

- 11.1 Having regard to the six submissions received in relation to the exhibition of combined Amendment C111 to the Manningham Planning Scheme and application for planning permit PL/025875, no changes are proposed to the Amendment, however some changes are proposed to the proposed planning permit having regard to a submission from VicRoads.
- 11.2 Accordingly, it is proposed that the submissions be referred for consideration to an independent panel appointed by the Minister for Planning.

OFFICER'S RECOMMENDATION

That Council:

- (A) **Notes all the submissions received in response to Amendment C111 to the Manningham Planning Scheme and Planning Permit Application PL15/025875;**
- (B) **Requests that the Minister for Planning appoint an Independent Panel under Part 8 of the *Planning and Environment Act 1987*, to consider all submissions received in response to Amendment C111 to the Manningham Planning Scheme and Planning Permit Application PL15/025875;**
- (C) **Endorses the officers' recommended responses to the issues raised by submitters as shown in Attachment 6 and endorses these responses as the basis for Council's submission to an Independent Panel;**
- (D) **Endorses the recommended post exhibition change to the proposed Planning Permit PL/025875 in response to VicRoads submission in Council's submission to an independent panel generally in accordance with Attachment 7; and**
- (E) **Writes to all submitters, informing them of Council's decision.**

**MOVED: O'BRIEN
SECONDED: HAYNES**

That the Recommendation be adopted.

CARRIED

"Refer Attachments"

Attachment 1 – Locality Plan
Attachment 2 – Existing Zoning Map
Attachment 3 – Exhibited Amendment
Attachment 4 – Exhibited Planning Permit
Attachment 5 – VicRoads' submission
Attachment 6 – Response to submissions
Attachment 7 – Proposed Planning Permit incorporating VicRoads requirements

* * * * *

11. ASSETS & ENGINEERING

11.1 Chippewa Avenue, Donvale - Petition Regarding Parking Concerns

Responsible Director: Director Assets and Engineering

File No. T16/76

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible director, manager nor the officer authoring this report has a conflict of interest in this matter.

SUMMARY

Council has received a petition with 81 signatories raising concerns about on-street parking by tenants and occupiers of multi-unit developments in Chippewa Avenue.

In order to investigate the concerns, Council officers conducted site observations, traffic counts and parking surveys, as well as an evaluation of crash statistics and an assessment of the current development in Chippewa Avenue.

The results from the officer investigations are further detailed within this report, and are summarised below:

- the traffic volume and vehicle speeds in Chippewa Avenue are within acceptable limits for a local residential street;*
- there is a minimum of 3 metres clearance between vehicles parked on both sides of the street, which allows unobstructed access for emergency vehicles;*
- there is no evidence of parking congestion in the street, aside from weekends, when there is parking on both sides of Chippewa Avenue between Hope Avenue and Mitcham Road;*
- there were no reported crashes resulting in casualties along Chippewa Avenue in the past five years; and*
- multi-unit developments in the street have met the planning provisions for off-street parking provision.*

Site inspections also noted that linemarking in sections of Chippewa Avenue is faded and there is an opportunity to refresh the linemarking in the street.

The (i) road geometry, (ii) low traffic volume and speed environment, (iii) ability to park on both sides of Chippewa Avenue while allowing safe passage of emergency vehicles, (iv) no reported crash history and (v) lack of evidence of parking congestion on the street suggest that the implementation of traffic and/or parking management measures is not warranted east of Hope Avenue, at this time.

Based on the foregoing, it is recommended that (a) consultation be undertaken with Chippewa Avenue residents, in respect of a proposal to introduce 2 hour parking restrictions on one side of Chippewa Avenue between Mitcham Road and Hope Avenue, (b) officers continue to assess resident and visitor parking provisions for new developments, in accordance with the requirements of the Manningham

Planning Scheme, (c) the existing linemarking in Chippewa Avenue be refreshed, and that (d) the lead petitioner be notified of Councils resolution.

1 BACKGROUND

- 1.1 Council has received a petition dated 3 February 2016 with 81 signatories, largely representing Chippewa Avenue properties, highlighting issues allegedly encountered by residents of Chippewa Avenue and other roads accessed via Chippewa Avenue. A copy of the petition forms Attachment 1 to this report.
- 1.2 The petition prayer cited the following points:
 - 1.2.1 Chippewa Avenue is being used as a parking lot by many tenants and occupants of the multi-unit developments, which are encumbering access;
 - 1.2.2 This is a major concern, particularly for access for any emergency vehicles;
 - 1.2.3 Street parking is dangerous;
 - 1.2.4 Future multi-unit developments in the area should have sufficient parking for visitors and residents; and
 - 1.2.5 Prevent more collisions in the street.
- 1.3 The attached letter also raised the need for the definition of single and double centre lines to limit on street parking and congestion. The introduction of such line marking would limit parking on both sides of the street.
- 1.4 The lead petitioner was contacted to clarify the nature of the resident concerns, as follows:
 - 1.4.1 Commuters are parking long term in Chippewa Avenue resulting in parking congestion, between Wooddale Grove and Mitcham Road.
 - 1.4.2 Staff from local businesses are parking long term along the street.
 - 1.4.3 Residents and visitors of the unit developments are parking on both sides of the street, causing localised congestion and restricting the movement of emergency vehicles and through traffic.
- 1.5 Chippewa Avenue is a local access street, approximately 970 metres in length, with a 6.80 metre wide carriageway, extending between Mitcham Road and Rangeview Road in Donvale. Attachment 2 is a locality plan.
- 1.6 The available road width provides for parking on one side and two through traffic lanes or, alternatively, parking on both sides of the road and one through traffic lane of at least 3 metres width.
- 1.7 Chippewa Avenue is a straight section of road, aside from one horizontal bend near its intersection with Hope Avenue. There are two crests located in the vicinity of 22-24 and 62 Chippewa Avenue. Centreline marking and speed management devices including one speed hump, splitter islands and a roundabout exist along Chippewa Avenue. Broken centreline marking generally exists along the street, aside from a section of solid centreline east of Hope Avenue and centreline marking at the Mitcham Road intersection.

Line marking along sections of the street is faded. Currently, no parking restrictions exist on either side of the entire length of Chippewa Avenue.

- 1.8 In order to investigate the concerns raised, Council officers conducted site observations, traffic counts and parking surveys, evaluated crash statistics and assessed the current development in Chippewa Avenue.
- 1.9 A traffic count survey was conducted between 19 April and 22 April 2016. A summary of the results from the survey is provided below:
- 1.9.1 The 85th percentile speed (the speed at which 85 per cent of motorists are travelling at or below), was 47.2kph. The regulatory speed limit in Chippewa Avenue is 50kph;
- 1.9.2 The average speed in Chippewa Avenue is 39.8kph; and
- 1.9.3 The traffic volume was 492 vehicles per day.
- 1.10 The traffic volume is considered to be well within acceptable limits for a local access street, in the context of the surrounding street network.
- 1.11 Residential streets of this order can generally carry vehicle volumes of up to 2000 vehicles per day, before residential amenity is adversely affected.
- 1.12 Crash Stats data obtained from VicRoads reveals that only one reported crash has occurred at Chippewa Avenue in the past five years. The crash occurred at the intersection of Mitcham Road and Chippewa Avenue. The crash involved a pedestrian being hit by a vehicle turning into Chippewa Avenue from Mitcham Road.
- 1.13 There have been no reported crashes along the length of Chippewa Avenue in the past five years.
- 1.14 Currently, Chippewa Avenue can accommodate kerbside car parking for approximately 196 vehicles.
- 1.15 In order to ascertain the level of parking and congestion in Chippewa Avenue, Council officers undertook site visits to observe the parking conditions in the street at various times and days of the week over a number of weeks.
- 1.16 The results from the observational survey are provided in the table below:

Date	Time	Number of vehicles parked on street		Location of parked vehicles
		South/East Side	North/West Side	
Thursday, 17 March 2016	9.30am	4	1	Between Mitcham Road and Wooddale Grove
		3	1	Between Wooddale Grove and Niagara Road
Monday, 21 March 2016	12.30pm	3	1	Between Mitcham Road and Wooddale Grove
		5	2	Between Wooddale Gr and Niagara Rd
Tuesday, 22	1.45pm	3	2	Between Mitcham Road and Between

Date	Time	Number of vehicles parked on street		Location of parked vehicles
		South/East Side	North/West Side	
March 2016		3	1	Wooddale Grove and Between Wooddale Grove and Niagara Road
Tuesday 29 March 2016	11.00am	2 2	3 2	Between Mitcham Road and Wooddale Grove Between Hope Street and Wooddale Grove
Thursday 5 May 2016	9.30am	3 3	3 2	Between Mitcham Road and Wooddale Grove Between Wooddale Grove and Niagara Road
Saturday 7 May 2016	9.30pm	4 1 6	5 0 8	Between Mitcham Road and Hope Avenue Between Wooddale Grove and Hope Avenue Between Wooddale and Rangeview
Sunday 8 May 2016	12.30pm	3 1 7	4 0 9	Between Mitcham Road and Hope Avenue Between Wooddale Grove and Hope Avenue Between Wooddale Grove and Rangeview Avenue

- 1.17 Photographic evidence of the parking conditions in Chippewa Avenue has also been documented.
- 1.18 No parking restrictions exist in streets immediately adjacent to Chippewa Avenue and, as such, there is no evidence of displaced parking from these streets in Chippewa Avenue.
- 1.19 A vehicle number plate survey undertaken on 5 May 2016, revealed that 2 (two) vehicles were parked long term in Chippewa Avenue, between Mitcham Road and Wooddale Grove. Discussion with a local resident confirmed that the two subject vehicles belonged to his family.
- 1.20 The site observations also revealed that, aside from the section of Chippewa Avenue between Hope Avenue and Mitcham Road, on weekends:
- 1.20.1 vehicles parked on-street were spread along the street and not clustered in any particular location; and
- 1.20.2 there was not a high incidence of vehicles parking on both sides of the street opposite each other, impacting on through traffic movement.
- 1.21 It is considered that the current availability of unrestricted parking facilities positively impacts residents and their visitors, through unhindered access to available parking.

- 1.22 Officers have also assessed the level of multi-unit development in Chippewa Avenue and its impacts, if any, on on-street parking.
- 1.23 Chippewa Avenue serves approximately 120 properties, comprising of 57 detached houses and 63 units, of which 9 units are located at the western end of the street adjacent to Mitcham Road and are located within the City of Whitehorse.
- 1.24 An assessment of the unit developments along Chippewa Avenue indicates that there are 77 residential blocks within the City of Manningham. 20 residential blocks have been redeveloped as unit sites comprising of 9 (nine) sites with 2 units, 9 (nine) sites with 3 units, 1 (one) site with 4 units and 1 (one) site with 5 units.
- 1.25 The provision of parking facilities in multi-unit developments is currently guided by the Manningham Planning Scheme provisions.
- 1.26 It should be noted that a number of these properties have been developed prior to the implementation of the Manningham Planning Scheme, which came into effect in June 2012. These older developments would have been subject to the provisions of 'Rescode', which stipulates that developments of five or more dwellings should provide one visitor parking space and the spaces should be clearly marked as visitor parking facilities.
- 1.27 The Manningham Planning Scheme stipulates that two, three and four unit developments are not required to provide on-site visitor parking. Five unit developments are required to provide one on-site visitor parking bay. Under the Planning Scheme, one resident parking space is required to be provided for 1 to 2 bedroom dwellings and 2 parking spaces are required for dwellings with 3 or more bedrooms.
- 1.28 Site observations indicate that the parking provisions of Rescode and the Manningham Planning Scheme, in relation to visitor parking for these unit developments, have been met.
- 1.29 It should be noted that, while compliance with planning scheme provisions relating to visitor parking spaces may be achieved, there are no controls on the number of vehicles associated with each household. Accordingly, there may be situations where a particular household may have additional vehicles surplus to the parking provisions on site and, as such, utilise the on-street parking facilities. It follows that it is not practical to contain all parking demand for every site to the subject site.
- 1.30 Given that there are generally low levels of parking at most times, and taking account of the road geometry, low traffic volume and speed environment, the ability to park on both sides of Chippewa Avenue while allowing safe passage of vehicles, including emergency vehicles and low crash history, no action is currently considered to be warranted to manage parking in the area east of Hope Avenue.
- 1.31 The section of Chippewa Avenue between Mitcham Road and Hope Avenue is only 90 metres on length and, according to the survey results, between 7 and 9 vehicles were parked on either side of Chippewa Avenue on the weekend. While the traffic volume is low, the introduction of parking restrictions on one side of Chippewa Avenue between Hope Avenue and Mitcham Road would assist to better manage on street parking and facilitate two-way traffic flow.

- 1.32 There is also an opportunity to refresh the existing linemarking in Chippewa Avenue to improve delineation.

2 PROPOSAL/ISSUE

- 2.1 It is proposed that:
- 2.1.1 Council note the findings of the officer investigations, that no evidence has been found of problematic long term parking or parking congestion in Chippewa Avenue, east of Hope Avenue.
 - 2.1.2 Consultation be undertaken with Chippewa Avenue residents between Mitcham Road and Hope Avenue, in respect of a proposal to introduce 2 hour parking restrictions on one side of Chippewa Avenue.
 - 2.1.3 Officers continue to assess resident and visitor parking provisions for new developments, in accordance with the requirements of the Manningham Planning Scheme, prior to issuing future planning permits.
 - 2.1.4 Arrangements be made to refresh the existing line marking in Chippewa Avenue, but no further traffic or parking management measures be implemented in Chippewa Avenue, east of Hope Avenue at this time.
 - 2.1.5 The lead petitioner be advised of the findings of the officer investigations and Council's resolution on this matter.

3 PRIORITY/TIMING

- 3.1 It is considered appropriate for Council officers to monitor and review the parking conditions in Chippewa Avenue and take appropriate action, should the circumstances change in the future. A review of the parking conditions can be undertaken in the future, should the issue be raised again by the residents.
- 3.2 Line marking maintenance is proposed to be undertaken by the end of July 2016, subject to favourable weather conditions.
- 3.3 Consultation in respect of the introduction of parking restrictions between Hope Avenue and Mitcham Road is proposed to be undertaken by the end of July 2016.

4 CUSTOMER/COMMUNITY IMPACT

- 4.1 Maintenance of the existing line marking will improve delineation along the street. Retention of the unrestricted on street parking facilities east of Hope Avenue is considered to be appropriate and will best facilitate access to existing parking facilities. The introduction of parking restrictions on one side of Chippewa Avenue between Mitcham Road and Hope Avenue will better facilitate two way traffic flow and address the concerns raised by the community.

5 FINANCIAL RESOURCE IMPLICATIONS

- 5.1 The costs for the linemarking and signage can be funded from the current operating budget.

6 CONCLUSION

- 6.1 Resident concerns regarding parking congestion in Chippewa Avenue, Donvale, have been investigated.
- 6.2 Site observations and surveys reveal that long term parking and congestion is not evident in Chippewa Avenue at this time, except to some degree for the section of Chippewa Avenue between Hope Avenue and Mitcham Road.
- 6.3 Parking assessments of the multi unit developments indicate compliance with planning scheme provisions for visitor parking facilities.
- 6.4 Introduction of parking restrictions or other traffic management measures in Chippewa Avenue is not considered to be warranted at this stage, with the exception of the section between Mitcham Road and Hope Avenue.
- 6.5 It is considered appropriate that consultation be undertaken with residents regarding a proposal to introduce parking restrictions on one side of Chippewa Avenue between Mitcham Road and Hope Avenue.

OFFICER'S RECOMMENDATION

That:

- (A) Council note the findings of the officer investigations, that no evidence has been found of problematic long term parking or parking congestion in Chippewa Avenue east of Hope Avenue.
- (B) Officers continue to assess resident and visitor parking provisions for new developments, in accordance with the requirements of the Manningham Planning Scheme, prior to issuing future planning permits.
- (C) Consultation be undertaken with Chippewa Avenue residents, in respect of a proposal to introduce 2 hour parking restrictions on one side of Chippewa Avenue between Mitcham Road and Hope Avenue.
- (D) Arrangements be made to refresh the existing line marking in Chippewa Avenue, but no further traffic or parking management measures be implemented in Chippewa Avenue east of Hope Avenue at this time.
- (E) The lead petitioner be notified of Council's resolution.

MOVED: DOWNIE
SECONDED: GALBALLY

That the Recommendation be adopted.

CARRIED

"Refer Attachments"

* * * * *

11.2 King Street - Special Charge Scheme Initiation

Responsible Director: Director Assets and Engineering

File No. T16/92

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible director, manager nor the officer authoring this report has a conflict of interest in this matter.

SUMMARY

King Street is currently a declared arterial road under the care and management of VicRoads.

Council and the King Street Reference Panel have been advocating for in excess of 10 years for the State Government to upgrade this road to modern day standards, with limited success.

In order to facilitate the construction of the eastern section of King Street (Blackburn Road to Victoria Street), which primarily performs a local road function, Council has reached agreement with VicRoads, as a part of the state-wide review of the arterial road network, to revoke the state arterial road status of the eastern section of King Street and to, instead, designate Blackburn Road between King Street and Reynolds Road as a declared arterial road. In essence, this section of Blackburn Road already functions as an arterial road.

Under these arrangements, the eastern section of King Street, between Blackburn Road and Victoria Street, will become a part of Council's local road network, as a Link Road under the care and management of Manningham. Responsibility for the maintenance and management of the subject section of Blackburn Road will conversely become the responsibility of VicRoads.

In preparation for construction of King Street east, following the road swap, Council officers have completed design plans in consultation with the King Street Reference Panel, which was formed in December 2013.

Council's policy in relation to Link Roads is that Council will fund all costs associated with the upgrade of these roads, with the exception of footpaths that are not part of the Principal Pedestrian Network, landscaping, street trees and individual vehicle crossings that have not previously been formally constructed.

Funding is available in Council's 10 year Capital Works Program as a part of Council's "Road Management Upgrade" program, to upgrade substandard link roads within the municipality, as identified in Council's Link Road Strategy 2014. The eastern section of King Street is currently ranked as the highest priority for construction, following the revocation of the arterial road status of this road.

In order to facilitate the construction of this road in a timely manner, it will be necessary for Council to initiate a special charge scheme for those elements of works that are recoverable from property owners, namely the footpath on the south side of the street, landscaping works, street trees and vehicle crossings that have not formerly been constructed.

A questionnaire survey was conducted of the 204 affected properties in December 2015, to assess the level of support for the road works and a special charge

scheme. Of the 60 responses received (29% response rate), 90% supported the road works and 38% of the respondents indicated their support for a special charge, whilst 58% were opposed to a scheme.

Because the south side of King Street east of Wyena Way already has a constructed footpath and verge, it is recommended that Council authorise officers to prepare two special charge schemes for King Street, as follows:

- A For the provision of landscaping, street trees and vehicle crossings on the north side of King Street, between Wyena Way and Blackburn Road.*
- B For the section of King Street between 110 King Street and Victoria Street, for the construction of a footpath on the south side of King Street and the provision of landscaping, street trees and vehicle crossings on the north and south sides of the street.*

It is further recommended that upon the preparation of the scheme documentation, including costs estimates and apportionment of costs, that Council consider a further report on Council's intention to declare a special charge on those properties that are deemed to derive a special benefit from the scheme works.

It is also recommended that the affected property owners be notified of the results of the survey and Councils resolution.

1 BACKGROUND

- 1.1 King Street is a declared arterial road currently under the care, operation and management of VicRoads, in accordance with the provisions of the Road Management Act 2004.
- 1.2 The Act defines maintenance responsibilities for VicRoads and councils for various infrastructure elements on declared arterial roads. For urban arterial roads, such as King Street, VicRoads is primarily responsible for the maintenance of the through traffic lanes, and would be responsible for any road pavement widening and upgrade of the road, including underground drainage and kerb works. Council is responsible for maintaining the verges, including roadside vegetation and the collection of litter and rubbish.
- 1.3 Footpaths are also the responsibility of Council, and any new footpaths on arterial roads are normally undertaken at the cost of abutting owners, who are deemed to derive a special benefit, in accordance with the provisions of Council's Special Rates and Charges Policy.
- 1.4 King Street caters for a mixture of through and local traffic, distributing traffic movements to the broader arterial road network. The western section between Victoria Street and Williamsons Road primarily caters for north-south metropolitan traffic movements from Middleborough Road in the south, via Victoria Street, King Street west, Williamsons Road and Fitzsimons Lane to the north, whilst the eastern section primarily caters for local traffic.
- 1.5 King Street east, between Blackburn Road and Victoria Street, has been identified as the next highest priority road project for upgrade as a part of Council's Links Road Improvement Strategy 2014, subject to the revocation of the arterial road status of this eastern section of King Street.
- 1.6 Council has been advocating for in excess of 10 years for funding from the State Government for the upgrade of King Street to modern day standards. Council also initiated the formation of a community reference group (King

Street Reference Group) to assist Council with its advocacy campaign to upgrade this road.

- 1.7 Whilst the campaign had some success in securing some improvements, including asphalt re-sheeting of the road pavement and the installation of intersection signals at King Street and Victoria Street, it was evident that the State Government would not provide any funding for the complete refurbishment of the road to modern road standards.
- 1.8 Accordingly, on 29 June 2010, Council considered a report on options for remedial improvement works for the eastern section of King Street (between Blackburn Road and Victoria Street) and the potential to transfer the responsibility for the road from VicRoads to Council.
- 1.9 Having considered the report on 29 June 2010, Council resolved to seek VicRoads' support and approval to reclassify and:
 - *“upgrade Reynolds Road, between Springvale Road and Tindals Road, from a local road (Link Road) to a declared arterial road, and*
 - *to revoke the declared arterial road status of the eastern section of King Street between Victoria Street and Blackburn Road, to become a municipal local road.”*
- 1.10 The declaration of Reynolds Road to an arterial is considered appropriate in view of the fact that this road will ultimately form part of the 'Northern Arterial Road', linking Doncaster East with Wonga Park and ultimately the Maroondah Highway.
- 1.11 The revocation of the arterial road status of King Street between Blackburn Road and Victoria Street is considered appropriate having regard to the function of the road in the Metropolitan Road network. Whilst it caters for some metropolitan movements, its primary function is one of a local 'Link Road' linking Doncaster East with Doncaster.

Statewide Review of Arterial Road Network

- 1.12 Shortly thereafter, VicRoads announced that it was conducting a state-wide review of its arterial road network. A number of Council reports on this state-wide review have been considered since 2010.
- 1.13 As a part of the review process, VicRoads were keen to accept responsibility for Blackburn Road between King Street and Reynolds Road, which is currently designated as a local road, but performs the function of an arterial road, in lieu of Council's preferred position of Reynolds Road.
- 1.14 Following numerous discussions and negotiations with senior officers from VicRoads, agreement was reached with VicRoads to revoke the arterial road status of King Street between Victoria Street and Blackburn Road and to conversely declare the section of Blackburn Road between King Street and Reynolds Road as an arterial road.
- 1.15 It is anticipated that the road swap of King Street (between Blackburn Road and Victoria Street) with Blackburn Road (between King Street and Reynolds Road) will be completed by August 2016.

Design Development

- 1.16 In preparation for this road swap, and for the construction of King Street east of Victoria Street, in 2014, Council officers commenced the preparation of design plans this section of road.
- 1.17 The King Street Reference Panel was resurrected and reformed at a public meeting of residents in December 2013.
- 1.18 Council officers have worked over the last two years, in conjunction with the Reference Panel, to complete the design plans for King Street east.
- 1.19 The project involves the construction of the following assets:
- Pavement reconstruction works, to provide two 3.5 metre wide traffic lanes in each direction.
 - Lane widening at selected intersections, including the provision of an exclusive right turn lane at the intersection of King Street and Tuckers Road.
 - Kerb and channel on both sides of the street.
 - A 3.0 metre wide shared path on the north side of the street, in accordance with the requirements of Council's Bicycle Strategy.
 - A 1.5 metre width footpath on the south side of the street.
 - Underground drainage and house drainage connections.
 - A pedestrian refuge in King Street, just west of the intersection of Tuckers Road.
 - Vehicle crossings, including alterations to existing formally constructed crossings.
 - Street trees and nature strips.
 - Signage, line marking and service alterations.
- 1.20 The Principal Pedestrian Network Plan (PPN) was adopted by Council in May 2013. The plan identifies some 67 projects for implementation over a 15 year period and includes the provision of a footpath on the north side of King Street, between the pedestrian operated signals just east of Wyena Way and Ashcroft Avenue. In addition, the PPN plan also includes the existing path on the south side of King Street between the pedestrian operated signals just east of Wyena Way and Blackburn Road, which forms a part of this network. This path is a part of a proposed link between the Donburn Activity Centre and the Serpells Primary School and St Charles Borromeo Primary School.
- 1.21 Smartbus route 908 runs along King Street and travels between the Pines Shopping Centre and the CBD.
- 1.22 The construction of the footpath on the southern side of King Street is considered to be necessary to facilitate pedestrian access between properties and the primary schools to the north, access to bus stops and public transport and to generally improve the amenity and accessibility of the area.
- 1.23 King Street between Williamsons Road and Blackburn Roads currently forms part of VicRoads Principal Bicycle Network. There is an existing shared path

along the northern side of King Street, between Victoria Street and Williamsons Road. There is also an existing shared path located on the western side of Blackburn Road.

- 1.24 During the design process it was decided to combine the proposed PPN path on the north side of King Street with the bicycle path and provide a 3.0 metre wide shared path. This obviates the need to provide 1.5 metre wide on-road bicycle lanes on both sides of road, which would require a wider road formation.
- 1.25 This approach also provides better connectivity between the existing paths at either end of the proposed works. The shared path is proposed to be constructed close to back of kerb, in order to improve clearance between the abutting private properties and cyclists, to aid visibility and safety.

Local Government Act Provisions

- 1.26 Section 163 of the Act sets out the process and notification requirements that apply to the administration and declaration of special charge schemes. The declared amount is based on a cost estimate. The Act states that final property owner contributions are limited to no more than 10% in excess of the declared amount.
- 1.27 Under the provisions of sections 163B (1) and (6) of the Act, a Council cannot declare a special rate or charge if Council intends to recover more than two thirds of the total cost of the scheme, and if a majority of those who will be required to pay object to the special charge.

Funding Responsibilities

- 1.28 As indicated in item 1.2, the construction of new sealed footpaths on arterial roads generally requires contributions from abutting owners in accordance with the provisions of Section 163 of the Local Government Act and Council's Special Rates and Charges Policy.
- 1.29 Council's Policy provides a graduated scale of contributions, depending on the classification of the road within the road network and the benefit to be derived by the broader community. On arterial roads and link roads, the contribution from abutting property owners is less as the community benefit is considered to be greater, compared with local access streets, where a larger contribution is required from owners. No contribution is required from property owners for the construction of footpaths identified as being a part of Council's Principal Pedestrian Network.
- 1.30 In accordance with Council's PPN Plan, Bicycle Strategy and Contributory Projects Policy, the cost of the northern shared path will be borne in full by Council.
- 1.31 The cost of the proposed footpath on the south side of King Street, however, will need to be partially recovered from abutting owners.
- 1.32 Council's current Special Rates and Charges Policy requires abutting owners abutting arterial roads and or link roads to pay 25% of the cost of the footpath works and Council will be required to pay 75% of the cost of the footpath works. The abutting property owner contribution is required in recognition of the special benefit derived by the abutting owners, due to improved amenity and accessibility afforded by the proposed path.

- 1.33 Where vehicle crossings have not previously been constructed, it is proposed to include the cost of construction of vehicle crossings as a part of the special charge, with the costs attributed to affected properties.
- 1.34 Where vehicle crossings have previously been formally constructed by property owners, Council will bear the cost of reconstructing these crossings where levels are not able to be matched with the new road works. The Reference Panel has expressed support for the achievement of a consistent streetscape presentation along King Street, which would necessitate the reconstruction of existing vehicle crossings where they are constructed in materials other than plain reinforced concrete.
- 1.35 In view of the fact that Council is contributing well in excess of 34% of the cost of the King Street works, the level of community support for a special charge scheme will not limit Council's ability to initiate a special charge scheme.
- 1.36 Council has powers under the provisions of Section 206 and Schedule 10 of the Local Government Act to require property owners to construct a vehicle crossing from the road across the nature strip to service their property.

Survey Results

- 1.37 A questionnaire survey was conducted in December 2015, to assess the level of support for the road works and a Special Charge Scheme for the footpath works on the south side of King Street, vehicle crossing construction, street trees and nature strips.
- 1.38 A total of 204 surveys were forwarded to abutting property owners likely to be affected by the road works and special charge. In response, 60 questionnaires were completed and returned to Council (29% response rate).
- 1.39 Of the 60 responses received, 90% supported the road works, with 8% opposed and 2% did not respond to this question.
- 1.40 In response to the question asking whether the property owners would support the implementation of a special charge scheme, 38% of the respondents indicated their support for a special charge, whilst 58% were opposed and 4% did not comment. (The 58% opposition from those who responded represents only 17% of the total number of affected properties that were surveyed.)
- 1.41 It is evident from the 71% non-response rate to the survey that the vast majority of respondents support the construction of King Street. It is also clear that a majority of those who did respond do not want to contribute to the cost of construction of King Street.
- 1.42 Where footpaths have previously been constructed, Council is unable to charge properties for any footpath works. This applies to the section of footpath on the south side of King Street between No.'s 168 and 110 King Street. Similarly, this applies to the planting of trees and nature strips and to vehicle crossings, which are all already formalised on the south side of this section of the road.
- 1.43 In view of the forgoing, and in recognition of the available budgets over the next three years, it is considered appropriate that Council initiate two separate special charge schemes, consisting of:-

- 1.43.1 A scheme limited to the north side of King Street between Wyena Way and Blackburn Road for the landscaping works, street trees and vehicle crossings; and
- 1.43.2 A second scheme for the footpath on the south side of King Street between 110 King Street and Victoria Street, including the nature strips, street trees and vehicle crossings on both sides of the street between Wyena Way and Victoria Street.

2 PROPOSAL/ISSUE

- 2.1 It is proposed that Council officers be authorised to prepare two special charge schemes for King Street:
 - 2.1.1 A special charge scheme for the provision of landscaping, street trees and vehicle crossings on the north side of King Street between Wyena Way and Blackburn Road.
 - 2.1.2 A second special charge scheme for the section of King Street between 110 King Street and Victoria Street, for the construction of a footpath on the south side of King Street and the provision of landscaping, street trees and vehicle crossings on the north and south sides of the street.
- 2.2 That, upon the preparation of the scheme documentation, including cost estimates and apportionment of costs, Council consider a further report on Council's intention to declare a special charge on those properties that are deemed to derive a special benefit from the proposed scheme works.
- 2.3 Also that affected property owners be notified of the results of the survey and Councils resolution.

3 PRIORITY/TIMING

- 3.1 As there are no known impediments which could prevent the transfer of responsibilities for the subject section of King Street from VicRoads to Council, it is anticipated that the road swap of King Street and Blackburn Road will be completed by the end of August 2016.
- 3.2 It is Council's intention to commence alterations to services necessary to accommodate the road works between August and December 2016, with the view of letting a contract for the construction of the stage 1 road works no later than February/March 2017.
- 3.3 The statutory process to complete a special charge scheme typically requires between 6 and 12 months. Accordingly, Council's approval is required to commence the scheme process for the section of King Street between Blackburn Road and Wyena Way in readiness for the commencement of the first stage of works in March / April 2017.
- 3.4 Initiation of the second scheme will be deferred to be undertaken six to twelve months prior to the commencement of the second stage of the King Street reconstruction.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 Council's Contributory Projects, Special Rates and Charges Policy applies to the works proposed along King Street. The following criteria applies to the various elements of work within the road reservation:-

- 4.1.1 On Arterial Roads and Link Roads, owners are required to contribute the full cost of street trees, landscaping works and individual vehicle crossings (except where crossings have previously been constructed at the owner's expense). Council pays the construction of all pavements, kerbing and drainage works.
- 4.1.2 Shared paths identified in the Council's Bicycle Strategy are constructed at full cost to Council. Similarly, footpaths identified as being part of the PPN are constructed at Council cost.
- 4.1.3 Non PPN footpaths are constructed on a cost shared basis, dependent on the road classification. For arterial roads and link roads owners are required to contribute 25% of the cost of works and Council will contribute 75% of the cost.

5 BEST VALUE

- 5.1 The implementation of the road improvements, including the footpath and streetscape works will improve the safety and operation of the road including traffic, pedestrian and cyclist safety. The streetscape improvements, including the formalisation of the road with kerbs, underground drainage and vehicle crossings, will improve the amenity of the street.
- 5.2 The road improvement works, which include the provision of footpaths, are a response to community requests over many years to upgrade this road to modern day standards.

6 CUSTOMER/COMMUNITY IMPACT

- 6.1 With the exception of the properties on the south side of King Street between No's 168 and 110 King Street, all other properties that abut the street will be subject to a special charge for some elements of the work, in accordance with the provisions of Councils Contributory Projects, Special Rates and Charges Policy.
- 6.2 The construction of footpaths along King Street will provide significant access improvements to school children using the street to access Serpells Primary School in Tuckers Road.
- 6.3 King Street forms part of the DART (Doncaster Area Rapid Transport) route, and the construction of footpaths along the street will provide significant improvements for public transport patrons using King Street to access the bus stops along the street.
- 6.4 The installation of a shared path along the north side of King Street will significantly improve bicycle safety for cyclists using King Street.
- 6.5 The formalization of the road to modern day standards will improve safety for motorists using the road. Construction of underground drainage will improve amenity for abutting properties and permit the removal of the existing open drains and vehicle crossing culverts, relieving property owners of their responsibility for maintaining their vehicle crossing culverts.
- 6.6 There will be some inconvenience to motorists, pedestrians and cyclists during construction, however, the appointed contractor will be required to implement appropriate traffic management measures to ensure the safety of the travelling public.

7 FINANCIAL RESOURCE IMPLICATIONS

- 7.1 As a part of Council's 10 year Capital Works Program, Council proposes to allocate under the 'Road Management Upgrade' program a total sum of \$44.046 Mil over 10 years for the upgrade of substandard link roads within the municipality, as identified in Council's Link Road Strategy 2014. The sum of \$2.624 Mil is proposed in 2016/17, \$2.367 Mil in 2017/18 and \$3.928 Mil. The majority of these funds are proposed to be directed to the upgrade of King Street.
- 7.2 The preliminary estimated cost of the project is \$6.75 Mil, based on the detail design plans prepared for the project. Under the provision of Council's Special Rates and Charges Policy, approximately \$370,700 is to be recovered from abutting owners.
- 7.3 Individual property owners on the north side of King Street between Wyena Drive and Blackburn Road can be expected to pay approximately \$1,500 for landscaping works and street trees. If the property requires the construction of a new vehicle crossing, the cost will increase to be in the order of \$3,700.
- 7.4 Individual property owners on the north and south sides of King Street west of Wyena Drive can be expected to pay approximately \$1,700 for landscaping and street trees, and, if the property requires a vehicle crossing, the costs would increase to approximately \$4,200.
- 7.5 It will be recommended that property owners that are required to contribute to the scheme costs be given the option of paying their contributions by quarterly instalments over a 10 year period.

8 SUSTAINABILITY

- 8.1 The provision of a shared path and footpaths along King Street will have a positive impact on the health and well being of residents along King Street and adjoining streets that will use these facilities.
- 8.2 The provision of footpaths, in particular, will improve public transport access to the DART bus service that traverses King Street.
- 8.3 The construction of footpaths along King Street will have positive economic benefits, obviating the continued need to regrade and top up the existing gravel paths along the street and minimise the wash off of crushed rock and fine material into receiving waterways.

9 CONSULTATION

- 9.1 An initial public meeting was held on 5 December 2013, with residents abutting King Street and some adjoining streets, to discuss the potential upgrade of King Street and to reform a community reference panel to provide input into the design development for the construction of King Street between Blackburn Road and Victoria Street.
- 9.2 Following the re-establishment of the reference panel, 4 meetings have been held with the reference panel to discuss issues associated with the conceptual proposal for the construction of King Street and finalisation of the detailed design plans.
- 9.3 A questionnaire survey was conducted of residents likely to be included in the scheme in December 2014, to assess the level of support for the construction of the road and secondly to assess the level of support for

residents to make a contribution toward the construction of footpaths, landscaping and street tree works associated with the project.

- 9.4 A letter encouraging responses to the questionnaire survey was previously forwarded to abutting property owners and residents with a link to Council's website.
- 9.5 Results of this survey are detailed in sections 1.37 and 1.40 of this report.
- 9.6 Prior to the questionnaire survey, Council officers set up a 'Your Say Manningham' web page specifically for King Street, which provided the residents the opportunity to respond to the questionnaire on line. In addition, minutes of previous reference panel meetings, details of the proposed works and the progress of the reference panel decisions to date were included on the web page.
- 9.7 The web page also included 'Frequently Asked Questions' regarding the proposed special rates and charges scheme.
- 9.8 The formal process requires public notification and the issue of notices to affected property owners, to advise of Council's intention to declare a special charge, and again when Council declares and levies the special charge. Submissions to the intention to declare a special charge notification will be considered by a committee of the Council, which will also hear any oral submissions, before making a recommendation to Council.

10 COMMUNICATIONS STRATEGY

- 10.1 Corresponding directly with property owners via mail is the proposed primary method of communication with both the property owners and occupiers potentially affected by the proposed scheme and construction of the works.
- 10.2 The property owners will be sent correspondence regarding the proposed special charge scheme. The occupiers and owners will be sent correspondence relating to the works during the project development and construction phases of the project.
- 10.3 The 'Your Say Manningham' King Street web page will continue to be a source of information and project updates during the project development and construction of the works.

11 CONCLUSION

- 11.1 King Street is currently a declared arterial road under the care and management of VicRoads.
- 11.2 Council has been advocating in excess of 10 years for the State Government to upgrade this road to modern day standards with limited success.
- 11.3 In order to facilitate the construction of the eastern section of King Street (Blackburn Road to Victoria Street), which primarily performs a local road function, Council has reached agreement with VicRoads, as a part of the state-wide review of the arterial road network, to revoke the arterial road status of the eastern section of King Street to a local road and to declare Blackburn Road, between King Street and Reynolds Road, as a declared arterial road.
- 11.4 Under these arrangements, the eastern section of King Street between Blackburn Road and Victoria Street will form part of Council's local road network as a Link Road under the care and management of Manningham.

Responsibility for the maintenance and management of the subject section of Blackburn Road will become the responsibility of VicRoads.

- 11.5 In preparation for this road swap, Council officers have completed design plans for the reconstruction of this section of road, in consultation with the King Street Reference Panel.
- 11.6 Council's policy in relation to Link Roads is that Council will fund all costs associated with the upgrade, with the exception of footpaths that are not part of the Principal Pedestrian Network, landscaping, street trees and individual vehicle crossings that have not been formally constructed previously.
- 11.7 Funding is available in Council's 10 Year Capital Works Program as a part of Council's 'Road Management Upgrade' program, to upgrade substandard link roads within the municipality. Council's Link Road Strategy 2014 identifies priorities for road upgrades and, subject to revocation of the arterial road status of King Street, the eastern section is ranked as the highest Council priority for implementation.
- 11.8 In order to facilitate the construction of this road in a timely manner and to comply with Council policy requirements, it will be necessary for Council to initiate a special charge scheme for those elements of works that are recoverable from property owners, namely the footpath on the south side of the street, landscaping works, street trees and new vehicle crossings that have not been previously constructed.

OFFICER'S RECOMMENDATION

That:

- (A) Council authorise Council officers to prepare two special charge schemes for King Street as follows.**
 - 1. A special charge scheme for the provision of landscaping, street trees and vehicle crossings on the north side of King Street between Wyena Way and Blackburn Road.**
 - 2. A second special charge scheme for the section of King Street between 110 King Street and Victoria Street, for the construction of a footpath on the south side of King Street and the provision of landscaping, street trees and vehicle crossings on the north and south sides of the street.**
- (B) Upon the preparation of the scheme documentation, including cost estimates and apportionment of costs, Council consider a further report on Council's intention to declare a special charge on those properties that are deemed to derive a special benefit from the scheme works.**
- (C) Affected property owners be notified of the results of the survey and Councils resolution.**

MOVED: GRIVOKOSTOPOULOS

SECONDED: HAYNES

That the Recommendation be adopted.

CARRIED

* * * * *

12. COMMUNITY PROGRAMS

12.1 Community Grants Program 2016/2017

Responsible Director: Director Community Programs

File No. T16/109

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

Council's Community Grant Program (Grant Program) provides funding to not-for-profit community groups and organisations to deliver activities that enrich and support the community that lives, works and recreates in Manningham. The program funds activities that align with key Council plans and strategies.

The 2016/2017 Grant Program comprises of three categories: Community Development, Arts and Culture and Small Grants. This Report will discuss the recommended funding allocation for the 2016/2017 Community Development and Arts and Culture grant applications. Submissions for the 2016/2017 Small Grant Program will open in September 2016; the outcomes of which will be reported to Council via InfoSumm.

The overall budget allocation for the 2016/2017 Community Grant Program is \$1,648,220, which includes the annual allocation of \$1,308,220 for Community Partnerships (funded in 2015/16 for up to 4 years); \$120,000 allocated to Community Development and \$110,000 allocated to Arts and Culture Grant categories. The remaining \$110,000 is allocated to the Small Grants category for the applications received in the September 2016 and March 2017 funding rounds.

Consistent with previous years, Council's Grant Program was oversubscribed, receiving a total of 33 grant applications which equates to a total funding request of \$379,405. Twenty-seven applications are recommended to Council for funding, totalling \$229,795, and contributing towards an overall project investment of \$701,617.

In summary:

Category	Number of Applications	Funding Amount Requested (\$)	Recommended Number of Applications	Recommended Funding Amount
Community Development	23	\$273,925	20	\$170,095
Arts and Culture	10	\$105,480	7	\$59,700
TOTAL	33	\$379,405	27	\$229,795

Commencing Monday 22nd February and closing Thursday 24th March, community groups and organisations were invited to submit funding applications to the 2016/2017 Community Development and Arts and Culture Grant Program. In addition, Council's March round of the 2015/2016 Small Grants Program was advertised concurrently, but this will be reported separately via InfoSumm in June 2016.

As per the competitive grants process, all applications were assessed against the criteria outlined in the Community Grant Program Guidelines 2016/2017. The applications were scored and deliberated by the Grant Assessment Panel. A summary of applications and Assessment Panel recommendations is providing in Attachments A and B.

This Report seeks Council's endorsement of funding allocations for the Community Development and Arts and Culture Grant applications for 2016/2017.

Subject to the adoption of Council's annual Budget, applicants will be notified of the outcome of their application in July 2016.

It is recommended that Council, in accordance with the Grant Program Guidelines, negotiate new Funding and Service Agreements (FASA) with the successful grant recipients.

1 BACKGROUND

Community Grant Program 2016/2017

- 1.1 In December 2015, Council endorsed the Community Grant Program Guidelines 2016/2017. Taking effect on 1 July 2016, the new Grant Program includes the following three categories:
 - 1.1.1 Community Development- provides \$3001 to \$20,000 for projects that benefit and respond to the diverse needs of the Manningham community. This grant is available once a year.
 - 1.1.2 Arts and Culture- provides \$3001 to \$20,000 for projects that celebrate and enhance community life through access to local arts, culture and heritage. This grant is available once a year.
 - 1.1.3 Small Grants- provides up to \$3,000 for one-off projects that support community strengthening initiatives. This grant is available twice a year, in March and September. Small Grant funding allocations are reported via InfoSumm.
- 1.2 It should be noted that whilst the Community Partnership category is not included in 2016/2017 Grant Program (as funding was allocated for up to four years in the 2015/2016 program), funding is allocated annually through Council's budget process.
- 1.3 The 2016/2017 Grant Program commenced in February 2016. Promotion of the Grant Program to community groups and organisations was undertaken in a variety of ways including: targeted promotion, referrals, local newspaper advertisements, email, direct mail and promotion at Council events. Five training sessions were also offered, with approximately 120 community members in attendance. These sessions included two grant information sessions, two evaluation workshops and a grant writing workshop.

- 1.4 Council officers provided advice to applicants during pre-application meetings to ensure that projects align with grant and assessment criteria, as well as to provide assistance with project development.
- 1.5 The Assessment Panel convened on the 24th May 2016 and was chaired by Chris Potter, Director of Community Programs. Membership of the Panel also included:
 - 1.5.1 Malcolm Foard- Manager of Social and Community Services
 - 1.5.2 Greg Cleave- Executive Officer of Cultural Services
 - 1.5.3 Carly Kluge, Community Liaison Officer, Bendigo Bank
- 1.6 Council staff also attended the Assessment Panel meeting to provide advice on applications as required.
- 1.7 Thirty- three applications were considered by the Panel and twenty-seven applications are recommended to Council for funding totalling \$229,795 and contributing towards an external overall project investment of \$701,617.
- 1.8 The applications represent a diverse range of disciplines including community services, health, sustainability, arts and culture.

2 PROPOSAL/ISSUE

- 2.1 It is proposed that Council endorse the recommended funding allocations of the Assessment Panel for the 2016/2017 Grant Program for Community Development and Arts and Culture applications, as per Attachments A and B.
- 2.2 It is proposed that Council negotiate new FASAs with all endorsed grant recipients.

3 PRIORITY/TIMING

- 3.1 Applicants will be informed of the outcomes of their application following the 28 June 2016 Council Meeting. Approximately one month following the June Council Meeting, a list of successful applicants will be published on Council's website.

4 POLICY/PRECEDENT IMPLICATIONS

- 4.1 Amendments to the Grants Program as recommended by the Assessment Panel (refer to the 'Best Value' section below) will result in potential changes to the Community Grant Guidelines 2017/2018, however this would be subject to Council endorsement following the proposed changes being finalised.

5 BEST VALUE/ CONTINUOUS IMPROVEMENT

- 5.1 The Grant Program is managed and delivered according to the principles of Best Value. The program enables Council to respond to the needs of the community in an equitable and sustainable way. Community organisations are able to identify and address community needs with the support of Council, both through the allocation of grants, as well as the advice and support of Council officers.
- 5.2 An annual review of the Grant Program will be necessary to inform future grant management practices, including the streamlining of administrative

processes and assessment criteria. Council officers will consult with stakeholders, including applicants and assessment officers, to identify potential improvements to the Grant Program.

- 5.3 In addition, officers will continue to support and build the capacity of community groups to develop partnerships with other community groups and organisations.

6 CUSTOMER/COMMUNITY IMPACT

- 6.1 The Grant Program aims to improve the quality of life of all people. The Program fosters partnerships between local and regional community organizations, groups and Council, as well as support and foster social connections, and improved health and wellbeing outcomes. The program also builds on the capacity of organizations and volunteers to engage in the delivery of services and activities in Manningham and the broader community.

7 FINANCIAL PLAN

- 7.1 The overall budget allocation for the 2016/2017 Grant Program is \$1,648,220, which includes:
- 7.1.1 The annual allocation of \$1,308,220 for Community Partnerships (funded in the 2015/16 Program for up to 4 years).
 - 7.1.2 A total allocation of \$230,000, including an allocation of \$120,000 for Community Development and \$110,000 for Arts and Culture.
 - 7.1.3 The remaining \$110,000 is allocated to the Small Grants category for the applications received in the September 2016 and March 2017 funding rounds.
- 7.2 The Assessment Panel has recommended that \$229,795 is allocated to the Community Development and Arts and Culture Grant Program. It is recommended that the remaining \$205 is allocated to the Small Grant Program to contribute to applications received in the September 2016/ March 2017 funding rounds.
- 7.3 Officers were advised in December 2015 and March 2016 that two of the applications allocated for funding during the 2015/2016 Program did not wish to proceed with their activity, resulting in a surplus of funding for this period. While consideration was given to the allocation of these funds into the September 2015/16 Small Grants funding round, it was considered that there was not a sufficient number of eligible applications to redirect funding towards.

8 FINANCIAL RESOURCE IMPLICATIONS

- 8.1 There are no financial resource implications as sufficient funding is allocated in the 2016/2017 Budget.

9 SUSTAINABILITY

- 9.1 The Assessment Panel identified those applicants that will be required to consider the ongoing sustainability of project outcomes, including alternate sources of income (i.e. corporate sponsorship) to ensure their organisation's ongoing financial viability and new FASAs have been drafted accordingly.

10 CONSULTATION

- 10.1 Consultation was undertaken with community groups and organisations throughout the assessment process, including pre-application meetings. There was also significant internal consultation undertaken with relevant Council officers and management during the assessment period.

11 CONCLUSION

- 11.1 The 2016/17 Grant Program comprises of three grant categories that will target a diverse range of sectors and activities.
- 11.2 The Assessment Panel identified a number of opportunities to further strengthen Council's Community Grant Program, to achieve a more integrated and streamlined approach to managing community grants. An annual review is noted in the Report as a consideration for future action. Any proposed changes that are identified will be subject to Council endorsement.
- 11.3 The Assessment Panel's funding recommendations will support community organisations and groups in Manningham to develop and conduct their own programs and events to benefit and respond to the needs of the community.

The funding recommendations made by the Assessment Panel will support community organisation

OFFICER'S RECOMMENDATION

That Council:

- (A) **Endorse the funding allocations for 2016/17 Community Development Grants totalling \$170,095 as per Attachment A;**
- (B) **Endorse the funding allocations for 2016/17 Arts and Culture Grants totally \$59,700 as per Attachment B;**
- (C) **Authorise officers to negotiate new Funding and Service Agreements with all successful Grant Program recipients; and**
- (D) **Note that officers will undertake an annual review of the Community Grant Program which will include consideration of continuous improvement opportunities and compatibility with the current guidelines.**

**MOVED: O'BRIEN
SECONDED: GOUGH**

That the Recommendation be adopted.

CARRIED

"Refer Attachments"

* * * * *

13. CORPORATE SERVICES

13.1 General Valuation 2016 Return

Responsible Director: Director Shared Services

File No. T16/85

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

In accordance with the Valuation of Land Act 1960 ("the Act"), all Victorian Councils are required under the Act to revalue all rateable land and non-rateable leviable land biennially as at 1 January each even year.

For the 2016 General Valuation, the relevant date is 1 January 2016.

The Valuer-General Victoria ("V-GV") is the responsible authority under the Act to carry out the functions of the Act and certify each revaluation as to the true and correctness of each of the five stages of the revaluation and subsequent overall completion of each revaluation. All stages of the 2016 General Valuation have now been completed in accordance with the Act and Manningham is awaiting the final stage certification by the V-GV having received certification for the first four stages (with stage five being the overall confirmation of all previous stages).

The result for Manningham indicates an increase of 31% in the Capital Improved Value ("CIV") over the two year period from the 2014 general revaluation to the 2016 general revaluation for all rateable properties.

It is now necessary for Council to formally adopt the 2016 General Valuation, subject to the final certification by the V-GV.

1 BACKGROUND

- 1.1 Council resolved at its meeting on 27 January 2015 to cause a general valuation of all rateable and non-rateable leviable land within the municipality to be made as at 1 January 2016 and returned before 30 June 2016. The Minister fixed 1 January 2016 as the date at which the value of all rateable and non-rateable leviable properties shall be assessed.
- 1.2 That General Valuation has now been completed in satisfaction of the V-GV's 2016 Valuation Best Practice Guidelines.
- 1.3 Council is awaiting final stage certification from the V-GV having completed all previous four stages and received certification of those stages by the V-GV.
- 1.4 For all non-rateable leviable property, as per the Fire Services Property Levy, these are a separate assessment, and have been completed as part of the overall 2016 General Valuation in accordance with the V-GV's 2016 Valuation Best Practice Guidelines.

2 PROPOSAL/ISSUE

- 2.1 There are 47,246 rateable assessments in the return, compared to 46,457 for the 2014 general valuation return, an increase of 789, or 1.7%, over 2014. This figure has been primarily influenced by the completion of residential apartments, townhouse and separate dwelling completions in the municipality.
- 2.2 Total valuations of all rateable properties are as follows:

Site Value	\$34,748,643,770
Capital Improved Value	\$46,964,087,750
Net Annual Value	\$ 2,386,619,965

The increase in CIV over the two year period for all rateable properties amounts to an average 31%. Residential properties reflected an average increase in CIV of 32% and commercial/industrial properties, whilst being a relatively small number at 2,012, also reflected an average increase of 18%.

Further, the key influences of the valuation increases across the municipal district include the impact of a continued strong property market, particularly for development sites within the Doncaster Hill precinct, and in proximity to main roads within residential growth zones having supporting planning schedules for medium to high density developments.

- 2.3 The above figures include 17 properties classified as Recreational Land (which excludes the former Eastern Golf Club land that was sold and settled to Mirvac on 30 June 2015), pursuant to the Cultural and Recreational Lands Act 1963. Whilst those properties are rateable, their uses for outdoor sporting activities qualify them for a Charge in Lieu of Rates.
- 2.4 Total valuations of all non-rateable leviable properties are as follows:

Site Value	\$ 343,204,000
Capital Improved Value	\$ 418,450,000
Net Annual Value	\$ 22,786,050

3 PRIORITY/TIMING

- 3.1 It is a requirement of Section 13DC(5) of the Valuation of Land Act 1960 that any general valuation must be returned to Council before 30 June in the second year immediately following the last such valuation. As it forms the basis for Council rates, it must necessarily be returned no later than when the budget is adopted.

4 BEST VALUE

- 4.1 This General Valuation has been completed under the audit control and guidance of the V-GV, in this case under the 2016 Valuation Best Practice Guidelines. All Victorian municipalities are encouraged to observe these guidelines which, in conjunction with the Valuation of Land Act 1960, facilitate the authority to pay contract valuers and the ultimate certification by the Minister that the valuations are generally true and correct.

5 CUSTOMER/COMMUNITY IMPACT

- 5.1 The effect of general valuations is to adjust the apportionment of rates across all rateable properties on a two yearly cycle. Whilst this assists in the equitable distribution of rates liability on the basis of property values, it also results in the

rates for individual properties moving by varying amounts depending on shifts in values throughout the municipality.

- 5.2 Information will be distributed to ratepayers, advising that all valuations have been reviewed as at 1 January 2016 and, if they believe the valuations may be incorrect, that they should discuss their concerns with one of Council's Valuers. The objection process is outlined on Council's web site, in the annual rates brochure, and on Valuation and Rates Notices and, when ratepayers call to query aspects of their rates or valuations, they can be advised of their rights to object to valuations.

6 FINANCIAL RESOURCE IMPLICATIONS

- 6.1 This General Valuation will be the basis for rating within Manningham for the next two years, for the purposes of the Fire Services Property Levy, and for the assessment of Land Tax by the State Revenue Office.
- 6.2 All valuations were carried out independently by Patel Dore Valuers.

7 COMMUNICATIONS STRATEGY

- 7.1 The outcomes of the 2016 General Valuation will be communicated to ratepayers via a brochure insert with the 2016-17 Valuation and Rates Notice. Council's Marketing Unit will also liaise with the local press to provide relevant information to the public prior to the issue of Valuation and Rates Notices.

8 CONCLUSION

- 8.1 The purpose of this report is to satisfy statutory requirements that the General Valuation of all rateable and non-rateable leviable properties must be returned to Council.

OFFICER'S RECOMMENDATION

That Council adopts the return of the 2016 General Valuation for all rateable and non-rateable leviable properties within Manningham, subject to the final certification of the General Valuation by the V-GV, as shown in the tables below:

Type of Rateable Property – 2016 General Valuation				
	Number	SV	NAV	CIV
Residential/Rural	45,217	33,444,530,000	2,181,460,960	43,629,055,000
Commercial	1,814	1,118,949,770	190,084,455	3,087,863,750
Industrial	198	151,683,000	12,043,000	198,048,000
Recreational Land	17	33,481,000	3,031,550	49,121,000
Total	47,246	34,748,643,770	2,386,619,965	46,964,087,750

Non-Rateable Leviable Property – 2016 General Valuation				
	Number	SV	NAV	CIV
Non-Rateable Leviable	524	343,204,000	22,786,050	418,450,000

MOVED: GOUGH
SECONDED: HAYNES

That the Recommendation be adopted.

CARRIED

* * * * *

13.2 2016/17 Annual Budget, Strategic Resource Plan 2016-2020 and Annual Initiatives 2016/17 - Adoption and Declaration of Rates and Charges

Responsible Director: Director Shared Services

File No. T16/139

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

This report recommends that Council adopt the 2016/17 Annual Budget, Strategic Resource Plan 2016-2020 and Annual Initiatives 2016/17 (“the documents”) and declare the Rates and Charges for 2016/17.

Council approved the documents ‘in draft’ on 26 April 2016 and the 28 day public exhibition period closed on 26 May 2016. 262 submissions were received, with 261 relating to a differential rate for retirement villages.

One submitter, Mr John Sheedy, addressed the Budget and Strategic Resource Plan Committee (“the Committee”) on 7 June 2016 in support of his submission on retirement villages.

In summary, the proposed 2016/17 Annual Budget:

- continues to honour the key priorities of delivering high quality, responsive and value for money services;*
- allocates \$91.5 million to deliver services and invests a further \$50.69 million to maintain and improve community assets and infrastructure;*
- adheres to the State Government capped maximum average rate increase of 2.5%;*
- introduces a new waste service which delivers lower waste costs to the majority of ratepayers, including a \$65 saving for the new standard waste service;*
- provides for financially sustainable Council in 2016/17 and over the life of Strategic Resource Plan 2016-2020.*

The average total rates and waste charges bill of \$1,931.23 with the standard waste service with a 80 litre waste bin represents a reduction of \$22.90 or 1.17% on the equivalent 2015/16 bill.

As 2016 is a revaluation year, the actual rates payable for each property may be more or less than the average, and is dependent on how each property’s value has moved relative to the average of all properties in Manningham.

1 BACKGROUND

- 1.1 Following the adoption 'in draft' on 26 April 2016, the proposed documents were placed on public exhibition for community review and consultation for a period of 28 days.
- 1.2 Council received 262 submissions on the following topics:
- 1.2.1 Differential rates for retirement villages (Applewood Retirement Village) – 173 submissions
 - 1.2.2 Differential rates for retirement villages (Roseville Retirement Village) – 87 submissions
 - 1.2.3 Differential rates for retirement villages (AVEO Pinetree Retirement Village) – 1 joint application on behalf of 75 residents living in the village
 - 1.2.4 Various Manningham capital projects worth \$50 million to be funded by Canberra – 1 submission. The submission also touched on bringing transparency measures and lifting staff productivity.
- 1.3 Minutes of the Committee are included as Attachment 4 to this report.
- 1.4 Officer recommendations and commentary on the issues raised in the submissions is detailed in paragraphs 2.1 and 2.2 of this report.

2 PROPOSAL/ISSUE

Commentary on Public Submissions

2.1 Submissions for a Differential Rate for Retirement Villages

Under the Ministerial Guidelines for differential rating, Council is required to give consideration to a differential rate for retirement villages; however, the guidelines stop short of recommending the introduction of such a differential rate.

261 of the 262 public submissions related to differential rates for retirement villages. Mr John Sheedy of the Applewood Retirement Village presented to the Committee in support of a 25 per cent differential rate for retirement villages.

A 25 per cent differential rate for retirement villages would result in \$217,000 less rates being collected from retirement villages and place an additional \$217,000 rate burden on all other rateable properties. The effect on each property group should a 25% differential rate be adopted is shown in the following table:

	Exhibited average rate	% of residential rate	Impact of redistributing 25% discount	Redistributed average rate	% of residential rate
Average residential rate (excluding retirement villages)	\$1,703.04		\$4.59	\$1,707.64	
Average retirement village rate	\$722.07	42%	-\$180.52	\$541.55	32%
Average all residential properties	\$1,676.96			\$1,676.96	

In all, there are 1,202 retirement village units in 16 villages. In some cases the retirement villages are owned by a corporation and leased to the resident. In other cases the retirement units are strata titles and owned by the individual residents. In

each case however, each individual unit is separately rated and the rates are more often than not paid by the owner/tenant.

Commentary on the submissions and arguments for and against differential rates for retirement villages are detailed below.

The arguments lodged in favour of providing a discounted rate include:

- That retirement villages have funded the provision of their own infrastructure within their own community and continue to pay for the ongoing maintenance of these assets including roads, footpaths, lighting, etc.
- The social benefit factor provided by retirement villages in providing a facility that allows elderly residents to age in their residence in a supported environment and one which provides social and recreational activities that enhance lifestyles.
- Council already benefits in a rating sense due to the density of the residential development which is frequently much higher than a residential street.

The arguments against providing a differential to Retirement Villages include:

- Council rates are not based on the benefit taxation principle and are not a fee for service. They are instead a tax based on the valuation of the assessment.
- Retirement villages do receive Council services and have access to community infrastructure in the same way as other residents. In particular, retirement village residents often access Council provided aged services, which is heavily subsidised by rates.
- There would be a significant number of residents who would be able to make a strong case that they do not use equivalent amount of Council services compared to the Council rates they pay.
- The provision of services on private land is a private matter between the resident and body corporate.
- There is an equity consideration in asking retirees that own their own home in the community (the majority of retirees) to pay a higher rate in order to provide a lower rate to retirees that live in a retirement village (the minority of retirees).

On consideration of the arguments both in favour and against the differential for retirement villages, Council has determined to not provide a differential rate for this rating group.

2.2 Submission from Stephen Mayne

This submission primarily focused on advocacy for funding a range of capital projects within the municipality and the prioritisation of projects in Council's capital works program. The submission also made comment regarding the effective use of council assets and suggested a range of measures to improve transparency to the community.

As a result of this submission, Council's 2016/17 Budget document will provide further information on the capital works program including a four year, detailed listing of all capital projects which aligns it with the four year Strategic Resource Plan. Consideration is being given to the other matters raised in his submission and a detailed response will be provided to Mr Mayne.

No further amendments are proposed to the 2016/17 Annual Budget or Strategic Resource Plan arising from Mr Mayne's submission.

- 2.3 While not related to the issue of differential rates, the General Revaluation for 2016 has seen property values of retirement villages increase by less than the average increase for the municipality as a whole. This will result in the general rate for an average residential property decreasing from the 2015/16 level. In addition, the cost of the standard waste service for 2016/17 is lower than 2015/16, which should further drive down costs for retirement village residents. The effect on rates for an average retirement village unit is shown in the following table:

	2015/16 average rate	2016/17 average rate	change \$	%
Average retirement village rate	\$ 852.24	\$ 722.07	\$ (130.17)	(15.3%)

- 2.4 It is proposed to revise the exhibited budget forecasts to take into account changes to the underlying assumptions and circumstances as detailed in the following tables:

Income Statement	Forecast Actual 2015/16 \$'000	Budget 2016/17 \$'000
Exhibited surplus for the year	17,371	15,722
Proposed amendments		
Increased developers contribution revenue	1,500	-
Increased interest on investment revenue	100	-
Savings in operational costs	400	-
Strategic Initiative – Records Management (\$500,000 funded from additional 15/16 surplus)	-	(900)
Total amendments to surplus	2,000	(900)
Revised surplus for the year	19,371	14,822

Capital Works Program Amendments (refer Attachment 2 for list of projects)	Forecast Actual 2015/16 \$'000	Budget 2016/17 \$'000
Exhibited capital works program	40,422	47,875

Additional works carried forward from to 2016/17	(2,819)	2,819
Revised capital works program	37,603	50,694

- 2.5 Strong development in the Doncaster Hill precinct has seen the level of developer contributions for open space increase above earlier forecasts. These funds are retained in a reserve and utilised for future infrastructure needs as part of the capital works program.
- 2.6 The proposed 2016/17 Annual Budget is based on a Uniform General Rate. The average general rate increase for a property in Manningham is 2.5 per cent, which is in line with maximum allowed under the Fair Go Rates System introduced by the State Government.
- 2.7 Waste charges with the standard waste service with a 80 litre waste bin is proposed at \$205.00, a decrease of \$65.00 or 24.1 per cent and with a 120 litre waste bin, a decrease of \$27.00 or 9.1 per cent. The Waste Charge is declared under Section 162 of the Local Government Act 1989.
- 2.8 Waste charges are based on cost recovery principles and residents may vary the price that they pay by varying the combination of bin size and numbers.
- 2.9 Council continues to offer a Council funded waiver of rates for the principal place of residence to a ratepayer who is the holder of a low income ("LI" designated) health care card. For 2016/17, the waiver is \$60, an increase from \$50 in 2015/16. This waiver is in addition to the State Government pensioner rebate estimated to be \$218.30 in 2016/17.
- 2.10 In accordance with Section 4 (4) of the Cultural and Recreational Land Act 1963, Council proposes Cultural and Recreational Lands be charged in lieu of rates as shown in Attachment 1, Section 7.15.
- 2.11 Council has considered the matter of differential rates for retirement villages and has confirmed the retention of a single, Uniform Rate for all property uses.
- 2.12 For 2016/17, Council proposes to apply a Uniform Rate of 0.001738 cents of each dollar on the Capital Improved Value for all rateable properties.
- 2.13 The following tables show the total rates and waste charges bill with 80 litre and 120 litre waste bin for an average property:

	2015/16 \$	2016/17 \$	Change \$	Change %
Average general rate	1,684.13	1,726.23	42.10	2.50
Waste service charge (80 litre waste bin)	270.00	205.00	(65.00)	(24.07)
Total rates and waste charges bill (80 litre waste bin)	1,954.13	1,931.23	(22.90)	(1.17)

	2015/16 \$	2016/17 \$	Change \$	Change %
Average general rate	1,684.13	1,726.23	42.10	2.50
Waste service charge (120 litre waste bin)	297.00	270.00	(27.00)	(9.09)
Total rates and waste charges bill (120 litre waste bin)	1,981.13	1,996.23	15.10	0.76

- 2.14 Council proposes to raise an amount of \$92,909,645 by general rates and the annual service charges as shown in Attachment 1, Section 7.
- 2.15 An equivalent of 34.8 per cent of the current year general rates income (\$28.64 million) is directed to the \$50.694 million of capital works program for improving and sustaining the infrastructure of the City.
- 2.16 The \$28.64 million is topped by \$4.97 million in external grants and contributions, \$5.80 million from cash collected for the replacement of waste bins, \$3.00 million from developer levies, \$1.57 million from asset sales and \$4.80 million in projects committed but not expended in 2015/16 (carry forward capital works).
- 2.17 It is proposed that the attached 2016/17 Annual Budget (including determination of rates and charges, charges in lieu of rates, capital works program and fees and charges), and the Strategic Resource Plan 2016-2020 and Annual Initiatives 2016/17 be adopted by Council.

3 PRIORITY/TIMING

- 3.1 The 2016/17 Annual Budget, and the Strategic Resource Plan 2016-2020 and Annual Initiatives 2016/17 are required by legislation to be adopted on or before 30 June 2016.

4 FINANCIAL PLAN

- 4.1 Council has a 10 year Financial Strategy that sets out Council's commitment to financial management, and details the accountability outcomes desired to achieve and maintain responsible financial management and financial stability.
- 4.2 The Strategic Resource Plan details the financial and non-financial resources applied and annual actions to be undertaken to achieve the vision and outcomes contained in the Council Plan.

5 COMMUNICATIONS STRATEGY

- 5.1 Following the adoption of the Annual Budget by Council a media briefing will be held, and details of the adopted budget will feature in Manningham Matters.

- 5.2 The Adopted Budget and Strategic Resource Plan will be placed on Council's website.

6 CONCLUSION

- 6.1 The 2016/17 Annual Budget strongly focuses on capping growth in operating expenditures, while still preserving Council's investment in community assets and delivering quality services.
- 6.2 Council's Annual Budget has been prepared in accordance with statutory requirements and best practice guidelines, and is recommended to Council for adoption.

OFFICER'S RECOMMENDATION

That

(A) Council adopt the:

- 1. 2016/17 Annual Budget as detailed in Attachment 1 to this report;**
- 2. 2016/17 Capital Program as contained in Section 6 of Attachment 1;**
- 3. Fees and Charges included in Appendix A of Attachment 1;**
- 4. Strategic Resource Plan 2016-2020 and Annual Initiatives 2016/17 as detailed in Attachment 3 to this report;**

(B) In accordance with Section 158 of the Local Government Act 1989, the following rates and charges are declared for the rating year commencing 1 July 2016 and ending 30 June 2017:

- 1. Applying a Uniform Rate of 0.001738 cents of each dollar on the Capital Improved Value for all rateable properties; and**
- 2. An amount of \$92,909,645 is declared at the moment which Council intends to raise by general rates and the annual service charges. The amount calculated is shown in Attachment 1, Section 7 of this report;**

(C) Council declare 2016/17 Waste Charges in accordance with Section 162 of the Local Government Act 1989. The charges are detailed in Attachment 1, Section 7 of this report;

(D) Cultural and Recreational Lands be charged in lieu of rates as per Attachment 1, Section 7.15 of this report;

(E) Council offer a \$60 waiver under Section 171 of the Local Government Act 1989 on the 2016/17 rates for the Principal place of residence of a ratepayer who is the holder of a valid Low Income Health Care Card ("LI" designated card), provided that ratepayer makes application to Council for the waiver by 30 June 2017;

(F) Payment of Rates and Charges be allowed as per Section 167 of the Local Government Act 1989 by four instalments due and payable on:

- 1. First Instalment 30 September 2016**
- 2. Second Instalment 30 November 2016**

3. Third Instalment 28 February 2017
 4. Fourth Instalment 31 May 2017
- (G) In 2016/17, Council is proposing to undertake new borrowings of \$1.92 million and principle redemption of \$0.24 million;
- (H) Interest charges on overdue rates and charges be applied as provided under Section 172 of the Local Government Act 1989 and calculated on the basis of the current Penalty Interest Rate Act 1983 rate being 9.5 per cent for 2016/17;
- (I) Interest charges on overdue accounts other than rates and charges as provided under Section 227A of the Local Government Act 1989 and calculated on the basis of the current Penalty Interest Rate Act 1983 rate being 9.5 per cent for 2016/17;
- (J) Council proposes that a waiver of rates under Section 171 of the Local Government Act 1989 for 50% of the increase in rates to a ratepayer who is likely to experience financial hardship as a consequence of increases in the rates payable where:
- The affected property is the ratepayers principal place of residence; and
 - There is an increase in rates of 30% or greater that is attributable to property values arising from the general revaluation of properties in the municipality;
- (K) Advertise the adoption of the 2016/17 Annual Budget, and the Strategic Resource Plan 2016-2020 and Annual Initiatives 2016/17;
- (L) A copy of the adopted Annual Budget and Strategic Resource Plan be sent to the Minister of Local Government; and
- (M) All submitters be thanked for their submissions, and that they be notified of the outcome in writing.

MOVED: GOUGH
SECONDED: GRIVOKOSTOPOULOS

That the Recommendation be adopted.

AMENDMENT

MOVED: O'BRIEN
SECONDED: DOWNIE

"That the Recommendation be adopted subject to it being amended in response to the reasons and rationale expressed in submissions to Council from retirement villages and residents, that the Proposed Annual Budget 2016/17 be amended to provide a 10% differential rate to the general rate be applied to all retirement villages as defined in the Retirement Villages Act 1986"

MOVED: GRIVOKOSTOPOULOS
SECONDED: DOWNIE

That an extension of speaking time be granted for Cr Gough.

CARRIED

MOVED: HAYNES
SECONDED: GALBALLY

That Standing Orders 43.11 and 43.12 be suspended to remove the requirement to take speakers for and against in alternate sequence for this item only.

CARRIED

The partial suspension of standing orders removed the requirement to take speakers for and against in alternate sequence.

When all speakers wanting to be heard was exhausted The AMENDMENT was then PUT and LOST.

DIVISION

A Division having been demanded the Council divided as follows:

FOR (2): Councillors O'Brien and Downie.

AGAINST (6): Councillors Haynes, Grivokostopoulos, Gough, Kleinert, Galbally and McLeish

THE MOTION WAS DECLARED LOST

The Substantive motion was then PUT and CARRIED

DIVISION

A Division having been demanded the Council divided as follows:

FOR (8): Councillors Haynes, O'Brien, Grivokostopoulos, Downie, Gough, Kleinert, Galbally and McLeish.

AGAINST (0): Nil

THE MOTION WAS DECLARED CARRIED UNANIMOUSLY

"Refer Attachments"

Attachment 1: 2016/17 Annual Budget
Attachment 2: 2016/17 Capital Works Program Amendments
Attachment 3: Strategic Resource Plan 2016-2020 and Annual Initiatives 2016/17
Attachment 4: Minutes of the Budget and Strategic Resource Plan Committee

* * * * *

13.3 Results of the Local Government Community Satisfaction Survey 2016

Responsible Director: Director Shared Services.

File No. .

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

This report presents the key findings achieved by Manningham City Council from the state-wide Local Government Community Satisfaction Survey 2016.

For consistency with analysis and reporting, Local Government Victoria has aligned its presentation of data to use standard Council groupings. In 2015, Council groupings changed. Manningham City Council was previously grouped as an Outer Metropolitan Melbourne Council. This Council grouping no longer exists and Manningham City Council is classified as a Metro Council. As such, comparisons to previous Council group results cannot be made pre 2015.

Overall, on the seven core key community satisfaction index score results, Manningham City Council's performance was either stable or declined compared to 2015. Although there were no significant improvements this year, the results are generally higher than the state-wide council averages. The only core measure to maintain its 2015 result was Community consultation (58).

According to the independent market research company undertaking the survey, across Victoria there has been a decline in the 2016 Community Satisfaction Survey results. Likewise, the overall initial feedback from neighbouring councils is that they have experienced a decline in a number of core areas.

Summary of Core Measures 2016 – Index score results

Performance Measures	MCC 2012	MCC 2013	MCC 2014	MCC 2015	MCC 2016	Metro 2016	State-wide 2016
Overall performance	67	65	66	68	65	66	59
Community consultation	59	57	60	58	58	58	54
Advocacy	58	56	61	58	54	56	53
Making community decisions	n/a	n/a	59	60	57	59	54
Sealed local roads	n/a	n/a	64	68	64	67	54
Customer service	76	76	76	74	72	73	69
Overall Council Direction	53	55	53	57	50	55	51

This report recommends that Council note the findings of the Local Government Community Satisfaction Survey 2016.

1 BACKGROUND

- 1.1 The Local Government Community Satisfaction Survey 2016 was coordinated and auspiced by Local Government Victoria (LGV) and undertaken by an independent market research company. This is the nineteenth year in which the Local Government Community Satisfaction Survey has been conducted.
- 1.2 The main objectives of the survey are to assess the performance of Manningham City Council across a range of measures and to seek insight into ways to provide improved or more effective service delivery. The survey also provides Council with a means to fulfil a number of statutory reporting requirements and acts as a feedback mechanism to Local Government Victoria.

Survey Methodology

- 1.3 A total of 400 interviews were conducted by telephone with Manningham residents. The maximum margin of error on a sample of approximately 400 interviews is +/-4.9% at the 95% confidence level for results around 50%. That is, if 50 per cent of the sample chose an answer we can be 95 per cent sure the true percentage of the population will be between 45.1 per cent and 54.9 per cent.
- 1.4 Survey fieldwork was conducted in the period of 1 February to 30 March 2016.
- 1.5 The survey sample matched to Manningham City Council was purchased from an accredited supplier of publicly available phone records, including up to 10 per cent mobile phone numbers to cater for the diversity of residents in the municipality, particularly younger people.

Council Groups

- 1.6 Sixty-nine of Victoria's seventy-nine Councils participated in this survey. Results for Manningham City Council for this 2016 Community Satisfaction Survey have been compared against other Councils in the Metro group and on a state-wide basis. Council groupings changed in 2015. Previously Manningham City Council was self-classified as an Outer Metropolitan Council according to the former classification list. LGV has changed classifications and Manningham City Council is now classified as a Metro Council according to the following new classification list:

- Metropolitan
- Interface
- Regional Centres
- Large Rural
- Small Rural

The Councils participating in the Metro group are:

- Banyule City Council
- Bayside City Council
- Boroondara City Council
- Brimbank City Council
- Glen Eira City Council
- Greater Dandenong
- Frankston City Council
- Kingston City Council
- Knox City Council
- Manningham City Council
- Maroondah City Council
- Melbourne City Council
- Monash City Council
- Moonee Valley City Council
- Moreland City Council
- City of Port Phillip
- Stonnington City Council
- Whitehorse City Council

Performance Measures

- 1.7 From 2012 onwards, the LGV Survey has been made up of core and non-core questions. The selection of non-core questions is up to each individual Council which constrains broad benchmarking beyond the core questions set. The core questions addressed include:
- Overall performance last 12 months (Overall performance)
 - Lobbying on behalf of community (Advocacy)
 - Community consultation and engagement (Consultation)
 - Contact in last 12 months (Contact)
 - Rating of contact (Customer service)
 - Overall council direction last 12 months (Council direction)
 - Decisions made in the interest of the community (making community decisions)
 - The condition of sealed roads in your area (sealed local roads).
- 1.8 Respondents rated Council performance on a five-point scale - from "Very good" to "Very poor", with "Can't say" also a possible response category. To facilitate ease of reporting and comparison of results over and against the state-wide result and the Council group, an 'Index Score' has been calculated for all measures. The Index Score is, in simple terms, an average of the percentage rating given. The 'Index Score' is calculated and represented as a score out of 100 (on a 0 to 100 scale). The higher the Index Score – the better the performance.

Key Findings

- 1.9 In 2016, Manningham Council's result for core and individual measures, and performance was either stable or declined compared to the 2015 results.
- 1.10 Core measures, overall performance, sealed local roads, advocacy and overall council direction experienced significant decreases in the past year dropping between three and four index points. Customer service and making community decisions have also experienced declines this year although not statistically significant.
- 1.11 The only area to maintain its 2015 level was community consultation.

- 1.12 Manningham's rating are significantly behind Metropolitan averages in its performance on Sealed local roads (index score of 67 to 64) and Overall direction (55 to 50).
- 1.13 However, all of Manningham's ratings on core measures are ahead of state-wide averages. Core service measures significantly exceeding state-wide averages are Overall performance, Sealed local roads, Community consultation and Making community decisions. Overall Council Direction is the only exception and is one point behind state-wide ratings.
- 1.14 On overall performance, Manningham Council recorded a three point decrease since 2015, to an index of 65. This result is one index point lower than the Metro group and six points higher than the state-wide result. Most demographic and geographic cohorts rated Overall performance lower in 2016, with the exception of residents aged 35 to 49 years old who increased their rating by one point and those residents East of Mullum Mullum Creek who significantly increased their rating by 10 points.
- 1.15 The measure of Overall Council direction had the most significant decline in 2016 with a seven point decrease (dropping from 57 to 50 index points).
- 1.16 The next most significant declines were for Sealed local roads and Advocacy with both measures decreasing by four index points. Performance ratings on Sealed local roads experienced a decline across almost all demographic and geographic cohorts with the exception being residents living East of Mullum Mullum Creek. The decrease in Advocacy is driven by residents over the age of 65, women, and residents living West of Mullum Mullum Creek.
- 1.17 Customer Service is the area where Manningham Council has performed most strongly (index score of 72). A third (34 per cent) rated Council's Customer Service as 'very good', with a further 35 per cent rating Customer Service as 'good', generally consistent with 2015. Although performance on this measure dropped two points, the 2016 result is still 3 points above the State-wide average.
- 1.18 In addition to the seven core measures, Manningham Council participated in a number of optional questions in 2016. These questions included the importance and performance of elderly support services and waste management and the performance of environmental sustainability. Residents were also asked a question around the trade off of a rate rise or service cut.
- 1.19 For the first time this year, Manningham Council also participated in the open ended question on what Council needs to do to improve its performance.
- 1.20 Council is performing well on the three individual service areas. Council performs best in the area of Waste Management with an index score of 79. Although this results is a significant decline from the 2015 result, this score is still significantly higher than both the Metropolitan and state-wide averages.
- 1.21 In relation to elderly support services, Manningham residents gave an indexed score of 77 for the importance of this service and 68 for its performance. While not significant, there has been a decline of three index points for both the importance and performance of this service area.
- 1.22 In the area of Environmental sustainability, Manningham Council is on par with other Metro Council's with an index rating of 64. The rating is also similar to the state-wide result of 63.

- 1.23 There are a number of service areas where residents stated that importance exceeds rated performance by more than 10 points and to which Council should pay particular attention.
- 1.24 Consistent with 2015, community decisions (-23) and consultation and engagement (-16), remain the service areas with the highest disparity between perceived importance and performance. While the differential for consultation and engagement has decreased marginally, the disparity for community decisions has increased by 3 points to -23. There are also relatively high levels of disparity for maintenance of sealed roads (-13) and Advocacy (-11).
- 1.25 Residents cited the top three key areas for improvement that Council should focus on are sealed road maintenance (12%), communications (11%) and inappropriate development (10%). It should be noted that 12% of respondents said Council should do nothing in terms of further improvements.
- 1.26 Residents were asked if they had to choose between Council rate rises to improve local services or cuts in Council services to keep Council rates at the same level as they are now, would you prefer to see Council rate rises or would you prefer to see cuts in Council services? They were asked if this was definitely or probably. Relatively consistent with last year's results, residents are more in favour of service cuts (51 per cent) over a rate rise (26 per cent). Another 23 per cent are undecided.
- 1.27 This preference for service cuts is similar to the state-wide (50 per cent) and higher than the Metro group average (47 per cent).

2 PROPOSAL/ISSUE

- 2.1 It is proposed that Council note the Local Government Community Satisfaction Survey results detailed in this report.

3 PRIORITY/TIMING

- 3.1 The Community Satisfaction Survey is conducted between 1 February and 30 March each year with the report released at the end of May/early June to inform the Annual Report process.

4 BEST VALUE

- 4.1 The survey supports Best Value principles especially the requirement for ongoing community consultation and monitoring of service standards.

5 CUSTOMER/COMMUNITY IMPACT

- 5.1 As long as Manningham Council continues to participate in future Local Government Community Satisfaction Surveys, residents will continue to partake annually.

6 COUNCIL PLAN/ MEASURE OF ACHIEVEMENT OF ACTION

- 6.1 Some research findings will be reported as part of Council's statutory reporting requirements including Council Planning and the Annual Report process.

7 FINANCIAL PLAN

- 7.1 There are no financial plan implications for this report.

8 FINANCIAL RESOURCE IMPLICATIONS

- 8.1 Costs for participating in the survey have varied significantly each year, based on the pricing structure of core questions and the inclusion of non-core question which are priced per second.
- 8.2 In 2016, Manningham Council participated in all the core questions in addition to a number of non-core questions adding up to 180 seconds and participated in the open ended question on how Council can improve its performance. The cost to participate in the survey this year was \$12,550.
- 8.3 Costs for future surveys may vary depending upon which non-core questions Council will participate in. To participate in the majority of non-core questions, the cost for 2016 was \$16,700. To participate in the two open ended questions that ask residents what is the best thing about their Council and what their Council needs to do to improve their performance is an additional \$700 per question.
- 8.4 As the contract for the survey is tendered each year, there may also be financial resource implications depending upon the contractor appointed by Local Government Victoria following the tender process.

9 CONSULTATION

- 9.1 Each year Local Government and/or the research company commissioned to conduct the survey, inform and/or consult Council of any changes to the Local Government Community Satisfaction Survey.
- 9.2 Four hundred telephone interviews were conducted with Manningham residents over the age of 18.

10 COMMUNICATIONS STRATEGY

- 10.1 The survey results will be reported within Council's 2015/2016 Annual Report and a media release will be distributed.

11 CONCLUSION

- 11.1 This report presents the key findings achieved by Manningham City Council from the state-wide Local Government Community Satisfaction Survey.
- 11.2 Overall, on the seven core key community satisfaction index score results, Manningham City Council's performance was either stable or declined compared to 2015. Although there were there were no significant improvements this year, the results are generally higher than the state-wide council averages. The only core measure to maintain its 2015 result was Community consultation (58).

OFFICER'S RECOMMENDATION

That Council notes the findings of the Local Government Community Satisfaction Survey 2016.

**MOVED: HAYNES
SECONDED: GALBALLY**

That the Recommendation be adopted.

CARRIED

"Refer Attachments"

* * * * *

13.4 Proposed Sale of Part of the Discontinued Right of Way at Rear of 25 & 27 Queens Avenue Doncaster (Post Statutory Advertising)

Responsible Director: Director Shared Services

File No. T15/239

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The subject land is a discontinued right-of-way that includes a drainage and sewerage easement and was detailed in a report to Council on 24 November 2015, when 35 square metres was sold to the owners of 25 Queens Avenue Doncaster, and 13 square metres was offered to the owners of 27 Queens Avenue and, if not interested, to alternatively be offered to the owners of 734 Doncaster Road. The sale to 25 Queens Avenue has now been finalised, but the owners of 27 Queens Avenue have declined to buy the land. The same offer was made to the owners of 734 Doncaster Road, and it has been accepted.

The statutory advertising pursuant to section 189 of the Local Government Act 1989 was carried out on 20 July 2015 and no submissions were received by Council. Although the advertisement indicated the land was to be sold to the owners of 25 and 27 Queens Avenue, Council's subsequent resolution provided for the alternative of offering the 13 square metre parcel to the owners of 734 Doncaster Road.

It is now recommended that Council approve the sale of the remaining, land-locked parcel of discontinued right-of-way to the owners of 734 Doncaster Road.

12 BACKGROUND

- 12.1 Council successfully sold the initial parcel of discontinued land to the owner of the property at 25 Queens Avenue, Doncaster in 2015.
- 12.2 In view that the owners at 27 Queens Avenue, Doncaster have formally declined Council's offer to buy the land at any price, Council Officers have made a fresh offer to the adjoining owner at 734 Doncaster for the small section of discontinued right-of-way.
- 12.3 There are no other potential purchasers of the land and the probability of Council owning a land-locked small parcel of land is to be avoided.

13 PROPOSAL/ISSUE

- 13.1 In view that the owners at 27 Queens Avenue, Doncaster have formally declined Council's offer to buy the land, that the land be sold to the adjoining owner at 734 Doncaster Road.
- 13.2 Legal advice has been sought and such legal advice supports our recommended approach regarding this proposal.

14 CUSTOMER/COMMUNITY IMPACT

- 14.1 We do not expect the sale of this remaining section of the discontinued right-of-way would affect the community as the land has been used as part of the privately owned backyard by the adjoining owners at 27 Queens Avenue for an extensive period.
- 14.2 The owners of 27 Queens Avenue have now removed all improvements on this land and rectified the boundary fencing.

15 FINANCIAL RESOURCE IMPLICATIONS

- 15.1 The relevant section of 13 square metres is being offered to the owners of 734 Doncaster Road at a sale price of \$4,500 (plus GST) plus Council's survey and legal costs.

16 CONSULTATION

- 16.1 A Public Notice was published in the Manningham Leader newspaper on 3rd August 2015, advising of Council's intention to sell the discontinued section of right-of-way and providing the opportunity for any person to make a submission to Council.
- 16.2 No submissions were received by Council during or after the specified 28 days advertising period under Section 223 of the Act.

17 CONCLUSION

- 17.1 It is recommended that Council, having offered the land to the owners of 27 Queens Avenue and been refused, now resolve to sell the remaining 13 square metres of the right-of-way to the owners at 734 Doncaster Road.

OFFICER'S RECOMMENDATION

That

- (A) Council resolves to sell the section of the discontinued right-of-way at the rear of 734 Doncaster Road, Doncaster, having an area of approximately 13 square metres and being the land shown hatched and bordered in red on the plan attached to this report and labelled as Attachment 1;
- (B) Council authorises the Chief Executive Officer to execute any documents associated with the sale of the discontinued right-of-way; and
- (C) Council authorises the Chief Executive Officer to affix the common seal of Council to the Transfer of Land and any other documents required to effect the sale and transfer.

MOVED: O'BRIEN
SECONDED: HAYNES

That the Recommendation be adopted.

CARRIED

Refer to the attachment.

* * * * *

14. CHIEF EXECUTIVE OFFICER

14.1 Local Government Performance Reporting - Materiality Threshold

Responsible Director: Executive Manager People & Governance

File No. T16/134

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

For the 2015/16 period, Council is required to adopt a threshold for material variation for the Local Government Performance Reporting Framework (LGPRF) indicators that are subject to external audit. This report seeks endorsement of the recommended threshold from Local Government Victoria.

1 BACKGROUND

- 1.1 The LGPRF commenced in 2014/15 (Year 1). In accordance with the Local Government Act and the Planning and Reporting Regulations, all Victorian Councils are to adopt a threshold for materiality for the LGPRF Indicators.
- 1.2 From 2015/16, we are required to explain any material result for the following comparisons:
 - Current year result versus the prior year results; and
 - Current year result versus the three* preceding year results.

**This is being introduced as an annual increment from the commencement of LGPRF. For 2015/16 we have one year proceeding, 2016/17 two years etc.*
- 1.3 The explanation will accompany the indicator results as they appear in the performance statement (Annual Report) and/or on the 'Know Your Council' website. Commentary is requested for all indicators.
- 1.4 Local Government Victoria has provided a recommendation for the threshold however have advised Councils "to make their own assessment of the appropriate materiality threshold, taking account both quantitative and qualitative factors and circumstances specific to each council." A copy of the Guideline is at Attachment 1.

2 PROPOSAL/ISSUE

- 2.1 In accordance with legislative requirements, adopt the materiality threshold as recommended by Local Government Victoria for the LGPRF Indicators.

OFFICER'S RECOMMENDATION

That Council adopt the Local Government Victoria recommended materiality threshold for 2016/17 and review in 2017/18.

**MOVED: DOWNIE
SECONDED: KLEINERT**

That the Recommendation be adopted.

CARRIED

* * * * *

14.2 Appointment of Independent Member to the Audit Committee

Responsible Director: Executive Manager People & Governance

File No. T16/141

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Director, Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The terms of the independent members of the Audit Committee expired on 30 June 2016. At its meeting on 29 March 2016, Council resolved to reduce the number of independent members to three, and renew the term for two current members until 30 June 2017. Applications were then sought to fill the one outstanding independent membership. A Panel was subsequently formed to conduct interviews and make a recommendation to Council on the appointment of the independent member.

1 BACKGROUND

- 1.1 The terms of the existing four independent members expired on 30 June 2016. Effective from 1 July 2016, the Council Audit Committee comprises three independent members, two of whose membership has been extended to 30 June 2017: namely, Mr Alan Fotheringham and Dr Robert Sadler
- 1.2 Expressions of interest (EOI) were invited to fill the remaining vacancy. 41 applications were received in response to the EOI.
- 1.3 An interview panel was formed comprising of Cr Paul McLeish (a member of the Audit Committee); Mr Warwick Winn, Council's Chief Executive Officer; Ms Jill Colson, Executive Manager - People and Governance; and Mr Kevin Ayre, Group Manager - Financial Services.
- 1.4 The EOI identified five professional skill sets that would be advantageous to have on the Audit Committee. The selection of the shortlist was designed to achieve this mix of skill sets across the independent members. The skill sets in question were accounting, risk management, audit, financial statements, and legislative and regulatory compliance.
- 1.5 The Panel was very impressed with the quality and calibre of the applicants. There were four applicants shortlisted for interview.

2 PROPOSAL/ISSUE

- 2.1 The Panel conducted interviews on 7 June 2016. The Panel has decided to recommend the appointment of the following person:
 - 1) Ms Theresa Glab. (Ms Glab is a CPA, and has extensive Board and Audit Committee, internal audit, and business management experience).
- 2.2 The panel was of the view that Ms Glab's resume covers the full range of skill sets sought and provide a complementary mix of professional and academic competencies.

3 FINANCIAL RESOURCE IMPLICATIONS

- 3.1 Effective from 1 July 2016, the annual fee for independent members is \$7,000 for ordinary members and \$10,500 for the Committee Chair.

OFFICER'S RECOMMENDATION

That Council appoint Ms Theresa Glab as an independent member of the Audit Committee for the period 1 July 2016 - 31 August 2019.

**MOVED: HAYNES
SECONDED: GOUGH**

That the Recommendation be adopted.

CARRIED

* * * * *

14.3 Record of Assembly of Councillors - June 2016

Responsible Director: Executive Manager People & Governance

File No. T16/142

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Executive Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

Section 80A of the Local Government Act 1989 requires a record of each meeting that constitutes an Assembly of Councillors to be reported to the next ordinary meeting of Council and those records be incorporated into the minutes of the Council Meeting.

The Assemblies to be reported to this Council Meeting took place between 23 May and 17 June 2016 (both dates inclusive). They are:-

- *Strategic Briefing Sessions on 24 May, 7 June and 14 June.*
- *Open Space and Streetscape Design Task Force on 30 May.*
- *Council Meeting Briefing Session on 31 May.*
- *Access and Equity Advisory Committee on 6 June.*
- *Budget and Strategic Resource Plan Committee on 7 June.*
- *Senior Citizens Reference Group on 8 June.*

1 BACKGROUND

1.1 An Assembly of Councillors is defined in the Local Government Act 1989 as a meeting of an advisory committee of the Council, if at least one Councillor is present, or a planned or scheduled meeting of at least half of the Councillors and one member of Council staff which considers matters that are intended or likely to be:-

1.1.1 the subject of a decision of the Council; or

1.1.2 subject to the exercise of a function, duty or power of the Council that has been delegated to a person or committee but does not include a meeting of the Council, a special committee of the Council, an audit committee established under section 139, a club, association, peak body, political party or other organisation.

1.2 An advisory committee can be any committee or group appointed by Council and does not necessarily have to have the term 'advisory' or 'advisory committee' in its title.

1.3 Written records of Assemblies are to include the names of all Councillors and members of Council staff attending, a list of the matters considered, any conflict of interest disclosures made by a Councillor and whether a Councillor who has disclosed a conflict of interest leaves the Assembly for the item in which he or she has an interest.

1.4 The details of each Assembly are shown in the Attachments to this report.

2 PROPOSAL/ISSUE

- 2.1 The Assembly records are submitted to Council, in accordance with the requirements of Section 80A of the Local Government Act 1989.

OFFICER'S RECOMMENDATION

That the records of the Assemblies as listed in the summary to this report and shown attached be noted and incorporated in the minutes of this Council Meeting.

**MOVED: DOWNIE
SECONDED: GRIVOKOSTOPOULOS**

That the Recommendation be adopted.

CARRIED

"Refer Attachments"

* * * * *

14.4 Documents for Sealing - 28 June 2016

Responsible Director: Executive Manager People & Governance

File No. EF15/29450

The ultimate destination for this report is: COUNCIL AGENDA

Neither the responsible Executive Manager nor the Officer authoring this report has a conflict of interest in this matter.

SUMMARY

The following documents are submitted for signing and sealing by Council.

1 BACKGROUND

- 1.1 The Council's common seal must only be used on the authority of the Council or the Chief Executive Officer under delegation from the Council. An authorising Council resolution is required in relation to the documents listed in the Recommendation section of this report.

OFFICER'S RECOMMENDATION

That the following documents be signed and sealed:

**Consent Agreement to Build Over an Easement
Section 173 of the Planning and Environment Act 1987
Council and FMG Signature Homes Pty Ltd
24 Greendale Road, Doncaster East**

**Community Services Lease
Council and Friends of Manningham Dogs and Cats Inc.
Part 53-55 Aranga Crescent, Donvale**

**MOVED: O'BRIEN
SECONDED: KLEINERT**

That the Recommendation be adopted.

CARRIED

* * * * *

15. URGENT BUSINESS REPORTS

There were no items of Urgent Business.

16. NOTICES OF MOTION

16.1 Notice of Motion by Jim Grivokostopoulos (Nom No.3/2016)

Motion of support by Council for our CFA volunteers and staff in Wonga Park CFA, Warrandyte CFA and South Warrandyte CFA to continue to serve our community in a manner that allows the CFA ability to make its own decisions affecting its members and volunteers without any interference from unions.

AMENDED NOTICE OF MOTION (No.3/2016)

MOVED: GRIVOKOSTOPOULOS

SECONDED: O'BRIEN

Motion of support by Council for our CFA volunteers and staff in Wonga Park CFA, Warrandyte CFA and South Warrandyte CFA to continue to serve our community.

CARRIED

16.2 Notice of Motion by Sophy Galbally (Nom No.4/2016)

It is recommended that Council:

- A) requests the Minister for Planning to amend Clause 57 of the Victoria Planning Provisions (VPP) to allow lawfully established function centres and restaurants, to have more than the permitted numbers of patrons on site for up to three community events per calendar year, subject to the consent of the responsible authority
- B) Council to support Fireball which is now to be held at the Park Hyatt Oct 15 by booking a table for 10 the event as they do for other fundraisers like Bully Zero. This will amount to \$1,750; and
- C) Council to issue an invitation to our neighbouring councils of the green wedge, Nillimbuk and Yarra Ranges to also book a table and show their support to the CFA.

AMENDED NOTICE OF MOTION (NO.4/2016)

MOVED: GALBALLY

SECONDED: KLEINERT

That Council requests the Minister for Planning to amend Clause 57 of the Victoria Planning Provisions to allow lawfully established function centres and restaurants, to have more than the permitted numbers of patrons on site for up to three community events per calendar year, subject to the consent of the responsible authority.

CARRIED

DIVISION

A Division having been demanded the Council divided as follows:

FOR (8): Councillors Haynes, O'Brien, Grivokostopoulos, Downie, Gough, Kleinert, Galbally and McLeish.

AGAINST (0): Nil

THE MOTION WAS DECLARED CARRIED UNANIMOUSLY

17. QUESTIONS FROM THE PUBLIC

There were no questions from the public.

18. QUESTIONS WITHOUT NOTICE

Questions asked by Councillors on various topics other than council business matters can be heard on the audio for the Council Meeting on Council's website.

19. CONFIDENTIAL REPORTS

There were no Confidential Reports.

The meeting concluded at 8:50pm.

Chairman
CONFIRMED THIS 26 JULY 2016

* * * * *