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AGENDA

Hearing of Submissions Committee Meeting to be held
at Darebin Civic Centre,
350 High Street Preston
on Monday, 20 August 2018
at 6.30pm.

Table of Contents

Item Number		Page Number
1.	MEMBERSHIP	1
2.	APOLOGIES.....	1
3.	DISCLOSURES OF CONFLICTS OF INTEREST.....	1
4.	CONFIRMATION OF THE MINUTES OF THE PREVIOUS HEARING OF SUBMISSIONS COMMITTEE MEETING	1
5.	CONSIDERATION OF REPORTS.....	2
5.1	PROPOSED LEASE OF COUNCIL LAND FOR AFFORDABLE HOUSING DEVELOPMENT.....	2
6.	CLOSE OF MEETING	8

Agenda

1. MEMBERSHIP

Cr. Kim Le Cerf (Mayor) (Chairperson)

Cr. Gaetano Greco

Cr. Steph Amir

Cr. Trent McCarthy

Cr. Lina Messina (Deputy Mayor)

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

2. APOLOGIES

Cr. Tim Laurence is on an approved leave of absence.

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF THE PREVIOUS HEARING OF SUBMISSIONS COMMITTEE MEETING

Recommendation

That the Minutes of the Hearing of Submissions Committee Meeting held on 31 May 2018 be confirmed as a correct record of business transacted.

5. CONSIDERATION OF REPORTS

5.1 PROPOSED LEASE OF COUNCIL LAND FOR AFFORDABLE HOUSING DEVELOPMENT

Author: Strategic Planner

Reviewed By: General Manager City Sustainability and Strategy

PURPOSE

To seek the Hearing of Submissions Committee's consideration of the submissions made on the proposed lease of Council land at 52-60 Townhall Avenue, Preston, for the purpose of an Affordable Housing development.

EXECUTIVE SUMMARY

At its meeting on 12 June 2018, Council resolved to commence statutory procedures under sections 190 and 223 of the *Local Government Act 1989* regarding the lease of land at 52-60 Townhall Avenue.

Public notice was given of Council's intention to lease the site, and community consultation was undertaken in addition to the statutory procedures. A summary of consultation and communication activities is included in the report below. Forty-seven submitters have requested to be heard in support of their submissions.

Two hundred and ninety-five submissions were received by the closing date for submissions, and an additional fourteen submissions were received after 26 July 2018. A total of three hundred and nine submissions were received.

It is noted that the role of the Hearing of Submissions Committee is only to 'hear' and receive submissions. There are no options for consideration, or analysis of submissions included in this report.

Following the Hearing of Submissions Committee meeting, a report in relation to all submissions received will be submitted for consideration at a meeting of Council later in 2018.

Recommendation

That the Hearing of Submissions Committee:

- (1) Receives the written and verbal submissions.
 - (2) Thanks all submitters and presenters for addressing the Committee in support of their written responses.
 - (3) Provides a report to the Council Meeting to be held later in 2018 as part of Council's deliberations in considering whether to lease the land for the purpose of Affordable Housing, prepared by Officers on its behalf and which includes a summary of the submissions received and heard.
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BACKGROUND / KEY INFORMATION

Darebin Council is deeply committed to ensuring our city is an affordable and inclusive place to live, and to demonstrating strong leadership in facilitating and supporting increased Affordable Housing supply.

Council is actively exploring ways of working effectively with the State Government to increase the supply of Affordable Housing within the municipality. Council believes an inter-governmental approach is needed to address the housing challenges facing many residents of Darebin, Melbourne and Australia. Council has been an active advocate and champion for social housing in Darebin, and while it supports recent State Government initiatives to invest in public housing, believes there needs to be a substantial increase in this investment in the context of rapid population growth and the housing affordability crisis. Council also holds deep concerns regarding the privatisation of public housing stock through recent initiatives, and the loss of community assets to the private market that this has facilitated.

As well as focusing on advocacy and partnership, Council is exploring how its own assets can be used for Affordable Housing. This has been established through numerous policies and decisions:

- *Darebin Housing Stress: A Local Action Plan 2010-2013* identifies the provision of land as a key action that Council can take in supporting affordable housing outcomes.
- *Responding to Housing Stress: A Local Action Plan 2013-2017* identifies possible options for increasing social and affordable housing across the municipality, including on Council-owned land.
- In 2015, Council sought to 'test the market' for a social and affordable housing program in Darebin. Positive responses were received from numerous organisations at this time.
- On 16 April 2016 it endorsed the Darebin Social and Affordable Housing Program on Council Owned Land – Pilot Project, which identified three potential sites for further investigation. One of these sites, 52-60 Townhall Avenue, Preston, is the site presented for consideration in this briefing paper.

The site now being considered is 52-60 Townhall Avenue, Preston. Prior to selling or leasing any Council-owned site, Council needs to comply with statutory obligations under the *Local Government Act 1989*, including publishing a public notice of Council's intention to sell or lease the interest in the land; and taking into account any submissions received in respect of such notice. Council gave notice of its intention to lease the land, and undertook community consultation, from 25th June to 26th July 2018.

Previous Council Resolution

At its meeting held on 12 June 2018, Council resolved:

'That Council:

- (1) *Commence the statutory procedures under sections 190 and 223 of the Local Government Act 1989 ("the Act") to lease (at a nominal cost) the land at 52-60 Townhall Avenue, Preston (any lease would contain conditions requiring public car parking to be retained on site);*
- (2) *In addition to, and concurrently with, the statutory procedures, undertake community consultation to investigate the disposal of the land; and*
- (3) *Commence an Expression of Interest process to identify a suitable tenant for the site (subject to the outcome of the statutory process), such tenant to be a registered housing association or a charitable organisation capable of delivering affordable housing on the site.*

- (4) Continue its advocacy to State Government to increase the number of public and social housing dwellings in Darebin, including through potential partnerships.
- (5) Authorise the Chief Executive Officer or delegate, on Council's behalf, to negotiate, finalise and enter into a Memorandum of Understanding with the Lord Mayor's Charitable Foundation, which outlines (among other things):
- a. LMCF's agreement to contribute \$1 million to a tenant identified by Council to assist in the development of an affordable housing project on the land, subject to meeting LMCF's criteria and to their final approval.
 - b. That the MOU does not pre-determine Council's decision in regards to lease of its land.
- (6) Officers report back on the three other social housing projects at the August Council meeting.'

COMMUNICATIONS AND ENGAGEMENT

Consultation

To let the community know about Council's proposal and how to provide feedback and make submissions, Council has undertaken promotion and engagement as outlined below.

Activity	Stakeholders Targeted	Key Messages and Content	Date
Media release	Wider Community Media outlets Adjoining residents Local business owners Community housing sector Potential future residents	Council is working with the LMCF to attempt to unlock solutions to the housing crisis. Council will be consulting on the proposal from late June to late July	13 June
Letter	Adjoining residents Community housing sector Potential future residents Local business owners	Council will hold a hearing to hear submitters in early August Instructions on how to make a submission Includes reply paid envelope and survey	Week of 25 June
Notice in newspaper	Wider community Community housing sector Potential future residents	Statutory notice	Week of 25 June
Yoursay Web site presence	Wider community Adjoining residents Local business owners Community housing sector Potential future residents	As per above, plus: Survey tool Submission tool Frequently Asked Questions Detailed information Tool to sign up for email updates	Week of 25 June to week of 23 July
Hearing of submissions (if submitters wish to be heard)	Anyone who has made a submission and wishes to be heard	Hearing submitters	20 August

Communications

A communications and engagement plan was developed to support the process. The communications and engagement emphasised the following:

- Council is committed to increasing the supply of Affordable Housing in Darebin, and to ensuring that our community is inclusive of a diverse range of people.
- Council is seeking the community's views on whether a parcel of its own land should be leased for the purpose of Affordable Housing.
- Council has not made a decision in relation to the land. Any Council decision would follow community consultation.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 3 - A liveable city

Within Goal 3 is the action to Collaborate with the Victorian Government to plan high-quality public housing and examine opportunities for social housing to be provided on Council owned land.

Environmental Sustainability Considerations

Any Affordable Housing development on Council-owned land should be designed and built to reduce energy use for future residents of the building. This provides an environmental benefit as well and reducing the utility bills for the low income household.

Equity, Inclusion and Wellbeing Considerations

Allowing Council owned-land to be used for Affordable Housing can help improve the wellbeing of people in a low income household. It provides opportunities for people to live within their existing community even when they can no longer afford the private rental market or if they need to downsize from a family home.

Cultural Considerations

Any development of Affordable Housing on Council-owned land should have regard to the cultural diversity and cultural needs of the Darebin community.

Economic Development Considerations

The use of Council-owned land can enable low income workers to live close to where they work. This reduces the time and cost of travel to work and means they have more funds available for economic participation in the local community.

Financial and Resource Implications

The cost of community consultation and statutory notice has been managed within existing budget allocations. However, it is noted that this project was not foreshadowed in preparing the 2017/2018 budget.

Legal and Risk Implications

Council must comply with the relevant sections of the *Local Government Act 1989* in undertaking this process.

Further analysis of risks will be undertaken when Council makes a decision, later in 2018.

DISCUSSION

The level of engagement in this matter has been high. There has been a large number of submissions, which reflects the significant community interest in Affordable Housing. Three hundred and nine submissions were received, which represents a response rate of approximately nine per cent (a total of 3,584 letters were sent, with 112 being returned to Council).

A copy of submissions, with personal and confidential information removed, is attached in **Appendix A**.

It is noted that a number of individuals made multiple submissions. Where this has occurred, officers have consolidated their comments into a single submission.

39 per cent, or 121 submitters, supported Council's proposal, while 61 per cent (188 submitters) did not support Council's proposal. One submitter made both a supportive and non-supportive submission. Both have been accepted.

A future report will provide a detailed response and analysis of the submissions including issues raised, and recommendations for if/how these concerns may be addressed, should Council decide to proceed with leasing the site. The purpose of the Hearing of Submissions is not to analyse or respond to concerns raised in submissions; rather, its role is for the Committee to hear the concerns of submitters.

Forty-seven submitters have requested to speak in support of their submissions. These submitters have been informed of the time and date of the Hearing of Submissions via email or letter. A notice was also published in the Northcote and Preston Leader newspapers on the 7th and 8th of August. It is noted that one submitter that requested to be heard did not provide their contact details, and therefore may not be aware of the Hearing of Submissions date. At the time of writing, three parties had indicated that they would not attend the Hearing of Submissions.

A copy of all submissions has been circulated separately to Councillors confidentially. This information is designated as confidential by the Chief Executive Officer, in accordance with s.77 of the *Local Government Act 1989*, as it relates to 'any other matter which the Council or special committee considers would prejudice the Council or any other person' pursuant to section 89(2)(h) of the *Local Government Act 1989*.

Three submissions have been designated as confidential by the Chief Executive Officer, in accordance with s.77 of the *Local Government Act 1989*, as it relates to 'any other matter which the Council or special committee considers would prejudice the Council or any other person' pursuant to section 89(2)(h) of the *Local Government Act 1989*. One of these submitters requested their submission be confidential.

OPTIONS FOR CONSIDERATION

It is recommended that Council proceed with the Hearing of Submissions as outlined in this report. The role of this Committee is only to 'hear' submissions.

Council must provide submitters that have requested to be heard the opportunity to do so, in accordance with s. 223 of the *Local Government Act 1989*. Should Council decide not to enable the Hearing of Submissions to take place, it would be in breach of the *Local Government Act 1989*.

Council may elect to reschedule the meeting.

IMPLEMENTATION STRATEGY

Details

Following the Hearing of Submissions, a report in relation to all submissions received will be submitted for consideration at a meeting of Council in late-2018.

Communication

All submitters will be advised of the Council meeting date, and of the outcome of Council's decision.

Anyone who has elected to receive email updates will be informed of the progress of the proposal, as needed.

Timeline

Officers will continue analysis and prepare responses for the issues raised in submissions. A report will be presented to Council for consideration in late 2018.

RELATED DOCUMENTS

- Council Meeting Minutes 12 June 2018
- Public Advertisement in The Preston and Northcote Leader Newspapers – 26 and 27 June 2018

Attachments

- Submissions received (**Appendix A**)
- Submissions received complete (**Appendix B**) Confidential - enclosed under separate cover
- Confidential submissions (**Appendix C**) Confidential - enclosed under separate cover

DISCLOSURE OF INTEREST

Section 80C of the *Local Government Act 1989* requires members of Council staff and persons engaged under contract to provide advice to Council to disclose any direct or indirect interest in a matter to which the advice relates.

The Officer reviewing this report, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this report.

6. CLOSE OF MEETING