



MINUTES OF THE COUNCIL MEETING

HELD ON

MONDAY, 18 FEBRUARY 2008

RELEASED TO THE PUBLIC ON THURSDAY 21 FEBRUARY 2008

Table of Contents

Item Number		Page Number
1.	PRESENT	1
2.	APOLOGIES	1
3.	DECLARATIONS OF INTERESTS AND CONFLICTS OF INTEREST	1
4.	CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS	2
5.	REPORTS BY MAYOR AND COUNCILLORS	3
5.1	REPORT OF CR. DIANE ASMAR.....	3
5.2	REPORT OF CR. VINCE FONTANA	3
5.3	REPORT OF CR. MENDO KUNDEVSKI	3
5.4	REPORT OF CR. STEVEN TSITAS	3
5.5	REPORT OF THE MAYOR, CR. PETER STEPHENSON	3
6.	PUBLIC QUESTION TIME	4
7.	CONSIDERATION OF REPORTS	5
7.1	FINANCIAL REPORT – 6 MONTHS ENDED 31 DECEMBER 2007	5
7.2	COMMUNITY GRANTS SCHEME 2008/2009.....	7
7.3	SPECIAL CHARGE SCHEME FOR THE CONSTRUCTION OF THE UNMADE SECTIONS OF GRANGE ROAD, FORD CRESCENT AND MCCLURE STREET, THORNBURY	13
7.4	AMENDMENT C73 – CONSIDERATION OF SUBMISSIONS AND REQUEST TO THE MINISTER FOR PLANNING TO APPOINT AN INDEPENDENT PANEL.....	15
7.5	AMENDMENT C86 TO THE DAREBIN PLANNING SCHEME: HERITAGE OVERLAY AT 71 QUEEN STREET RESERVOIR - CONSIDERATION OF SUBMISSIONS.....	30
7.6	ADOPTION AND INCLUSION OF NEIGHBOURHOOD CHARACTER GUIDELINES FOR MEDIUM AND LOW CHANGE RESIDENTIAL AREAS IN THE NORTHCOTE ACTIVITY CENTRE STRUCTURE PLAN, 2007	38
7.7	EARTH HOUR 29 MARCH 2008.....	41
7.8	PEAK OIL IMPLICATIONS.....	44
7.9	201 WINGROVE STREET FAIRFIELD - OPTIONS ANALYSIS	53
8.	URGENT BUSINESS	56
9.	GENERAL BUSINESS	56
9.1	AUSTRALIAN PARLIAMENT APOLOGY TO AUSTRALIA’S INDIGENOUS PEOPLES	56
9.2	MICRO GENERATION ON COUNCIL BUILDINGS AND FACILITIES	56
9.3	REINSTATEMENT OF VARIOUS COUNCIL ASSETS	57
10.	CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL	57
10.1	AWARD OF TENDER – ANIMAL POUND AND COLLECTION SERVICES (CT 0829)....	58
11.	CLOSE OF MEETING	60

**MINUTES OF THE ORDINARY MEETING OF THE
DAREBIN CITY COUNCIL HELD AT
DAREBIN CIVIC CENTRE,
350 HIGH ST, PRESTON ON MONDAY 18 FEBRUARY 2008**

THE MEETING OPENED AT 7.01 P.M.

1. PRESENT

Cr. Peter Stephenson (Mayor)
Cr. Diana Asmar
Cr. Vince Fontana
Cr. Marlene Kairouz
Cr. Chris Kelly
Cr. Mendo Kundevski
Cr. Melissa Salata
Cr. Steven Tsitas

Council Officers

Michael Ulbrick – Chief Executive Officer
Kevin Breen – General Manager City Development
Nick Mazzarella – Acting General Manager Community Assets and Leisure
Libby Hynes – General Manager Environment and Amenity
Mark Davies – General Manager Corporate Services
Jeff Saker – General Manager City Services
Jan Black – General Manager Communities and Culture
Michael Ballock – Manager Urban Development
Ray McQuillen – Manager Customer and Civic Services
Sarah Chiang – Council Business Officer

2. APOLOGIES

An apology was lodged for the absence of Councillor Stanley Chiang

3. DECLARATIONS OF INTERESTS AND CONFLICTS OF INTEREST

Nil.

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

COUNCIL RESOLUTION

MOVED: Cr. V. Fontana

SECONDED: Cr. M Kairouz

THAT the Minutes of the Ordinary Meeting of Council held on 4 February 2008 be confirmed as a correct record of business transacted.

CARRIED

5. REPORTS BY MAYOR AND COUNCILLORS

MINUTE NO. 35

5.1 REPORT OF CR. DIANE ASMAR

Cr. Asmar reported on her attendance at the following function/activity:

- Annual Councillors' Planning Workshop.

5.2 REPORT OF CR. VINCE FONTANA

Cr. Fontana reported on his attendance at the following functions/activities:

- Annual Councillors' Planning Workshop.
- Darebin Community and Kite Festival Steering Committee meeting.

5.3 REPORT OF CR. MENDO KUNDEVSKI

Cr. Kundevski reported on his attendance at the following function/activity:

- Annual Councillors' Planning Workshop.

5.4 REPORT OF CR. STEVEN TSITAS

Cr. Tsitas reported on his attendance at the following functions/activities:

- Annual Councillors' Planning Workshop.
- Greek Community of Northcote - City of Darebin and districts festival.

5.5 REPORT OF THE MAYOR, CR. PETER STEPHENSON

The Mayor, Cr. Stephenson, reported on his attendance at the following functions/activities:

- Annual Councillors' Planning Workshop.
- Greek Community of Northcote - City of Darebin and districts festival.
- Local Government Professionals Conference Dinner at which Darebin City Council received an Award for Excellence in the sustainability initiative category for its 'Climate Change Action Plan'.
- Function at Aborigines Advancement League to witness the apology to Australia's Indigenous Peoples made by the Prime Minister in the Australian Parliament.

6. PUBLIC QUESTION TIME

MINUTE NO. 36

The Mayor, Cr. Stephenson, invited questions from members of the Public Gallery.

The following question was submitted:

- Kathleen Griffith of Thornbury asked a question about traffic management and trees in Smith Street Thornbury. The Mayor, Cr. Stephenson, indicated a written response would be made.

7. CONSIDERATION OF REPORTS**7.1 FINANCIAL REPORT – 6 MONTHS ENDED 31 DECEMBER 2007**

MINUTE NO. 37

AUTHOR: Financial Accountant – Michael O’Riordan**MANAGER: Chief Financial Officer – Bruce Dobson****BUDGET****IMPLICATIONS: Year to date operating surplus of \$34.7 million and capital works expenditure of \$8.4 million. Forecast full year operating surplus of \$2.4 million and capital works expenditure of \$25.9 million.****SUMMARY:**

A comprehensive financial review has been undertaken for the six months ended 31 December 2007 to assess the financial performance of Council year-to-date (YTD) and the forecast financial position as at 30 June 2008. The outcome of the review indicates that Council has achieved a YTD operating surplus of \$34.7 million and capital works expenditure of \$8.4 million. The forecast actual results for the year ending 30 June 2008 are an operating surplus of \$2.4 million and capital works expenditure of \$25.9 million. All material variations have been explained in the report.

CONSULTATION:

Managers and Coordinators.

COUNCIL RESOLUTION

MOVED: Cr. V. Fontana**SECONDED: Cr. C. Kelly**

THAT the contents of the “Financial Report for the six months ended 31 December 2007” included as [Appendix A](#) to this report be received and the year-to-date and full-year forecast actual and budget operating and capital results be noted.

CARRIED

REPORT

Background

Under the Local Government Act 1989, at least every three months the Chief Executive Officer is required to present to the Council a statement comparing the budgeted with the actual revenues and expenses for the financial year to date. In complying with the Act, the attached report (see [Appendix A](#)) compares the actual and budgeted operating revenues and expenses and the actual and

budgeted capital revenues and expenses for the six months ended 31 December 2007. It also compares the actual and budgeted movements in the Balance Sheet and Cash Flow Statement for that period.

In addition, a detailed review of the estimated financial results for the year ended 30 June 2008 has been performed as part of Council's mid-year review process. The outcomes of this review are included within the report as the forecast financial results.

Core Issues

Operating Performance

The Operating Performance for the six months ended 31 December 2007 is an operating surplus before capital revenue and other items of \$33.1 million, which is \$1.6 million ahead of budget. The main items contributing to this favorable variance are rates, contributions, capital grants, other revenue, employee benefits, depreciation and other expenses. These have been partially off set by unfavorable variances in materials and services. After capital and other items, the operating surplus is \$34.7 million, which is \$2.5 million ahead of budget. The forecast Operating Performance for the year ended 30 June 2008 is an operating surplus of \$2.4 million, which is \$0.2 million less than budget.

Capital Performance

The Capital Performance for the six months ended 31 December 2007 shows that a total of \$8.4 million has been expended on the capital works program, which is \$2.2 million behind the budget. The variance is due mainly to timing differences on the purchase of plant and equipment and building works projects, offset partly by earlier expenditure on roads projects. The forecast total to be expended on capital works for the year ended 30 June 2008 is \$25.9 million, which is \$2.4 million less than budget. A total of \$3.5 million is forecast to be carried forward into the 2008/09 year for capital works expected to be incomplete as at 30 June 2008.

Financial Position

The Financial Position as at 31 December 2007 shows a cash balance of \$21.4 million which is \$7.2 million ahead of budget. The variance is due mainly to timing differences in the payment of creditors, the receipt of rates and other payments and lower capital works expenditure. The net current asset position is \$40.0 million which is \$6.5 million more than budget. The variance is due mainly to the higher cash position compared with budget, offset partly by lower trade and other receivables. The net asset position is \$816.6 million, which is \$2.8 million ahead of budget. The forecast Financial Position as at 30 June 2008 shows a cash position of \$16.6 million and net current assets of \$1.2 million.

Financial Implications

The Financial Report for the six months ended 31 December 2007 shows that Council's YTD operating result is a surplus of \$34.7 million and \$8.4 million has been expended on capital works. The forecast actual results for year ending 30 June 2008 are an operating surplus of \$2.4 million and capital works expenditure of \$25.9 million.

Future Actions

A further financial report will be presented to Council for the 8 months ending 29 February 2008.

7.2 COMMUNITY GRANTS SCHEME 2008/2009**MINUTE NO. 38****AUTHOR:** Community Grants Officer – Roberto Malara**MANAGER:** Manager, Social Planning and Advocacy – Roderick McIvor**BUDGET****IMPLICATIONS:** 2008/2009 Budget - to be determined

2007/2008 - \$481,437 Community Grants Program

SUMMARY:

Council's Community Grants Scheme encourages and supports the development of community programs enabling the active participation of Darebin residents. The Scheme is widely regarded as a high quality program and plays a significant role in supporting community activities and strengthening community involvement and participation. The Scheme is available to 'not-for-profit', locally based community groups and organisations or those meeting a demonstrated need or interest of Darebin residents.

This report seeks endorsement of the process for assessing the 2008/09 Community Grants Scheme applications.

CONSULTATION:

Council Officers from the following program areas: -

- Family and Health Services
- Community Care
- Community, Planning & Advocacy
- Multicultural Affairs
- Executive Services
- Civic Services
- Sports & Recreation
- Youth Services
- Culture & Leisure
- Environment
- Darebin Libraries

COUNCIL RESOLUTION

MOVED: Cr. C. Kelly
SECONDED: Cr. M. Kairouz

THAT Council approves the process and timelines proposed for the 2008/2009 Community Grants Scheme.

CARRIED

REPORT

Introduction

The Darebin City Council Community Grants Scheme provides financial support to community groups and organisations to provide a diverse range of quality services and/or conduct activities that meet the needs and interests of residents in Darebin. Community groups/organisations whose membership comprises a significant proportion of Darebin residents, are invited to apply for financial assistance. Council Officers from relevant departments are involved in the assessment of grant applications using established criteria and themes. These Council Officers also form the Community Grants Project Committee and continually review the Community Grants Scheme.

The Community Grants Scheme

Applications

During the past funding round 2007/2008, Council received 257 (including Out of Time Applications) applications.

The total amount requested was \$915,182. The number of applications received for each category for the 2007/2008 funding round was:-

CATEGORY – COMMUNITY GRANTS	No. of Applications received	No. of Applications Approved
Community Support	84	60
Community Support (3yr funding)	9	8
Arts & Culture Programs	35	26
Arts & Culture Programs (3 yr funding)	6	6
Sports & Recreation Programs	38	29
Environmental Programs	10	9
Facility Hire Subsidy Scheme (Town Hall & Shire Hall)	7	7
Facility Hire Subsidy Scheme (Other Venues)	55	55
'Out of Time' Cash-grants Applications	3	1
'Out of Time' Facility Hire Subsidy Applications	10	10
TOTAL	257	211

Grants Process

There is one Community Grants Scheme funding round each year. However a small percentage of the grant money is kept aside to accommodate 'Out-of-Time' grants applications which are of an extraordinary nature. 'Out-of-Time' applications can be made at any time of the year and are limited to a maximum of \$500 per grant.

An extensive publicity campaign is carried out for the Scheme through local newspapers, ethnic press and Darebin City Council publications. Information is sent to hundreds of community groups. General information, guidelines, selection criteria and application forms are available through the City of Darebin website: www.darebin.vic.gov.au.

In addition to this, about 400 application forms and information kits are also printed and made available from Darebin Customer Service Offices and Libraries. A copy of the 2008/2009 Community Grants Scheme Information Kit is attached as [Appendix A](#) to this report.

Two community information sessions are conducted to explain the Community Grants Scheme and to give the representatives from community groups and organisations an opportunity to have their questions answered. Council Officers are also available to assist groups on a one-to-one basis with applications. CALD groups/organisations may submit applications in their own language.

After applications for funding close, the Community Grants Project Committee (comprising Council Officers from across relevant Departments and Units) is involved in a rigorous assessment process using the grants selection criteria. Thereafter, Councillors nominated by Council to the Community Grants Advisory Committee are involved in the development of recommendations for funding to Council in conjunction with the Community Grants Project Committee. Recommendations are then made to Council for approval.

Once Council approval is received, all applicants are notified of the outcome. All funded groups/organisations receive a *Condition of Grant* letter to sign on receiving the grant cheques. All funded groups/organisations are also required to provide a final evaluation report after completion of the funded project.

Community Grants Presentation Ceremony

All successful applicants are invited to a Grants Presentation Ceremony to be held on 14 August 2008. A selection of community groups are also invited to present their successful projects supported by Council in the previous year. Artists involved in some of the projects provide entertainment on the night. This event provides a great opportunity to Councillors, Council Officers and community representatives to meet, share ideas and build networks.

Media Release Campaign

The Community Grants Scheme's publicity campaign will be complemented throughout the year with a program of media releases which will highlight high quality and innovative programs and projects.

Grant Categories

The six categories of Community Grants offered are: -

- Community Support Programs
- **Access for All Abilities (AAA) Program (*)**
- Arts & Culture Programs
- Sport & Recreation Programs

- Environmental Programs
- Facility Hire Subsidy Program

(* Note: Access for All Abilities (AAA) Program Category

In the past the Access for All Abilities Program has made a contribution to support the Scheme. The new **Access for All Abilities (AAA) Program Category** has been established for the first time this year. This program will encourage sporting clubs and community groups/organisations to develop programs to make it easier for people with disabilities to enjoy sporting and recreational programs and opportunities. The AAA Program, a State Government initiative, will contribute \$7,000 to the 2008/09 funding round for all applications which will be submitted under this category.

Recurrent 3 Year Funding Cycle

A substantial percentage of grant money is allocated for recurrent 3 year funding cycle for community groups and organisations which address community needs within the City of Darebin. These include six Neighbourhood Houses, Community Information & Support Centres, three bands, a symphony orchestra, a performing group, two art galleries and the Darebin Ethnic Community Council. All 3 year funding cycle recipients are required to provide an evaluation report at the end of each year. At the end of the 3 year cycle, they are also required to re-apply if they are to continue to receive support for the following three years.

2007/08 Funding Round Summary:

Cash-grants total amount approved	\$ 481,437
Recurrent funding approved (3yr funding cycle)	\$ 315,175 (66% of total approved)
Annual cash-grants approved by Category	
• Community Support	\$ 79,257
• Arts & Culture	\$ 43,200
• Sport & Recreation	\$ 34,290
• Environment	\$ 9,015
• Out of Time	\$ <u>500</u>
Total annual cash-grants	\$ 166,262 (34% of total approved)

Grants Criteria

Clear criteria are defined for the assessment of applications. These include:

1. High quality programs, projects and services that meet a demonstrated need within the Darebin community and have a direct benefit for Darebin residents.
2. Programs, projects and services that involve Darebin residents in their planning, management and implementation process.
3. Programs, projects and services that provide opportunities for participation for residents who would otherwise have limited opportunities to participate; particularly in developing the groups' capacity to include people with disabilities.
4. Programs, projects and services that are new initiatives.
5. Programs, projects and activities that protect/enhance the local environment.

6. Groups who have limited opportunity to generate income or seek funding from other sources.
7. Programs, projects and services that encourage the participation of culturally and linguistically diverse people, people with disabilities and those of Aboriginal and Torres Strait Islander descent.

Monitoring and Evaluation

Evaluation of the funded projects and programs in previous funding rounds as well as the general performance of the funded groups and organisations is taken into consideration when assessing the applications.

Monitoring of funded groups and organisations takes place throughout the life of the grant and enables Council to check that conditions and purposes of grants are being met and money is spent accordingly and appropriately before the grants period is over.

Failure to complete a final evaluation report will lead to groups being ineligible for further grant funding.

Funding Priorities

The Darebin City Council is committed to “..place particular emphasis on making sure Darebin’s most disadvantaged are not left behind.” (Statement of Intent 2005 – 2009, Council Plan).

Community groups and organisations are encouraged to submit applications for activities, projects and programs which focus on a wide range of issues as social justice, health, education, sport & recreation, environment and arts & culture and which address identified needs in the community. In assessing applications, priority will be given to high quality innovative programs, projects and services that meet a demonstrated need within the Darebin community and have a direct benefit for residents in the planning.

Financial Implications

2008/2009 Budget is yet to be determined.

Future Actions

The schedule for the 2008 process is:

19 February	Information Kits and Application Forms will be made available to various Centres across Darebin and through City of Darebin website, Darebin Customer Service Offices and Libraries.
February/March	Advertisements in the local papers, Ethnic & Indigenous media and City of Darebin Publications.
6 March & 20 March	Community Information Sessions
11 April	Closing Date for applications.
19 February to 30 May	Screening, Data entry and Assessment of Applications.
3 June	Recommendations by Project Committee to Advisory Committee

10 June	Recommendations by Project Committee received by the Community Grants Advisory Committee.
17 June	Community Grants Advisory Committee to finalise recommendations for Council approval
7 July	Council Report/Approval
July/August	Execution of Funding and Service Agreements.
14 August	Cheques Presentation Ceremony
21 October	2008/2009 Funding Round Evaluation Meeting

Related Documents

2008/2009 Community Grants Information Kit – [Appendix A](#)
Community Grants – Policy

7.3 SPECIAL CHARGE SCHEME FOR THE CONSTRUCTION OF THE UNMADE SECTIONS OF GRANGE ROAD, FORD CRESCENT AND MCCLURE STREET, THORNBURY

MINUTE NO. 39

AUTHOR: Manager Capital Works – Graeme Houlden

MANAGER: Acting General Manager Community Assets and Leisure
– Nick Mazzarella

BUDGET

IMPLICATIONS: \$425,000 was allocated in the 2007/2008 Capital Works Program for the project with \$190,000 income from owners to offset this expenditure.

SUMMARY:

The construction of the unmade sections of Grange Road, Ford Crescent and McClure Street, Thornbury has now been completed and the Scheme is now to be finalized. The affected owners are now to pay 13.7% less than their estimated cost under the scheme.

CONSULTATION:

Completed as part of Special Charge Scheme process.

COUNCIL RESOLUTION

MOVED: Cr. M. Kairouz
SECONDED: Cr. V. Fontana

THAT the scheme dated 12 February 2007 for the construction of the unmade sections of Grange Road, Ford Crescent and McClure Street, Thornbury be finalized in accordance with Section 163 of the Local Government Act 1989 and the actual cost distributed.

CARRIED

REPORT

Background

Council, at its meeting on 21 May 2007, resolved to implement a Special Charge Scheme for the construction of the unmade sections of Grange Road, Ford Crescent and McClure Street, Thornbury.

A Special Charge Scheme process initially requires Council approval for the proposed works and an estimated cost break-up on the basis of benefit to the affected property owners. The Scheme then follows an objection process for the residents involved in the Scheme. Once adopted, the Scheme needs to be finalized so that the actual costs can be adjusted for the amount to be paid by each property owner.

Core Issues

The construction of the unmade sections of Grange Road, Ford Crescent and McClure Street, Thornbury for the Scheme have now been completed and the works have been constructed at a lower cost than originally estimated.

The estimated cost of each owner's contribution was to be paid 30 days after the commencement of works on site.

The balance money will be returned to the adjoining property owners or offset against the amount still owed under the Scheme.

The works have now been completed and the scheme costs are as follows:

	Estimated Cost	Actual Cost
Total cost of all works	\$432,387.23	\$385,607.90
Cost of Scheme	\$357,892.23	\$308,848.91
Cost of Scheme to be borne by owners	\$190,875.86	\$164,719.12
Percentage reduction for each property		13.7%
Cost of works outside scheme area (Council cost)	\$74,495.00	\$76,758.99

It should be noted that most of the saving on the project related to the road excavation component within the Scheme works area and benefited the owners.

The scheme information with all the individual costs is a public document.

Future Actions

The Revenue Services Branch will notify all contributors of the adjustment in cost and refund money as appropriate.

The Special Charge Scheme is complete and no further action is required. These new sections of roads are now maintained by Council and the works added to Council's assets register.

Related Documents

Council resolution 19 March 2007

Council resolution 21 May 2007

**7.4 AMENDMENT C73 – CONSIDERATION OF SUBMISSIONS
AND REQUEST TO THE MINISTER FOR PLANNING TO
APPOINT AN INDEPENDENT PANEL**

MINUTE NO. 40

AUTHOR: Strategic Planner – Edwina Ryan

MANAGER: General Manager City Development – Kevin Breen

BUDGET

IMPLICATIONS: Council will request that the applicant cover all or part of the cost associated with an independent panel.

Council will be required to pay the cost associated with any representation for Council at an independent panel.

SUMMARY:

On 27 August 2007, Council received authorisation from the Minister for Planning to prepare Amendment C73 to the Darebin Planning Scheme.

The Amendment proposes to:

- Rezone Crown Allotment 2032 in the Parish of Keelbundora, Lot 45 Johnson Street, Reservoir, and 49 Johnson Street, Reservoir from the Public Use Zone 4 (Transport) to the Mixed Use Zone.
- Apply a Design and Development Overlay (Schedule 12) to Crown Allotment 2032 in the Parish of Keelbundora, Lot 45 Johnson Street, Reservoir, and 49 Johnson Street, Reservoir.
- Apply an Environmental Audit Overlay to Lot 45 Johnson Street, Reservoir and 49 Johnson Street, Reservoir.
- Rezone Crown Allotment 14B1 in the Parish of Keelbundora, Keon Parade, Reservoir from the Business 1 Zone to the Road Zone (Category 1).
- Rezone a small parcel of land adjacent to Keon Parade, Reservoir (identified on SP14269A) from the Public Use Zone 4 (Transport) to the Road Zone (Category 1).

The Amendment was on public exhibition from 1 November 2007 to 6 December 2007 in accordance with section 19 of the Planning and Environment Act 1987. A total of nine (9) submissions were received during the public exhibition process including two (2) submissions which objected to the Amendment.

In light of the submissions received during the public exhibition process, it is recommended that Council:

- Request the Minister for Planning to appoint an independent panel to consider submissions to Amendment C73 to the Darebin Planning Scheme.
- Further investigate the traffic and car parking conditions in the Johnson Street Shopping Centre.

CONSULTATION:

Council's Transport Management and Planning Branch
Melbourne Water
Environment Protection Authority (EPA)

Amendment C73 to the Darebin Planning Scheme was on public exhibition from 1 November 2007 to 6 December 2007 in accordance with section 19 of the Planning and Environment Act 1987. Notice of the Amendment was given to owners/occupiers of land affected by the Amendment, owners/occupiers surrounding the land affected by the Amendment, and relevant Ministers, public authorities and municipal councils. A public notice appeared in the Preston Leader and the Whittlesea Leader on 30 October 2007 and a formal notice appeared in the Victoria Government Gazette on 1 November 2007.

COUNCIL RESOLUTION

MOVED: Cr. C. Kelly
SECONDED: Cr. M. Salata

THAT Council resolve to:

- Receive and note the submissions received in relation to Amendment C73 to the Darebin Planning Scheme.
- Request the Minister for Planning to appoint an independent panel in accordance with Part 8, Section 153 of Planning and Environment Act 1987 to consider submissions to Amendment C73 to the Darebin Planning Scheme.
- Refer all submissions to the independent panel appointed by the Minister for Planning.
- Further investigate the traffic and car parking conditions in the Johnson Street Shopping Centre.

CARRIED

REPORT

Background

In July 2006, Council received a request from Meredith Withers & Associates Pty Ltd, on behalf of the Department of Treasury and Finance, to rezone a parcel of surplus land described as Crown Allotment 2032 in the Parish of Keelbundora from the Public Use Zone 4 (Transport) to the Mixed Use Zone and apply a Design and Development Overlay.

Following this initial request, it was considered appropriate to also rezone land at 49 Johnson Street, Reservoir from the Public Use Zone 4 (Transport) to the Mixed Use Zone and apply a Design and Development Overlay and an Environmental Audit Overlay.

In April 2007, Council received a further request from VicTrack to rezone their surplus land described as Lot 45, Johnson Street, Reservoir from the Public Use Zone 4 (Transport) to the Mixed Use Zone and apply a Design and Development Overlay and an Environmental Audit Overlay.

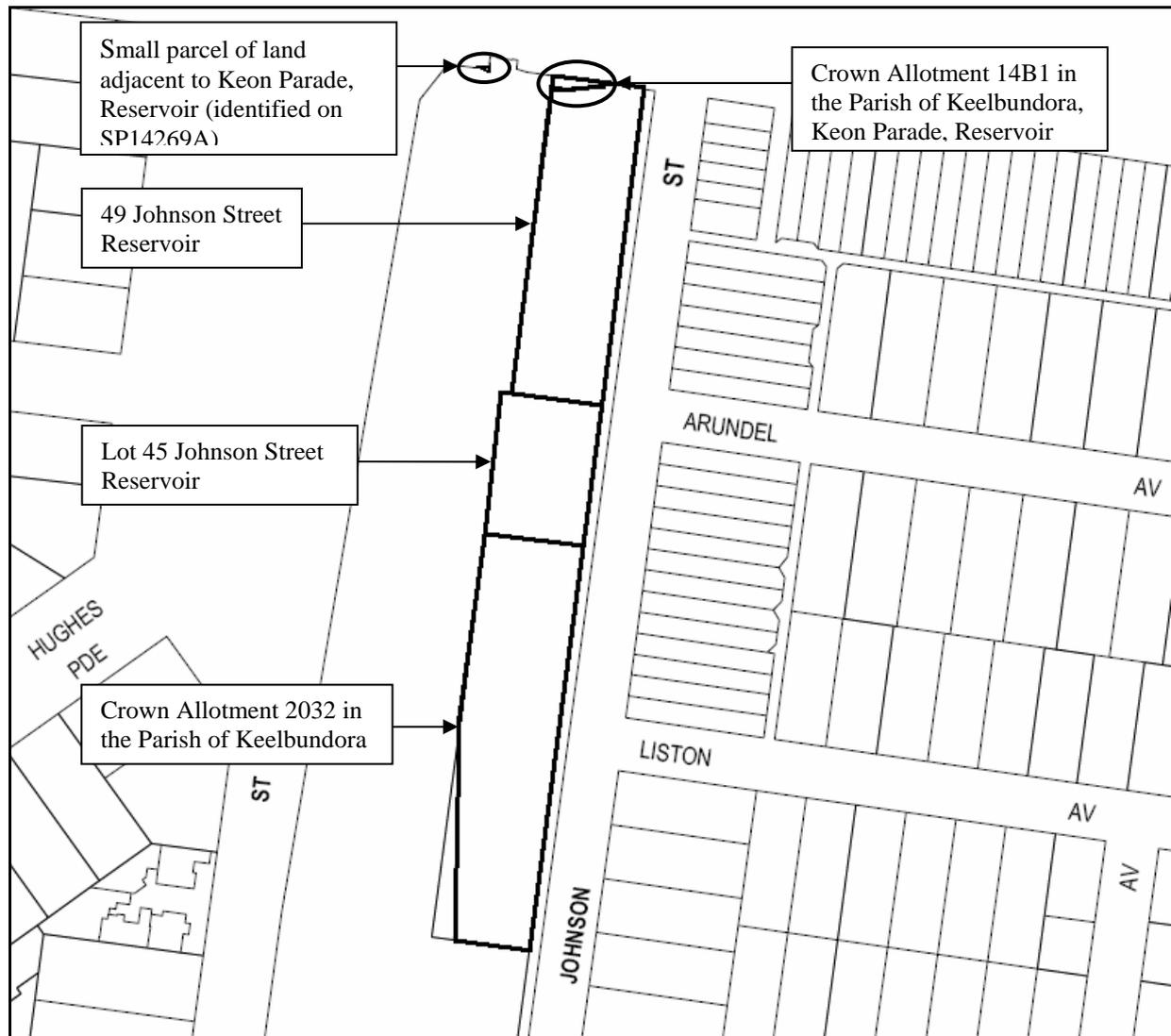
In June 2007, the Department of Sustainability and Environment (now known as the Department of Planning and Community Development) requested that Council include Crown Allotment 14B1 in the Parish of Keelbundora, Keon Parade, Reservoir as part of the Amendment. Following discussions with VicRoads, it was determined that the land should be rezoned from the Business 1 Zone to the Road Zone (Category 1). At this time, VicRoads also requested that Council rezone a small parcel of land adjacent to Keon Parade, Reservoir (identified on SP14269A) from the Public Use Zone 4 (Transport) to the Road Zone (Category 1).

On 27 August 2007, Council received authorisation from the Minister for Planning to prepare Amendment C73 to the Darebin Planning Scheme.

The Amendment affects five (5) parcels of land described as:

- Crown Allotment 2032 in the Parish of Keelbundora
- Lot 45 Johnson Street, Reservoir
- 49 Johnson Street, Reservoir
- Crown Allotment 14B1 in the Parish of Keelbundora, Keon Parade, Reservoir
- A small parcel of land adjacent to Keon Parade, Reservoir (identified on SP14269A).

The land affected by the Amendment is illustrated on the following map:



The Amendment proposes to:

- Rezone Crown Allotment 2032 in the Parish of Keelbundora, Lot 45 Johnson Street, Reservoir, and 49 Johnson Street, Reservoir from the Public Use Zone 4 (Transport) to the Mixed Use Zone.
- Apply a Design and Development Overlay (Schedule 12) to Crown Allotment 2032 in the Parish of Keelbundora, Lot 45 Johnson Street, Reservoir, and 49 Johnson Street, Reservoir.
- Apply an Environmental Audit Overlay to Lot 45 Johnson Street, Reservoir and 49 Johnson Street, Reservoir.
- Rezone Crown Allotment 14B1 in the Parish of Keelbundora, Keon Parade, Reservoir from the Business 1 Zone to the Road Zone (Category 1).
- Rezone a small parcel of land adjacent to Keon Parade, Reservoir (identified on SP14269A) from the Public Use Zone 4 (Transport) to the Road Zone (Category 1).

Core Issues

Why is the Amendment required?

Rezoning from the Public Use Zone 4 (Transport) to the Mixed Use Zone

Crown Allotment 2032 in the Parish of Keelbundora is currently zoned Public Use Zone 4 (Transport). The land is former VicTrack land that was surplus to their requirements and is no longer needed for transport purposes.

Lot 45 Johnson Street, Reservoir is also currently zoned Public Use Zone 4 (Transport). The land is owned by VicTrack but is surplus to their requirements and is no longer needed for transport purposes.

A planning scheme amendment is required to facilitate the use and development of Crown Allotment 2032 in the Parish of Keelbundora and Lot 45 Johnson Street, Reservoir. The Mixed Use Zone will allow a mix of land use activities which will complement the Johnson Street Shopping Centre and capitalise on existing services and infrastructure.

The land at 49 Johnson Street, Reservoir is also currently zoned Public Use Zone 4 (Transport), however, the land is in private ownership and is used as a squash centre/fitness centre. The ownership and use of the land are inconsistent with the purpose of the Public Use Zone 4 (Transport). A planning scheme amendment is required to ensure the land is included in an appropriate zone. The Mixed Use Zone is consistent with the existing use of the land as a squash centre/fitness centre and will also provide opportunities for the land to be used for a mix of land use activities which will complement the Johnson Street Shopping Centre and capitalise on existing services and infrastructure.

Design and Development Overlay (Schedule 12)

Crown Allotment 2032 in the Parish of Keelbundora, Lot 45 Johnson Street, Reservoir, and 49 Johnson Street, Reservoir are located adjacent to the Epping railway line. The Amendment proposes to apply a Design and Development Overlay (Schedule 12) to these three (3) parcels of land to ensure that development achieves appropriate noise attenuation levels for a proposed use having regard to the proximity of the Epping railway line.

Environmental Audit Overlay

The Amendment proposes to apply an Environmental Audit Overlay to Lot 45 Johnson Street, Reservoir and 49 Johnson Street, Reservoir to ensure that the environmental conditions of the land are suitable for any future use and development of the land for sensitive uses (defined as residential, child-care centre, pre-school centre or primary school).

A certificate of environmental audit has been issued for Crown Allotment 2032 in the Parish of Keelbundora. The environmental audit indicated that the land is suitable for any beneficial use (including residential) and that there is no restriction on the use of the land due to its environmental condition. This satisfies the requirements of *Ministerial Direction No.1 – Potentially Contaminated Land* and, therefore, it is unnecessary to apply an Environmental Audit Overlay to Crown Allotment 2032 in the Parish of Keelbundora.

Rezoning from the Business 1 Zone to the Road Zone (Category 1)

Crown Allotment 14B1 in the Parish of Keelbundora, Keon Parade, Reservoir is identified as a 'road' on a certified plan and is located adjacent to Keon Parade which is included in the Road Zone (Category 1). The Amendment proposes to rezone Crown Allotment 14B1 in the Parish of Keelbundora, Keon Parade, Reservoir from the Business 1 Zone to the Road Zone (Category 1) to reflect the classification of the land as a 'road'.

Rezoning from the Public Use Zone 4 (Transport) to the Road Zone (Category 1)

The small parcel of land adjacent to Keon Parade, Reservoir (identified on SP14269A) is owned by VicRoads and was declared as part of Epping Road in the Victoria Government Gazette on 26 April 1979. The Amendment proposes to rezone the land from the Public Use Zone 4 (Transport) to the Road Zone (Category 1) to reflect the classification of the land as a 'declared road'.

Strategic Justification of Amendment C73 to the Darebin Planning Scheme

The Amendment is consistent with the relevant Ministerial Directions and objectives of Melbourne 2030, the State Planning Policy Framework and the Local Planning Policy Framework as follows:

- The rezoning of Crown Allotment 2032 in the Parish of Keelbundora, Lot 45 Johnson Street, Reservoir, and 49 Johnson Street, Reservoir will:
 - Provide opportunities for a mix of land use activities, including residential and retail/commercial uses, opposite a local convenience centre and in a location with access to existing services and infrastructure.
 - Facilitate residential land use and development and provide opportunities for a variety of housing options (particularly in terms of dwelling size) in an established urban area with access to public transport (including the Epping railway line which is part of the Principal Public Transport Network), bicycle paths, local convenience shops and public open space.
- The land is located in close proximity to public transport (including the Epping railway line which is part of the Principal Public Transport Network) and has access to bicycle paths and local convenience services which will encourage sustainable travel behaviour and reduce green house gas emissions.
- The Design and Development Overlay (Schedule 12) will ensure that development achieves appropriate noise attenuation levels for a proposed use having regard to the proximity of the Epping railway line.
- The Environmental Audit Overlay will ensure that the environmental conditions of Lot 45 Johnson Street, Reservoir and 49 Johnson Street, Reservoir are suitable for any future use and development of the land for sensitive uses.
- The Amendment will include two (2) small parcels of land in the Road Zone (Category 1) which is the most appropriate zone for the land and will improve the effectiveness and efficiency of the planning scheme.

Ministerial Direction No. 1 – Potentially Contaminated Land

The purpose of this Direction is to ensure that potentially contaminated land is suitable for a use which is proposed to be allowed under an amendment to a planning scheme and which could be significantly adversely affected by any contamination. The Direction requires that a planning authority must satisfy itself that the environmental conditions of land proposed to be used for a sensitive use, agriculture or public open space, are or will be, suitable for that use.

The Amendment proposes to apply an Environmental Audit Overlay to Lot 45 Johnson Street, Reservoir and 49 Johnson Street, Reservoir. The Environmental Audit Overlay will require that a certificate or statement of environmental audit is issued before a sensitive use commences or buildings and works associated with a sensitive use commence.

A certificate of environmental audit has been issued for Crown Allotment 2032 in the Parish of Keelbundora which satisfies the requirements of this Direction.

Ministerial Direction No. 9 – Metropolitan Strategy

The purpose of this Direction is to ensure that planning scheme amendments have regard to the Metropolitan Strategy, Melbourne 2030 – Planning for Sustainable Growth. The Amendment is consistent with the relevant directions, policies and initiatives of Melbourne 2030 with particular reference to:

- Direction No. 1 – A more compact city
 - Policy 1.1 *Build up activity centres as a focus for high-quality development, activity and living for the whole community.*
 - Policy 1.3 *Locate a substantial proportion of new housing in or close to activity centres and other strategic redevelopment sites that offer good access to services and transport.*
- Direction No. 5 – A great place to be
 - Policy 5.1 *Promote good urban design to make the environment more liveable and attractive.*
- Direction No. 7 – A greener city
 - Policy 7.3 *Contribute to national and international efforts to reduce energy efficiency.*
- Direction No. 8 – Better transport links
 - Policy 8.3 *Plan urban development to make jobs and community services more accessible*
- Direction No. 9 – Better planning decisions, careful management

Darebin Planning Scheme – State Planning Policy Framework

The Amendment is consistent with the relevant clauses of the State Planning Policy Framework with particular reference to:

- Clause 11.03 – Principles of land use and development planning
- Clause 12.01 – A more compact city
- Clause 12.05 – A great place to be

- Clause 12.07 – A greener city
- Clause 12.08 – Better transport links
- Clause 14.01 – Planning for urban settlement
- Clause 15.05 – Noise abatement
- Clause 15.06 – Soil contamination
- Clause 15.12 – Energy efficiency
- Clause 16.02 – Medium density housing
- Clause 17.01 – Activity centres
- Clause 17.02 – Business
- Clause 18.01 – Declared highways, railways and tramways
- Clause 18.02 – Car parking and public transport access to development
- Clause 18.03 – Bicycle transport

Darebin Planning Scheme – Local Planning Policy Framework

The Amendment is consistent with the relevant clauses of the Local Planning Policy Framework with particular reference to:

- Clause 21.05-2 – Element 2: Housing
- Clause 21.05-3 – Element 3: Urban Design
- Clause 21.05-6 – Element 6: Activity Centres
- Clause 21.05-9 – Element 9: Transport and Access
- Clause 22.03 – Activity Centres Policy

Public Exhibition of Amendment C73 to the Darebin Planning Scheme

Amendment C73 to the Darebin Planning Scheme was on public exhibition from 1 November 2007 to 6 December 2007 in accordance with section 19 of the Planning and Environment Act 1987. In particular, notice of the Amendment was provided as follows:

- Notices which comprised a cover letter, Notice of Preparation of Amendment, explanatory report, planning scheme amendment maps and the Design and Development Overlay – Schedule 12 were sent to:
 - The owners and/or occupiers of land affected by the Amendment.
 - The owners and/or occupiers surrounding the land affected by the Amendment.
 - Relevant Ministers, public authorities and municipal councils.
- A public notice was published in the Preston Leader and the Whittlesea Leader on 30 October 2007.
- A notice was published in the Victoria Government Gazette on 1 November 2007.
- Amendment documentation was available for download on the Darebin website and the Department of Planning and Community Development website.

- Amendment documentation was available for inspection at the Preston Customer Service Centre of the Darebin City Council and at the Planning Information Centre of the Department of Planning and Community Development.

Submissions

A total of nine (9) submissions were received in relation to Amendment C73 to the Darebin Planning Scheme during the public exhibition process:

- Two (2) of the submissions objected to the Amendment.
- Seven (7) of the submissions had no objection to the Amendment – three (3) of these submissions included additional comments about the future use and development of the land.

Details of the submissions are summarised as follows:

<p>Two (2) submissions from residents</p>	<p>Object to the Amendment</p> <p>The Amendment and subsequent use and development of the land will have a detrimental impact on the traffic and car parking conditions in Johnson Street, Reservoir.</p> <p>In particular, the traffic and car parking issues in Johnson Street are:</p> <ul style="list-style-type: none"> • Insufficient car parking available in Johnson Street. • Major intersection at Johnson Street and Keon Parade is dangerous. • Lack of traffic management/calming measures such as pedestrian crossings and traffic islands. • Heavy traffic volume for a local street and a limited capacity to accommodate traffic. • The speed limit in Johnson Street is inappropriate which compromises pedestrian safety. <p>The traffic and car parking issues in Johnson Street must be improved before Council considers any planning scheme amendments or planning permit applications in this area.</p>
<p>Melbourne Water</p>	<p>No objection to the Amendment.</p> <p>Melbourne Water recommended that Council encourage the implementation of Water Sensitive Urban Design and onsite detention as part of any future use and development on the land.</p>

EPA	<p>No objection to the Amendment.</p> <p>The EPA provided the following comments relating to the future use and development of the land:</p> <ul style="list-style-type: none"> • The EPA notes that residents are living in proximity to the land affected by the Amendment and the EPA is concerned that noise and odour from approved land use activities will impact on the amenity of these residents. • Railway noise can significantly impact on the amenity of residents. It is noted that the Amendment proposes to apply a Design and Development Overlay, however, a further consideration may be to require dwellings to comply with Australian Standard AS 2021 – 1985 “Acoustics: Aircraft Noise Intrusion – Building Siting and Construction”. • Traffic noise (from car parks and deliveries) can impact on the amenity of residents. The location, layout, design and security of car parks as well as the location and operation of deliveries should be considered as part of the planning permit application process. • Noise from fixed plants such as air-conditioners, compressors and exhaust fans can impact on the amenity of residents. The EPA acknowledges that all premises must comply with the requirements of the State Environment Protection Policy (Control of Noise from Commerce, Industry and Trade) No. N-1. It is noted that the location and design of these plants is an important factor in complying with this policy and minimising the impact of noise. • Odour, particularly from food and drink premises, can impact on the amenity of residents. These premises should be located an appropriate distance from residential areas to minimise the impact of odours. • Development should include design elements that minimise greenhouse gas emissions. Council should consider the recommendations contained in The Low Energy Suburb: Greenhouse Neighbourhood Project – Technical Report, September 1993 and The Urban Villages Project – Final
-----	--

	<p>Report, 1996.</p> <ul style="list-style-type: none"> • The EPA agrees that an Environmental Audit Overlay is required for Lot 45 Johnson Street, Reservoir and 49 Johnson Street, Reservoir to ensure the land is suitable for the intended use. • The EPA notes that the Amendment could have a positive impact in terms of promoting sustainable living but noise and odour from land use activities can impact on the amenity of residents. The EPA advises that disputes resulting from the establishment of retail/commercial uses in proximity to residential areas are often difficult to resolve. The Amendment process provides a good opportunity for Council to minimise the likelihood of future disputes between retail/commercial uses and residents.
Yarra Valley Water	<p>No objection to the Amendment</p> <p>Yarra Valley Water (YVW) noted that preliminary investigations indicate that the sewerage system has limited capacity in this area which may result in a restriction in the number of properties able to connect to the system. Yarra Valley Water will consider each development proposal on a case-by-case basis to determine the servicing requirements.</p> <p>It was also advised that a detailed Sewerage Management Plan (SMP) would need to be prepared for the land to minimise the impact of new development on existing downstream infrastructure. The SMP will form part of an Integrated Water Management Plan (IWMP) for the land. Yarra Valley Water noted that the developer should discuss the details of the IWMP and SMP with YVW at the early stages of the development process.</p>
VicRoads	<p>No objection to the Amendment</p> <p>VicRoads noted that there may be future consideration for a grade separation at the rail level crossing in Keon Parade.</p>
Department of Sustainability and Environment on behalf of the Minister for Environment	No comment/objection to the Amendment
SPI PowerNet	No comment/objection to the Amendment
Director of Public Transport	No comment/objection to the Amendment

Submitters Meeting

A meeting was held with the two (2) resident submitters on 16 January 2008. The meeting was attended by Council officers from the Strategic Planning Unit and the Transport Management and Planning Branch. The purpose of the meeting was to discuss the submissions in further detail and outline the next steps in the planning scheme amendment process.

The key issues raised by the two (2) residents in their written submissions and at the subsequent meeting are as follows:

T-intersection at Johnson Street and Keon Parade

Submitters Comment

The submitters advised that the t-intersection at Johnson Street and Keon Parade is dangerous particularly because there are no traffic signals or traffic management devices at this location. Furthermore, cars parked on the south-side of Keon Parade obstruct a driver's line of sight at the t-intersection. The submitters recommended that a traffic count should be undertaken to determine current traffic volumes in Johnson Street and Council should consider installing a traffic management/calming measure (such as a traffic island) at the northern end of Johnson Street to improve pedestrian safety.

Officer Comment

Keon Parade is recognised as a declared road and VicRoads is responsible for installing any traffic signals at the t-intersection. Data from a traffic count undertaken in 2000 indicated that it was unlikely that traffic volumes at the t-intersection were sufficient to justify the installation of traffic signals. It is acknowledged that traffic volumes may have increased since this traffic count and, while it is unlikely that traffic volumes have increased significantly in this time, Council's Transport Management and Planning Branch has requested up-to-date speed and volume counts for Johnson Street (between Arundel Avenue and Liston Avenue). It is anticipated that the speed and volume counts will be completed during March 2008. Council's Transport Management and Planning Branch will then analyse the results of the speed and volume counts and determine whether any form of traffic calming/management is warranted in Johnson Street.

The setback for car parking along the south-side of Keon Parade (east of Johnson Street), measured from the intersection of Johnson Street and Keon Parade, conforms to VicRoads standards for visibility at an intersection.

Car parking in Johnson Street

Submitters Comment

The submitters advised that there is insufficient car parking available in the Johnson Street Shopping Centre for employees (long-term parking) and customers (short-term parking). At present, people who work in the Johnson Street Shopping Centre are able to park in unrestricted areas in Arundel Avenue and Liston Avenue but customers are unable to find car parking spaces in Johnson Street. More specifically, people use the car parking spaces in Johnson Street for more than 1 hour despite the restrictions and this is particularly a problem in the early evening. It is recommended that Council consider extending the duration of the short-term car parking restrictions in Johnson Street.

The submitters also noted that there is a 'no standing' sign in Arundel Avenue (near the intersection with Johnson Street) which resulted in a loss of 2-3 unrestricted car parking spaces for customers/employees and there is only a single accessible parking space available in the Johnson Street Shopping Centre.

Officer Comment

Short-term car parking (1/2 hour and 1 hour restrictions) is available in Johnson Street and unrestricted car parking is available in Arundel Avenue and Liston Avenue to accommodate visitors, employees and customers to the Johnson Street Shopping Centre. Council will complete a review of the existing car parking restrictions and, following consultation with all relevant stakeholders and if appropriate, changes to the existing restrictions will be implemented. Council's Traffic Enforcement Unit has also been notified that people are using car parking spaces in Johnson Street for more than 1 hour despite the restrictions.

Council officers have inspected the 'no standing' sign in Arundel Avenue and have submitted a works request to move the sign (and a 'no standing' sign in Liston Avenue) to an appropriate location approximately 10 metres from the intersection with Johnson Street.

The provision of a single accessible parking space on Johnson Street complies with the accessible parking allocations in local streets.

Negative impact of new development on traffic/car parking in Johnson Street

Submitters Comment

The submitters advised that there are a range of traffic and car parking issues in Johnson Street, including pedestrian safety, speed, car parking availability and problems at the t-intersection, which must be improved before Council considers any planning scheme amendments or planning permit applications in this area.

Officer Comment

The planning scheme amendment process and the planning permit application process are two separate processes. Amendment C73 to the Darebin Planning Scheme is consistent with relevant Ministerial Directions and objectives of Melbourne 2030, the State Planning Policy Framework and the Local Planning Policy Framework. If the Amendment is approved, any future planning permit applications for the use and development of the land would be assessed in terms of the relevant decision guidelines in the Darebin Planning Scheme which would include an assessment of the impact of a proposal on traffic and car parking in Johnson Street. In many instances, a planning permit application would need to include a Travel Plan which would consider the ways to mitigate the impact of a proposal on traffic and car parking in Johnson Street. The Travel Plan would be assessed by Council's Transport Management and Planning Branch before a decision is made on a proposal. It is also noted that an objector to a planning permit application has the right to lodge an application for review with the Victorian Civil and Administrative Tribunal (VCAT).

Additional comments from Service Authorities*Officer Comment*

Melbourne Water, Yarra Valley Water and the EPA had no objection to the Amendment but included additional comments about the future use and development of the land as part of their submissions. These additional comments would be considered as part of any future planning permit applications for the use and development of the land.

Council's Options Regarding Amendment C73 to the Darebin Planning Scheme

In light of the submissions received during the public exhibition process, Council has the following options in accordance with section 23(1) of the Planning and Environment Act 1987:

- Council can resolve to request the Minister for Planning to appoint an independent panel to review the submissions.
- Council can resolve to abandon the Amendment. Council must tell the Minister for Planning, in writing, if it decides to abandon the Amendment.

Recommendation

The Amendment is consistent with the relevant Ministerial Directions and objectives of Melbourne 2030, the State Planning Policy Framework and the Local Planning Policy Framework and it is recommended that Council:

- Request the Minister for Planning to appoint an independent panel to consider submissions to Amendment C73 to the Darebin Planning Scheme.
- Further investigate the traffic and car parking conditions in the Johnson Street Shopping Centre.

Financial Implications

Council will request that the applicant cover all or part of the cost associated with an independent panel.

Council will be required to pay the cost associated with any representation for Council at an independent panel.

Future ActionsAmendment C73 to the Darebin Planning Scheme

Many of the submissions received during the public exhibition process cannot be accommodated by changes to the Amendment. In this situation, section 23(1) of the Planning and Environment Act 1987 requires Council to request the Minister for Planning to appoint an independent panel to consider the submissions.

Council, the applicant and any person who has made a submission to the Amendment will have an opportunity to be heard at the panel hearing. It is noted that the independent panel will consider all submissions even if a person does not wish to be heard at the panel hearing.

The independent panel will prepare a report for Council which makes recommendations about how Council should proceed with the Amendment. The report must be made available to the public 28 days after the date Council received the report or earlier if Council has made a decision on the Amendment.

Council must consider the report and decide whether any changes should be made to the Amendment and whether the Amendment should be adopted or abandoned.

Traffic and Car Parking in Johnson Street, Reservoir

Council will also further investigate the traffic and car parking conditions in the Johnson Street Shopping Centre including:

- Undertake speed and volume counts for Johnson Street (between Arundel Avenue and Liston Avenue) and analyse the results of the counts to determine whether it is appropriate to install traffic management/calming measures in Johnson Street.
- Complete a review of the existing car parking restrictions and, following consultation with all relevant stakeholders and if appropriate, changes to the existing restrictions will be implemented.
- Move the 'no standing' signs in Arundel Avenue and Liston Avenue to an appropriate location approximately 10 metres from the intersection with Johnson Street.
- Investigate the possibility of improving pedestrian provisions at the intersection of Johnson Street and Keon Parade.

Related Documents

- Darebin Planning Scheme
- Council delegate's Report – 5 July 2007
- Melbourne 2030 – Planning for Sustainable Growth
- Ministerial Direction No. 1 – Potentially Contaminated Land
- Planning and Environment Act 1987
- Report to Council on 19 February 2007
- Report to Council on 7 May 2007

**7.5 AMENDMENT C86 TO THE DAREBIN PLANNING SCHEME:
HERITAGE OVERLAY AT 71 QUEEN STREET RESERVOIR -
CONSIDERATION OF SUBMISSIONS**

MINUTE NO. 41

AUTHOR: Strategic Planner - Meredith Kermode

MANAGER: General Manager City Development – Kevin Breen

BUDGET

IMPLICATIONS: There will be cost implications with the proposed Panel Hearing. These can be covered within the current budget.

SUMMARY:

During assessment of a recent planning permit application for five units at 71 Queen Street Reservoir it was brought to Council's attention that the site may have heritage potential. An assessment by Context Pty Ltd (the consultants undertaking Darebin's Heritage Study) concluded that the dairy complex is of historical and social significance as an example of how the milk industry developed in Melbourne and should be protected by heritage controls in the Darebin Planning Scheme.

Council applied for interim (Amendment C85) and permanent (Amendment C86) controls on the site. At the end of the exhibition period for Amendment C86, eight submissions were received, of which two submissions opposed Amendment C86.

The Minister for Planning is still considering the request for interim controls (Amendment C85) in light of an application to demolish all the buildings on the site by the owner.

This report recommends that Council refer the submissions to a Panel appointed by the Minister under Part 8 of the *Planning and Environment Act 1987*.

This matter was considered by Council at its meeting on 4 February 2008. Council resolved to defer consideration until its next meeting. The substance of the report has not been changed.

CONSULTATION:

The amendment was publicly exhibited between 1 November and 6 December 2007 in accordance with section 19 of the Planning and Environment Act 1987 (the Act). Notice of the Amendment was given to owners/occupiers of land affected by the Amendment, owners/occupiers surrounding the land affected by the Amendment, and relevant Ministers, public authorities and municipal councils. A public notice appeared in the Preston Leader on 30 October 2007. The Notice of Preparation of Amendment appeared in the Victoria Government Gazette on 1 November 2007.

At the end of the submission period eight submissions were received. Six of these were from referral authorities who had no objection to the Amendment. One was from the current owner of the site who stated that the buildings were not significant, are not a good example of a dairy, their association with the milk industry is not remarkable and that lay people would not be able to work out that the site was a dairy. One was from a landowner to the south-east of the site who objected on the basis that the buildings were in poor condition and that no-one was interested in the history of the milk industry in Melbourne. Copies of the objecting submissions have been circulated separately to Councillors for consideration.

COUNCIL RESOLUTION

MOVED: Cr. C. Kelly
SECONDED: Cr. M. Kundevski

THAT Council:

- (1) Receive and note the submissions received in relation to Amendment C86.
- (2) Request the Minister for Planning to appoint an independent panel in accordance with section 23(1)(c) of the *Planning and Environment Act 1987* to consider Amendment C86 to the Darebin Planning Scheme.

CARRIED

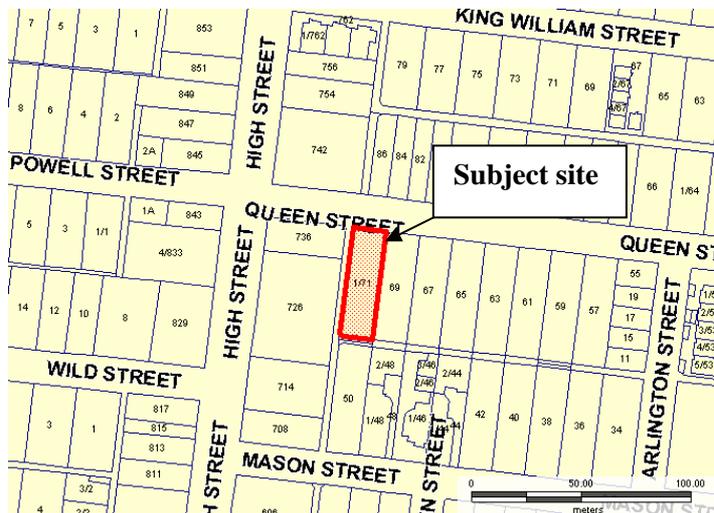
REPORT

Background

Site description

71 Queen Street, Reservoir is located in a residential area. The site itself contains a single storey weatherboard dwelling and two brick buildings. One brick building is a former dairy that has been converted to a dwelling. Attached to the dairy is a small corrugated iron clad building that was formerly used as stables. At the rear of the site is a brick building that was also formerly used as stables. A laneway is located to the west of the site.

The land is zoned Residential 1 and is subject to a Development Contributions Overlay.



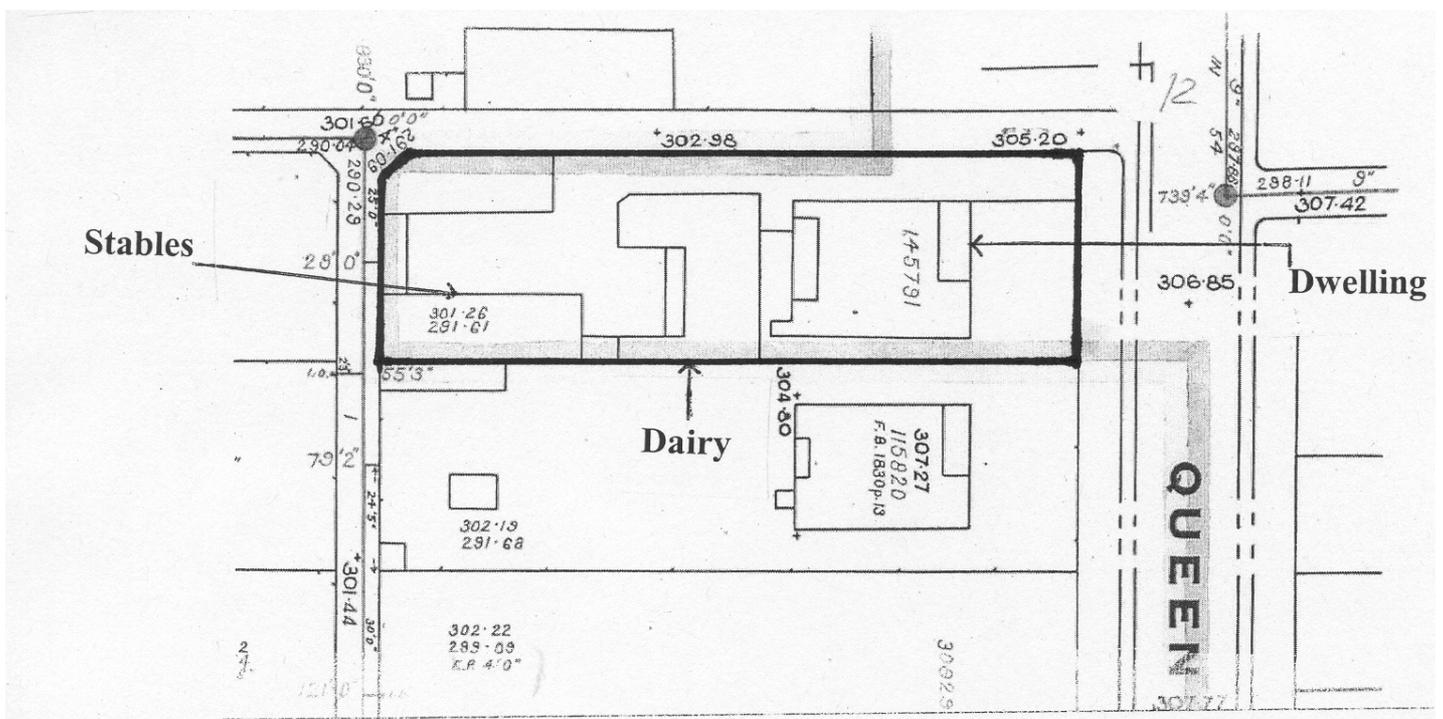
Map 1 – Location map of 71 Queen Street Reservoir

Planning permit application and heritage assessment

During assessment of planning permit D/797/2006 for five dwellings at 71 Queen Street Reservoir it was brought to Council's attention that the site may have heritage potential. An assessment was conducted by Context Pty Ltd (the consultants undertaking Darebin's Heritage Study) which concluded that the dairy complex is of historical and social significance as an example of how the milk industry developed in Melbourne and should be protected by heritage controls in the Darebin Planning Scheme.

The heritage assessment identified the middle building (dairy) as having primary significance. The dwelling and stables were identified as having secondary significance. Conservation management guidelines were recommended for the significant buildings. The report also recommended that a heritage overlay be placed on the site.

Figure 1 Detail of MMBW Detail Plan No. 2408



Referral of Planning Permit Application to Victorian and Civil Administrative Tribunal

The application was referred to the Victorian Civil and Administrative Tribunal (VCAT) for Council's failure to determine the application. At a mediation hearing at VCAT the applicant was informed of the heritage significance of the site, and withdrew the appeal. The planning permit application was also withdrawn.

Amendment C85 and Amendment C86 to the Darebin Planning Scheme

In light of the historical significance of the site, Council resolved to request the preparation of interim and permanent controls to protect the buildings on the site.

Amendment C86 - Application of the Heritage Overlay

Amendment C86 seeks to apply a Heritage Overlay to 71 Queen Street Reservoir and was exhibited in accordance with Section 19 of the *Planning and Environment Act 1987* between 1 November 2007 and 6 December 2007. The owner at the time of public exhibition of the amendment was notified of the Amendment and did not lodge a submission.

Transfer of ownership of 71 Queen Street Reservoir occurred on 20 December 2007. Council was notified of the transfer on 3 January 2008 and processed the change of ratepayer details on the 4 January 2008. The new owner was informed of Amendment C86 on 14 January 2008 and has lodged an objection.

Amendment C85 - Application of Interim Heritage Controls

Council also applied to the Minister for Planning for interim heritage controls to 71 Queen Street Reservoir on 6 September 2007 as Amendment C85. The interim controls were requested to protect the existing buildings whilst Amendment C86 was being prepared to introduce permanent controls. A decision on the interim controls is still pending.

Application to demolish buildings at 71 Queen Street Reservoir

On 16 January 2008 the current owner of 71 Queen Street applied to demolish all buildings on the site under section 29A of the *Building Act 1993*. Council has forwarded this information to the Minister for Planning in support of its request for interim controls. The application for demolition is suspended until the Minister makes a decision on the interim heritage controls.

The Darebin Heritage Study

As part of Council's commitment to recognising and protecting its heritage Council is currently undertaking a heritage study to document and manage cultural heritage (such as buildings, structures, post-European contact Aboriginal heritage, gardens and landscaping), natural heritage (eg creeks) and pre-European contact Aboriginal heritage for the entire municipality.

The aims of the study are to:

- Identify the key themes and sub-themes in the historical development in Darebin (Thematic Environmental History).
- Explain how these themes have influenced settlement and development patterns in Darebin.
- Provide a clear context for the identification, assessment and on-going management of places of heritage significance in Darebin, including filling gaps in the existing Darebin Heritage Review (Ward 2000).

The Darebin Heritage Study is on track to be completed in 2009. To date, the heritage consultants have:

- Produced a Thematic Environmental History for the municipality, which amongst other things, acknowledges the significance of the dairy industry at both a regional and local level. Stage 1 also includes a list of sites with potential heritage significance.
- Surveyed sites of significance across the whole of the municipality.

Heritage assessment of 71 Queen Street Reservoir

Council engaged Context Pty Ltd to assess the heritage significance of 71 Queen Street Reservoir. The heritage assessment concluded that the site has social and historical heritage significance as an example of how the milk distribution industry developed in Darebin. The assessment also provided conservation management guidelines for the significant buildings on the site.

Core IssuesConsideration of submissions to Amendment C86 to the Darebin Planning Scheme

At the end of the submission period eight submissions were received. The following submitters had no objection to the Amendment.

- Yarra Valley Water
- Department of Sustainability and Environment
- Melbourne Water
- SPAusNet
- VicRoads
- Environment Protection Authority.

The current owner of the site objected to the Amendment via his legal representative (Best Hooper Solicitors) on the following basis.

- The house and dairy do not warrant the application of the heritage overlay as they are not of local historic and social heritage significance and this is supported by the fact that site is not included on any State and National Heritage Registers or in the current Darebin Heritage Review (Ward 2000).
- The historical interest of the place is unremarkable and can be recorded by photographic record.
- Lay people will not be able to discern that this site was occupied by a former dairy. The association of this site with Pura Dairy is certainly an unremarkable historical fact.
- The buildings are highly modified and in a poor structural condition. They are not likely to be repaired or modified by the new owner as to do so is not economically viable.

A land owner at 2/48 Mason Street Reservoir to the south-east of the site objected to Amendment C86 on the following grounds.

- The existing house and outbuildings are not worthy of preserving.
- Using the site for townhouses is a great idea, subject to planning controls.
- No-one is interested in the history of milk distribution in Preston.
- Was the previous owner advised when the laneway was offered for sale that a Heritage Overlay was under consideration?

Response to submissionsDetermining Heritage Significance

Both submissions state that the site is not significant. The key purpose of the Heritage Overlay is to conserve and enhance places of natural or cultural significance. Therefore determining why a place has heritage significance is crucial. Council appointed Context Pty Ltd to provide a heritage assessment of the buildings at 71 Queen Street Reservoir.

The assessment was done in accordance with *The Burra Charter: the Australia ICOMOS Charter for Places of Cultural Significance* (1999). Cultural significance in the Burra Charter is defined as “aesthetic, historic, scientific, social or spiritual value for past, present or future generations”.

The Charter further states that:

Cultural significance is embodied in the place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. Places may have a range of values for different individuals or groups.

The assessment included a site inspection of the buildings at 71 Queen Street Reservoir, historic research, a review of title information, a review of Shire/City of Preston building records and external inspection of the majority of known surviving dairies in the Reservoir and Preston area. It compares the dairy at 71 Queen Street with other dairies in the Reservoir and Preston area. The heritage significance of the site has been evaluated against the Register of the National Estate criteria.

The heritage assessment findings are summarised below:

Why is the site significant?

- The house and former dairy complex at 71 Queen Street Reservoir are of local heritage significance because of the following reasons:
 - It is one of the oldest small family-run dairies still existing in the City of Darebin
 - It is associated with the history of dairy farming in the City of Darebin, a strong theme in Darebin’s history
 - It is an example of a suburban distribution dairy established after milk cooling became compulsory
 - It demonstrates the development of an essential urban service and provides evidence of the first phase of suburban development of Reservoir in the interwar period

Which buildings are significant?

- The dairy building (middle building constructed c1925-6) is of primary heritage significance. This building has been converted into a dwelling.
- The stables building at the rear of the site constructed c1954 is of secondary heritage significance.
- The residence (near Queen Street), constructed 1925-6 is of secondary heritage significance.

Conservation Management Guidelines

Policy guidelines relating to conserving the heritage significance of 71 Queen Street Reservoir listed in the Heritage Assessment include:

It is policy to:

- Conserve the fabric of the buildings or other elements that contribute to the significance of the place and in particular to:
 - Encourage the accurate restoration or reconstruction of missing or modified elements on the basis of available evidence.
 - Encourage the removal of non-significant or intrusive elements, particularly where this would assist in revealing or interpreting the significance of this place
- Encourage a contextual approach to new development that is complementary in form, scale and materials to the elements of primary significance, but is clearly contemporary in design.
- Discourage the demolition of elements of primary significance except where it can be demonstrated that:
 - a) The building is structurally unsound and cannot feasibly be repaired without undertaking significant alterations that would diminish the integrity of the building’, and
 - b) The proposed replacement building embodies design excellence that is complementary in form, scale and materials to the elements of primary significance, but is clearly contemporary in approach
- If it is proposed to demolish any building, then a photographic record should be made.
- The history of the site should be interpreted by appropriate methods as part of any new development.

This enables redevelopment of the site for medium density development, incorporating the dairy building which has already been converted into a dwelling.

Sale of the laneway

- The laneway to the south of the site was discontinued in 2000.
- The laneway to the west of the site has not been discontinued.
- The previous owner would not have been advised when the laneway was discontinued that a Heritage Overlay was under consideration as the laneway discontinuation was in 2000 and the consideration of the Heritage Overlay is in 2007/2008.

Council Options

In light of the submissions received against Amendment C86, under section 23 (1) the Planning and Environment Act 1987 (the Act) provides the following options to Council:

- Council can resolve to **abandon** the proposed Amendment. The Minister for Planning must be notified of the decision to abandon.
- Council can resolve to request the Minister for Planning refer the submissions to an **independent panel** appointed under Part 8 of the Act.

Conclusion

Given that the owner and neighbour express views that fundamentally differ from Council’s heritage report about the heritage significance of 71 Queen Street Reservoir it is recommended that Council request the Minister for Planning refer the submissions for Amendment C86 to an independent panel appointed under Part 8 of the *Act*.

Financial Implications

There will be cost implications with the proposed Panel Hearing; however, these can be covered within the current budget.

Future Actions

- Request the Minister for Planning to appoint an independent Panel to consider the submissions and the Amendment.

Related Documents

- Heritage assessment – House and dairy (former) Context Pty Ltd, 21 January 2008
- Amendment C86 objecting submissions

7.6 ADOPTION AND INCLUSION OF NEIGHBOURHOOD CHARACTER GUIDELINES FOR MEDIUM AND LOW CHANGE RESIDENTIAL AREAS IN THE NORTHCOTE ACTIVITY CENTRE STRUCTURE PLAN, 2007

MINUTE NO. 42

AUTHOR: Coordinator Strategic Planning – Katerina Staikos

MANAGER: General Manager City Development – Kevin Breen

BUDGET

IMPLICATIONS: Financial implications are expected to be minimal and will be absorbed within the current budget.

SUMMARY:

The purpose of this report is to adopt Neighbourhood Character Guidelines for medium and low change residential areas, and incorporate them into the Northcote Activity Centre Structure Plan 2007, as an addendum to the structure plan.

The Guidelines will be referenced in Sections 4.9 and 4.10, and form Appendix 2, of the Structure Plan to inform the preferred character outcomes for the medium and low change residential precincts in the Northcote Activity Centre. They will also provide the strategic direction for the proposed Clause 22 Northcote Activity Centre local policy, which forms part of Amendment C81 to the Darebin Planning Scheme.

CONSULTATION:

The Neighbourhood Character Guidelines were developed during the preparation of the Northcote Activity Centre Structure Plan but were not publicly available during the informal exhibition of the Structure Plan prior to its adoption in April 2007. The Guidelines will be provided to all property owners and occupiers in the medium and low change residential areas during the exhibition of Amendment C81 to the Darebin Planning Scheme to ensure transparency, and to ensure that stakeholders have an opportunity to provide comment and feedback on the policy directions.

COUNCIL RESOLUTION

MOVED: Cr. S. Tsitas

SECONDED: Cr. M. Salata

THAT Council resolve to:

- (1) Adopt the Neighbourhood Character Guidelines for the Medium and Low Change Residential Areas, attached as [Appendix A](#) to this report, and incorporate them as Appendix 2 in the Northcote Activity Centre Structure Plan, 2007.
- (2) Reference Appendix 2 in Section 4.9 (Medium Change Residential Areas) and 4.10 (Low Change Residential Areas) of the Northcote Activity Centre Structure Plan, 2007.

- (3) Provide a copy of the Neighbourhood Character Guidelines to all property owners and occupiers in the Medium and Low Change Residential Areas during the public exhibition of Amendment C81 to the Darebin Planning Scheme.

CARRIED

REPORT

Background

Council adopted the Northcote Activity Centre Structure Plan on 2 April 2007. The Structure Plan provides a framework for articulating how the activity centre will develop, defining the key areas where growth can be encouraged, and the actions that are needed to realise that goal.

The plan outlines:

- Actions to significantly improve amenity and access for pedestrians through the centre.
- Rezoning opportunities for land within the centre to increase commercial and retail opportunities and provide active frontages to improve the amenity of these streetscapes.
- The value of live / work lifestyles which support creative communities within the centre and provide opportunities to increase the range of day and night time uses.
- Opportunities to support and enhance the cultural and community hub of the Northcote Town Hall and civic square area.
- Residential areas which are suitable for medium change subject to heritage and built form character assessments, and areas which are low change residential areas.

Core Issues

This report seeks to adopt the Neighbourhood Character Guidelines, attached as [Appendix A](#) to this report, and incorporate them as an appendix to the Northcote Activity Centre Structure Plan, 2007.

The Guidelines will be referenced in Sections 4.9 and 4.10, and form Appendix 2, of the Structure Plan to inform the preferred character outcomes for the medium and low change residential precincts in the Northcote Activity Centre. They will also provide the strategic direction for the proposed Clause 22 Northcote Activity Centre local policy, which forms part of Amendment C81 to the Darebin Planning Scheme.

Amendment C81 will implement the strategic directions of the Northcote Activity Centre Structure Plan 2007, and will be placed on formal public exhibition following authorisation by the Minister for Planning. It is anticipated that public exhibition will commence in late February / early March 2008. The Northcote Activity Centre Structure Plan 2007, with the appended Guidelines, will form part of the planning scheme amendment.

Copies of the Neighbourhood Character Guidelines will be provided to owners and occupiers in the medium and low change residential precincts as part of the Amendment C81 documentation.

Financial Implications

Financial implications are expected to be minimal and will be absorbed within the current budget.

Future Actions

The Neighbourhood Character Guidelines will be incorporated into the Northcote Activity Centre Structure Plan 2007, as outlined above. They will also form part of Amendment C81 to the Darebin Planning Scheme and be provided to owners and occupiers in the medium and low change residential precincts.

Related Documents

Council Report: Northcote Structure Plan – Consideration of Public Comment, Recommended Changes and Adoption of the Final Structure Plan, 2 April 2007.

7.7 EARTH HOUR 29 MARCH 2008**MINUTE NO. 43**

AUTHOR: Sustainability Education and Promotions Coordinator - Kathleen Kemp

MANAGER: Coordinator Environmental Strategy - Michelle Bennett

**BUDGET
IMPLICATIONS:** Nil

SUMMARY:

Darebin is committed to sustainability and is a leader in the development and implementation of environmental policies, practices and programs. In June 2007 Council adopted the Climate Change Action Plan.

This report recommends that Council officially sign up for *Earth Hour* and hold an event on 29 March 2008 at Darebin Civic Centre. Council will turn off lighting at the municipal offices from 8 to 9 pm, tell residents about Council's Climate Change Action Plan achievements, provide residents with opportunities to consult with experts about energy efficiency and sign up for the *Sustainable Homes* and *Going Places* programs.

CONSULTATION:

There is already a high level of concern about Climate Change in the community. Over 550 people responded to the Climate Change Survey included in the August 2007 edition of *Darebin News* and Spring edition of *Sustainability News*. The survey shows that most Darebin residents are concerned about climate change and many are taking positive action.

Executive Management Team

Preston Hallkeeping staff

Economic Development staff

COUNCIL RESOLUTION

MOVED: Cr. V. Fontana

SECONDED: Cr. M. Salata

THAT Council:

- (1) Participate in Earth Hour on 29 March 2008 and encourage the Darebin community and others to participate in Earth Hour.
- (2) Invite Hefei, Darebin's friendship city in China to participate in Earth Hour.

CARRIED

REPORT**Background**

On 31 March 2007, 2.2 million people and 2,100 Sydney businesses turned off their lights for one hour – Earth Hour. This massive collective effort reduced Sydney’s energy consumption by 10% for one hour, which is the equivalent effect of taking 48,000 cars off the road for one hour.

With Sydney icons like the Harbour Bridge and Opera House turning their lights off the world took notice. Inspired by the collective effort of millions of Sydneysiders, many major global cities are joining Earth Hour in 2008, turning a symbolic event into a global movement. At 8pm on 29 March 2008 businesses and households will turn off their lights for an hour as a show of resolve to cut their emissions by 5% in 12 months.

Individuals, businesses and organisations can sign up for *Earth Hour 2008* by visiting www.earthhour.org and committing to turn off their lights on 29 March from 8pm to 9pm and resolving to cut greenhouse gas emissions by 5% over the next year. *Earth Hour* is an opportunity for community engagement around the issues of Climate Change and what individuals, businesses and governments can do to reduce greenhouse gas emissions.

The City of Melbourne has signed up as have many metropolitan Councils to date.

Core Issues

Climate change is a critical and urgent issue for our community and future. Governments of all levels need to provide leadership and direction to reduce greenhouse emissions and position our communities so that climate change impacts are minimised. As Australians are the world's largest greenhouse gas emitters per capita, our scope for improvement is large. Simple and easy measures make financial sense and will save money year after year (particularly as the cost of electricity increases).

In June 2007 Council adopted the *Climate Change Action Plan*. In August 2007 Council’s new Climate Change Action Officer started to implement the revised energy efficiency program which has already achieved ongoing reductions in energy use and costs particularly at Darebin Civic Centre in Preston. Through energy efficiency and the purchase of accredited 100% GreenPower Council is on track to meet its Cities for Climate Change greenhouse gas reduction target in 2009 (one year early).

Council’s *Sustainable Homes* and *Going Places* programs provide residents with inspiration, knowledge and incentives to reduce their greenhouse gas emissions. In addition, Council urges the community to follow Council’s example to become more energy efficient and buy 100% accredited GreenPower from renewable resources. The Community Power program is expected to be operational for the EarthHour event.

Earth Hour is an opportunity for Council to tell residents about the achievements of the Climate Action Plan already realised by increasing energy efficiency in Council buildings and by purchasing GreenPower for the Council offices in Preston. This event will also be a call to action for residents and businesses to cut their own greenhouse gas emissions and sign-up for Council programs including *Community Power*, *Going Places* and the *Sustainable Homes Program* that will assist them in meeting goals that they set.

This report recommends that Council participate in Earth Hour on 29 March 2008 by holding a public event at the Darebin Civic Centre. As a symbolic event Council will turn off internal and façade lighting at the municipal offices building within the Civic Centre complex in Preston from 8pm to 9

pm. During Earth Hour residents will hear about Council's achievements to date and have opportunities to consult with experts about energy efficiency and solar energy. The event will also include live music and a BBQ.

City participation is generally limited to venues where safety will not be compromised. For example street lights and venues where events require lighting for safety/security will not be compromised. All Darebin venues, business and community will be invited to participate in the hour and participation will be voluntary.

Communication for the event will be through: Media releases and advertisement in the local papers, web site coverage, and notice to Sustainability News Subscribers as well as some targeted messages to businesses.

As Earth Hour has become adopted internationally it is further recommended that Council invite Hefei, Council's friendship city in China to participate in Earth Hour.

Financial Implications

The costs of the event and promotion are included within the current environmental strategy budget.

Related Documents

Climate Change Action Plan adopted June 2007

7.8 PEAK OIL IMPLICATIONS**MINUTE NO. 44****AUTHOR:** Environmental Strategy Coordinator - Michelle Bennett**MANAGER:** General Manager Environment & Amenity - Libby Hynes**BUDGET****IMPLICATIONS:** The recommended actions are estimated to cost \$60,000 and will be referred to the 2008/2009 Budget for consideration**SUMMARY:**

Council resolved at its meeting on 2 July 2007 that officers prepare a report on the implication for Council of Global Peak Oil. Peak Oil refers to the time at which global petrol production is reached and then begins to decline. The rising costs and fall in supplies will have implications for our community and Council operations including effects on transportation, planning, food security and purchasing petroleum based products including asphalt, plastics and pharmaceuticals.

This report summarises implications, existing programs and further strategic action recommended to respond to this important issue.

CONSULTATION:

Executive Management Team

Internal Peak Oil steering committee (Manager Social and Cultural Planning, Group Coordinator Community Development, Community Health and Safety Project Officer, Sustainable Transport Officer, Senior Statutory Planner, General Manager Environment and Amenity, General Manager Corporate Services)

Maribyrnong City Council

Municipal Association of Victoria (MAV)

Australian Association for the Study of Peak Oil and Gas (ASPO)

COUNCIL RESOLUTION

MOVED: Cr. M. Kundevski**SECONDED:** Cr. M. Salata**THAT** Council:

- (1) Continue to implement existing programs outlined in this report and incorporate into these programs increased emphasis and communications around the implications of Peak Oil and the advantages of preparing now.
- (2) Advocate to State and Federal Government regarding the urgency of the issue and the need for action including extended public transport services and priorities for essential services planning and provisions.

- (3) Refer the preparation of a *Peak Oil Scenario Planning / Risk Management Plan for Council Operations and Community Services* and the development of a *Peak Oil Strategy*, including the setting of an Oil Depletion target, to 2008/2009 budget considerations.
- (4) Consider further reports on an annual basis that review Peak Oil status and developments.

CARRIED

REPORT

Background

Council resolved at its meeting on 2 July 2007 that officers prepare a report on the implication for Council of Global Peak Oil.

What is Peak Oil?

Peak Oil refers to the time at which global petrol production is reached and then begins to decline. Oil will not run out at the time of peak production, however it will become increasingly expensive as it becomes more scarce.

Global demand for petrol continues to rise. Demand is driven by economic growth, affluence and lifestyles highly dependent on petroleum products in developed countries and increasing populations in poor nations and the increasing industrialisation of China and India. Until now increased production has matched this demand. Following Peak Oil this will no longer be the case - demand will continue to increase but supply will diminish. Prices for petrol and petroleum dependent products, including food, are expected to rise significantly. It is currently unlikely that replacement for fossil fuels such as hydrogen cells or solar power will become economically viable alternatives for some time in the future.

Relevance to Council

Peak Oil impacts will have implications for Council Operations, Services and the Darebin Community - these are summarised in this report and presented in more detail in [Appendix A](#). A number of Council's existing policies and programs will make a positive contribution to addressing the impacts of Peak Oil. This report recommends continuing with current programs that address Peak Oil impacts and increasing communication with the community on this issue, advocacy for action from other levels of government and development of a risk management assessment and a Peak Oil Strategy.

When will Peak Oil Occur?

Petroleum products are a finite resource - it has taken millions of years for the Earth's ancient forests to be converted into fossil fuels that we are using up at a very rapid rate. No one disputes the fact that petroleum reserves will peak, decline and eventually run out at some stage although there has been a wide range of opinions as to when the peak will occur. There is however, growing consensus amongst scientists and geologists that Peak Oil will happen very soon.

A number of credible researchers and scientists believe that the peak in oil production has already happened or will occur within a few years.

Estimating the timing of Peak Oil is confounded by the lack of a consistent and transparent global reporting mechanism for available oil supplies. The available reserves information provided by many OPEC (Organisation of the Petroleum Exporting Countries) nations has not changed in years and is clearly inaccurate.

In general, global production lags behind and mirrors the discovery of petroleum. As indicated in the graph and table attached as [Appendix B](#), global oil discoveries peaked in the 1960s and have been in decline since then. Most of the oil produced today was discovered before 1974 with estimates that for each barrel of oil that is currently being discovered, between 4 and 6 barrels of oil are consumed.

Impacts of Peak Oil

Our economy is highly dependent on fossil fuels. Our motorised transport relies on petroleum products (petrol, diesel and LPG) - and there are no readily available alternatives for replacement for our current transport demand levels. Compressed natural gas requires a substantial investment in refuelling infrastructure to be a viable alternative and if all of Australia's food growing land was converted to the production of biofuels it would still only address a small proportion of our transport needs. Electric vehicles are still expensive and have a limited range.

Many of our everyday products including plastics, pharmaceuticals and most fertilizers are produced from petroleum products. Modern agriculture is very dependent on fossil fuels for production and transportation - for food grown in Australia it is estimated that we use 100 kilojoules of fossil fuel energy to produce 10 kilojoules of food energy. And we transport food and many other products long distances increasing costs and dependency on fossil fuels. When petrol prices increase, food prices will also increase - placing additional pressure on disadvantaged members of the community. Peak Oil brings the risk of considerable social dislocation and recession.

Current Responses

Internationally a number of national, state or regional and local governments have developed strategies to address Peak Oil usually via 'Energy Depletion Protocols' that set targets to reduce use of petroleum products at the rate of depleting supply - estimated at ~3% a year. Sweden has made a broad commitment to move to an oil free economy by 2020.

In the United States of America a report commissioned by the US Department of Energy in February 2005 stated that:

"Viable mitigation options exist on both the supply and demand sides, but to have substantial impact, they must be initiated more than a decade in advance of peaking."

One of the most influential policies dealing with Peak Oil has been created by the City of Portland, Oregon in the United States. The City of Portland created a Peak Oil Taskforce with four subcommittees: Land Use and Transportation; Food and Agriculture; Public and Social Services (including education, health, social services, utilities and public safety); and Economic Change.

The Task Force released their report in March 2007. They made 11 recommendations:

- Reduce total oil and natural gas consumption by 50 percent over the next 25 years.
- Inform citizens about Peak Oil and foster community and community-based solutions.
- Engage business, government and community leaders to initiate planning and policy change.
- Support land use patterns that reduce transportation needs, promote walkability and provide easy access to services and transportation options.
- Design infrastructure to promote transportation options and facilitate efficient movement of

freight, and prevent infrastructure investments that would not be prudent given fuel shortages and higher prices.

- Encourage energy-efficient and renewable transportation choices.
- Expand building energy-efficiency programs and incentives for all new and existing structures.
- Preserve farmland and expand local food production and processing.
- Identify and promote sustainable business opportunities.
- Redesign the safety net and protect vulnerable and marginalized populations.
- Prepare emergency plans for sudden and severe shortages

In Australia there are currently no Federal or State policies addressing Peak Oil. In February 2007, the Federal Government's Senate Standing Committee on Rural and Regional Affairs and Transport completed their inquiry into *Australia's Future Oil Supply and Alternative Transport Fuels*. It concludes that the possibility of Peak Oil before 2030 should be a matter of concern and makes a number of recommendations including a reassessment of estimates of future oil supply and risks. Other recommendations include further investigation of:

- Alternative fuel sources
- Fuel efficiency of the Australia's light vehicle fleet
- Congestion charges, and
- Fringe benefits taxes for employer-provided cars to address perverse incentives for more car use.

In Victoria, Ian McPhail the Commissioner for Environmental Sustainability recently presented a position paper on passenger transport and urbanisation entitled *Creating a City That Works: Opportunities and Solutions for a More Sustainable Melbourne*. In the paper, Mr McPhail highlights Peak Oil as one of the three critical challenges in shaping our urban development and transport systems. This is the first State Government document to officially recognise the seriousness of the implications of Peak Oil for Victoria.

There is some activity within Australian local governments.

In March 2007, **Brisbane City Council's** Climate Change and Energy Taskforce released their final report *A Call for Action*. The report acknowledges the seriousness of Peak Oil production for the City and its community. It proposes a target of 50% reduction of oil use by 2026.

The report outlines a wide range of actions to address climate change and Peak Oil. The report is a first step towards engaging the community, setting reduction targets for oil use and emissions and developing and implementation program towards reducing the effects of climate change and Peak Oil within the municipality.

Marrickville Council in Sydney has recently agreed to adopt the *Oil Depletion Protocol*, reducing energy use within Council by 3% per year.

Maribyrnong City Council has released a draft Maribyrnong Peak Oil Policy and Action Plan for community consultation.

The **Municipal Association Victoria** (MAV) held a conference on Peak Oil and Climate Change in June 2007 and an informal MAV Peak Oil taskforce is now meeting. Phillip Knight from Darebin's Statutory Planning Unit is involved in this group.

Core Issues

Implications for Council and the Darebin Community

Peak Oil and the subsequent decrease in oil supplies are likely to impact on all aspects of council operations and to have lasting effects for our community.

The key areas of Council Services and Operations to be affected are:

- Petrol dependent services including waste collection, street cleansing, vehicle fleet, meals delivery and home care, road and footpath construction and maintenance, parks maintenance
- purchase of products especially those dependent on petro- chemicals including asphalt, waste bins and playground equipment (plastics), vaccines, herbicides and fertilizers
- employee transportation
- Council assets - changing use patterns
- Service demand and financial impacts - changing and increased demand for support services

Key impacts for the Darebin community

- transportation - costs, accessibility and changing needs
- food security - likely increased food costs and changes in availability
- health and safety - some positive benefits expected from transport and diet changes but also negative impacts via increasing costs of pharmaceuticals and access issues for medical services
- economic pressures and housing affordability, potential recession, employment changes and increasing demand for housing with access to public transport.

Expected impacts for council operations and the Darebin community are explored in more detail in [Appendix A](#).

Current Darebin Initiatives

A number of current Council strategies and programs will make a positive contribution to addressing the impacts of Peak Oil particularly around reducing dependence on private car transport and promoting food security.

These programs also deliver a wide range of other community benefits including health and well-being, community building, reduced greenhouse emissions and air pollution, reduced traffic congestion and traffic accidents. The programs are summarised below:

Climate Change Action Plan - Through the *Climate Change Action Plan 2007* Council has committed to achieving our 2010 greenhouse reduction target and having Carbon Neutral Council operations by 2020.

Electricity use, in buildings and street-lighting, is the major contributor to Council's greenhouse emissions - tackling emissions reductions in electricity will not have any impact on Peak Oil. Use of petrol, LPG and diesel in Council's vehicle fleet is responsible for around 12% of Council's total greenhouse emissions.

Actions identified in the *Climate Change Action Plan* that will also contribute to positive outcomes in terms of Peak Oil are measures to reduce emissions from the vehicle fleet, and staff and community Green Travel programs.

Council Fleet - Reducing usage and improving efficiencies are key priorities both for reducing greenhouse emissions and for preparing for Peak Oil. The Green Travel program (as per below)

encourages reduced use of the vehicle fleet and staff commuting by private car. It is anticipated that the review of the Fleet currently being undertaken by Corporate Services will further identify actions to reduce use of petrol and related fuels (diesel and LPG) and greenhouse emissions.

Alternative fuel options including Biodiesel and Compressed Natural Gas have been reviewed under the *Climate Change Action Plan*. Neither are currently attractive alternatives in terms of climate action as the greenhouse reductions are debatable and/or marginal and there are other significant barriers including available infrastructure, cost and in the case of biodiesel land use and related social and environmental issues. It is possible that as Peak Oil pressures increase, these or other alternatives such as electric vehicles (powered by GreenPower) will become more viable.

Darebin's Green Travel Plan (GTP) was developed and implemented in 2001. The GTP employs a number of activities and initiatives to encourage and facilitate Darebin staff to use sustainable transport both for the trip to and from work as well as for business trips. Elements of the GTP include a trip-logging incentive scheme, a rideshare database system, a bike fleet, facilities including showers, lockers and bike parking, promotions and events, interest free loans for Metcards and bicycles, and Metcards for meetings.

Darebin Transport Strategy - One of the main aims of the *Darebin Transport Strategy* is to reduce dependence on private car transport. The strategy identifies Peak Oil as one of the drivers behind the need to reduce reliance on private vehicles for transport needs. The strategy will also aim to build in information about Peak Oil as one of the reasons (along with health and safety, environmental issues and costs etc) for using sustainable transport options.

Darebin is implementing a range of innovative travel programs for the community. Key transport initiatives are listed below.

Love Living Local - The City of Darebin received funding from the Victorian Government, under the TravelSmart Local Government Grants Program, to conduct 'Love Living Local'. Love Living Local is a travel behaviour change program that encourages people to reduce their car use by helping them discover how many services are on offer in their 'own backyard'.

By keeping activities close to home, people are more likely to walk, cycle or catch a tram or bus to get around. This can reduce car use, which is beneficial for the environment, health and enables people to meet neighbours and join in with their community.

The program will work successively in three areas of Darebin, beginning with Preston. Darebin is working with community organisations, shopping centres, schools, residents, traders and local services to deliver a range of initiatives to encourage people to shop and recreate locally. It also helps strengthen local business and activity centres.

School Travel Planning - After successfully working with Preston South and Wales St primary schools in 2005/2006, Darebin is currently working with Northcote Primary School, St Josephs Primary School, Holy Name Primary School, Preston Girls Secondary School, Samaritan Catholic College, Preston West Public School, Sacred Heart Primary School, Reservoir Secondary District College, and Kingsbury Primary School to develop travel plans with the school community. This involves investigating barriers to walking, cycling, use of public transport and carpooling, and to implement initiatives and actions to redress the balance. Each participating school is supported by \$10,000 funding - this has typically been used to install a bicycle shelter (which is not traditionally funded by the Department of Education) and run events for students, parents and staff.

Going Places – Darebin’s Travel Reward Scheme - is a web-based program which rewards people for making two less drive alone trips each week. Entering its second year, the program is being extended to include employees of Darebin based businesses. This aspect of the program will encourage employees to travel sustainably for the journey to and from work.

Rewards for participants include pedometers, Metcards, bike lights, movie vouchers, shopping vouchers and personal benefits such as increased health and fitness (if walking or cycling) and less stress associated with driving. Members events are also held a number of times a year, and the program partners with local businesses by providing discounts to Going Places members.

New Development Travel Planning - When particular planning application criteria are met, developers are required to produce a travel plan to reduce single occupancy car travel that will be generated by that development.

Darebin and Banyule Good Food Alliance focuses on programs to increase food security, primarily in the East Reservoir (and West Heidelberg) Neighbourhood Renewal areas. The Good Food Alliance aims to:

- Support people in making healthy lifestyle choices
- Improve access to local healthy foods
- Provide information on fresh foods and nutrition

The Alliance is implementing a Food Security Strategy. Current activities include: Supporting schools involvement in healthy eating initiatives; Looking into food co-operatives as a way to buy fresh fruit and vegetables; and Research into: current costs for a healthy food basket, locations and accessibility of emergency relief, transport barriers to shopping, and family healthy eating habits.

Local Food Production and Community Gardens - there are currently seven community gardens in Darebin and they all have waiting lists. Demand for community gardens and other solutions for growing food locally on public and private land will continue to increase. The East Reservoir Neighbourhood Renewal Project has recently received \$48,000 funding from the Victorian Government for a community garden in the East Reservoir area. Consultation and scoping of potential sites is underway. The community gardens network is currently supported by Health and Community Services.

Structure Planning - the consolidation of urban development around service centres and good public transport options will help prepare for Peak Oil.

Environmental seminars and workshops -. Environmental Strategy currently runs seminars and provides materials and incentives to assist home gardeners and promote sustainable transport. These include the 'Spring into Compost program' which makes available compost bins and worm farms at reduced prices. The Sustainable Homes program includes a Sustainable Gardening workshop and a Sustainable Transport workshop. The Spring into Compost program includes a series of workshops on how to compost effectively, the session 'Growing Food Sustainably' is one of the most popular in the series with more than 70 people attending in 2007. The *Sustainable Gardening in Darebin* booklet currently includes a small section on growing food.

EcoBuy Program and the Environmental Purchasing Code encourages Council staff to select environmentally preferable products including those with recycled content and energy saving products.

Options for Council Action on Peak Oil.

As indicated above a number of Council programs already underway will assist our community in preparing for and transitioning into a post Peak Oil society. These initiatives have a broad range of other benefits including health, safety and well-being, community building and reducing greenhouse emissions.

The level of action required to make this transition as painless as possible however is very large and requires concerted action, planning and support from the Federal and State Governments. Community awareness about the issue is still very low. In terms of its status and priority as an issue for governments Peak Oil is in a similar position to Climate Change five or so years ago. The potential magnitude of the problem and our massive dependence on fossil fuels seems to encourage a culture of denial.

It is recommended that advocacy to State and Federal Governments to take action on this issue be a priority for Darebin Council along with clear and responsible communications with our community.

Two levels of response from Council are outlined below:

Low Level Response - within current budget

- Continue to implement programs outlined above and incorporate into these programs increased emphasis and communications around the threat of Peak Oil and the advantages of preparing now.
- Advocate to State and Federal Government re the urgency of the issue; the need for action including extended public transport services; priorities for essential services planning and provisions (including waste services, meals on wheels etc; likely impacts for local government services etc).
- Further investigate and mitigate direct cost impacts to Council operations.
- Annual Review and Report to Council re Peak Oil status and developments.

Higher Level Response (~\$60,000 - 2008/2009)

- Continue to implement programs outlined above and incorporate into these programs increased emphasis and communications around the threat of Peak Oil and the advantages of preparing now.
- Advocate to State and Federal Government regarding the urgency of the issue, the need for action including extended public transport services, priorities for essential services planning and provisions (including waste services, meals on wheels etc likely impacts for local government services etc).
- Conduct a Peak Oil Scenario Planning / Risk Management Plan for Council Operations and Community Services (estimated cost \$30,000).
- Following the risk assessment scope and develop a Peak Oil strategy including the setting of an Oil Depletion target and commit to reducing Council's petroleum use by 3% per year and/or set a 2020 or 2025 reduction target. The strategy would also scope gaps and opportunities, and identify additional actions for supporting the Darebin community to transition to Peak Oil (estimated cost \$20,000).
- Annual Review and Report to Council regarding Peak Oil status and developments.

It is recommended that Council adopt the higher level response due to the critical implications of Peak Oil on Council Operations and the community.

Financial Implications

The recommended actions are estimated to cost a total of \$60,000 and include:

- *A Peak Oil Scenario Planning / Risk Management Plan for Council Operations and Community Services* (estimated cost \$30,000);
- Development of a *Peak Oil Strategy* (estimated cost \$20,000); and
- Communication and promotions (estimated cost \$10,000).

These items will be referred to the 2008/2009 Budget for consideration.

Related Documents

Schedule of implications of Peak Oil for Council and Darebin community – [Appendix A](#)

Graph and Table – Oil discoveries and demand – [Appendix B](#)

City of Darebin Environment Policy, Climate Change Action Plan, Darebin Transport Strategy and Environmental Purchasing Code.

7.9 201 WINGROVE STREET FAIRFIELD - OPTIONS ANALYSIS**MINUTE NO. 45****AUTHOR: Manager Business Improvement - Rhys Thomas****MANAGER: General Manager Corporate Services - Mark Davies****BUDGET****IMPLICATIONS: nil****SUMMARY:**

This reports presents the results of an analysis of the possible uses for the site at 201 Wingrove Street, Fairfield - a site which is surplus to the needs of the Victorian Government and has been offered to Council for sale.

The analysis concludes that there is currently no policy justification or economic argument to support the purchase by the City of Darebin of 201 Wingrove Street Fairfield and recommends that the City of Darebin decline the offer by the Victorian Government to purchase the site at this time.

CONSULTATION:

Informal discussions have been held with Fiona Richardson MP, Member for Northcote.

COUNCIL RESOLUTION

MOVED: Cr. M. Kairouz
SECONDED: Cr. M. Kundevski

THAT:

- (1) Council endorse the recommendations of the 201 Wingrove Street Options Analysis attached as [Appendix A](#) to this report.
- (2) Council formally decline the Victorian Government's offer to purchase the site at this time.

CARRIED**REPORT****Background**

In August 2004, the City of Darebin was contacted by consultants on behalf of the State Department of Treasury and Finance requesting a rezoning of 201 Wingrove Street, Fairfield from its current zoning (Public Park and Recreation) to a Residential 1 zoning. The site was to become surplus to Victorian Government requirements following the planned opening of the new Northcote Police Station in early 2005 and the request for rezoning was the first step in preparing for the site's sale.

Since 2004, the local community has expressed a desire for the City of Darebin to purchase the site and use it for a community purpose. Proponents for this purchase have suggested a number of alternative uses, including public open space (a use consistent with the current zoning), a multipurpose community facility and childcare and kindergarten services.

The high market value of the site (estimated at upward of \$880,000), combined with the lack of a strategic policy justification for its purchase, led Council to the view that the purchase of the site could not be justified and should not be explored.

Most recently, the intervention of the Member for Northcote, Fiona Richardson, has resulted in a proposal being presented to Council to purchase the site at a greatly reduced price (estimated to be in the order of \$220,000), provided that the terms of sale include the establishment of a covenant that restricts the use of the site to community purposes only.

This offer warranted further exploration, and it was determined to undertake an analysis of a number of alternative uses for the site to see if Council could find an appropriate community use for the site without placing an unacceptable cost burden on ratepayers.

Core Issues

This project did not explore all possible community uses for the site, but focused on those which have some level of strategic policy justification or those uses which have been suggested by project stakeholders or the local community.

This analysis identified and examined in detail the following five options:

- Establishment of a small public reserve
- Establishment of a new, community managed early childhood centre
- Merger and relocation of Alfred Nutall Kindergarten and the Perry Street Childcare Centre
- Establishment of a new, multipurpose community facility
- Establishment of a small public car park

This analysis could find no policy justification or economic argument to support the purchase by the City of Darebin of 201 Wingrove Street Fairfield and recommends that the City of Darebin decline the offer by the Victorian Government to purchase the site.

Financial Implications

There are no financial implications of declining the offer to purchase.

Future Actions

- Contact will be made with representatives of the Victorian Government Department of Treasury and Finance to formally decline the offer to purchase the site.
- Project stakeholders (including Fiona Richardson MP and representatives of the Fairfield Primary School) will be contacted and informed of Council's decision.
- Council will proceed with the processing of an application for re-zoning already submitted by the Department of Treasury and Finance in relation to the site.

Related Documents

201 Wingrove Street Options Analysis, February 2001 – [Appendix A](#)

8. URGENT BUSINESS

Nil.

9. GENERAL BUSINESS**9.1 AUSTRALIAN PARLIAMENT APOLOGY TO AUSTRALIA'S
INDIGENOUS PEOPLES**

MINUTE NO. 46

COUNCIL RESOLUTION

MOVED: Cr. M. Kundevski
SECONDED: Cr. S. Tsitas

THAT Council write to the Prime Minister, the Honourable Kevin Rudd MP, congratulating him on his leadership in presenting an apology to Aboriginal Australia and particularly members of the 'Stolen Generation' and encouraging him in his efforts to seek to close the 17 year gap between Indigenous and non Indigenous life expectancy and to address inequalities in health, housing and economic outcomes.

As part of this correspondence, Council should offer our support, as the level of government closest to the people and a municipality with a strong and vibrant Indigenous community, to work closely with the Commonwealth and the Victorian Governments for the benefit of Indigenous people.

CARRIED

**9.2 MICRO GENERATION ON COUNCIL BUILDINGS AND
FACILITIES**

MINUTE NO. 47

COUNCIL RESOLUTION

MOVED: Cr. M. Kundevski
SECONDED: Cr. M. Salata

THAT Council prepare a report to investigate the economic and environmental feasibility of incorporating micro generation on council buildings and facilities. The report should:

- (1) Explore and assess opportunities on all buildings and facilities.
- (2) Scope a study to lay the foundation for a long term 'Micro Generation Strategy' to form part of Council's Climate Change Action Plan.

CARRIED

9.3

REINSTATEMENT OF VARIOUS COUNCIL ASSETS

MINUTE NO. 48

COUNCIL RESOLUTION

MOVED: Cr. V. Fontana
SECONDED: Cr. C. Kelly

THAT Council officers investigate the progress of requests to Yarra Valley Water in relation to reinstatement of Council assets along Leinster Grove, Mayor Park and sections of the Northcote Golf Course in Clifton Ward.

CARRIED**10. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL****CLOSE OF MEETING**

MOVED: Cr. M. Salata
SECONDED: Cr. M. Kundevski

THAT in accordance with Section 89(2) of the Local Government Act 1989, Council resolves to close the meeting to members of the public to consider the following item which relates to a contractual matter:

10.1 Award of Tender – Animal Pound and Collection Services

CARRIED

The meeting was closed to members of the public at 8.06pm.

The Council considered and resolved on Report Item 10.1 (Award of Tender – Animal Pound and Collection Services) which had been circulated to Councillors on Thursday 14 February 2008.

RE-OPENING OF MEETING

MOVED: Cr. M. Salata
SECONDED: Cr. V. Fontana

THAT the meeting be re-opened to the members of the public.

CARRIED

The meeting was re-opened to members of the public at 8.08pm.

CONFIDENTIAL**10.1 AWARD OF TENDER – ANIMAL POUND AND COLLECTION SERVICES (CT 0829)****MINUTE NO. 49****AUTHOR: Manager Enforcement and Amenity - Michael Kennedy****MANAGER: General Manager Environment & Amenity - Libby Hynes****BUDGET****IMPLICATIONS: Within Budget****SUMMARY:**

Darebin City Council called for Tenders in October 2007 for the provision of Animal Pound and Collection Services. The remainder and majority of animal management services will be provided by in-house staff from April 2008 as previously resolved by Council.

Two tenders were received for the service. This report provides an evaluation of the tenders and makes a recommendation on awarding of the contract.

CONSULTATION:

Tender evaluation panel

- Libby Hynes, General Manager Environment and Amenity
- David Cecala, Coordinator Procurement & Contracting
- Michael Kennedy, Manager Enforcement and Amenity

Executive Management Team

COUNCIL RESOLUTION

MOVED: Cr. M. Kairouz**SECONDED: Cr. M. Salata****THAT** the following Council Resolution:*“THAT:*

1. Council, conditional upon a satisfactory contract being agreed by the parties, award the Contract for the provision of Animal Pound and Collection Services to The Lost Dogs' Home as per the tender submission and subsequent clarifications for three (3) years, with a further option of two (2) years at Council's discretion, for \$216,730 (GST inclusive) annually with annual adjustments for CPI following the completion of the first year.

2. The awarding of this contract be in accordance with the conditions stated in the tender document issued for the service.
3. Authority to finalise contract negotiations be delegated to the General Manager Environmental & Amenity.
4. The contract documents be executed under the City of Darebin Common Seal.”

be made available to the public but the report remain confidential.

CARRIED

11. CLOSE OF MEETING

The meeting closed at 8.09pm