



# **MINUTES OF THE COUNCIL MEETING**

**HELD ON**

**MONDAY, 2 MARCH 2009**

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RELEASED TO THE PUBLIC ON THURSDAY 5 MARCH 2009

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**MINUTES OF THE ORDINARY MEETING OF THE  
DAREBIN CITY COUNCIL HELD AT DAREBIN CIVIC CENTRE,  
350 HIGH ST, PRESTON ON MONDAY 2 MARCH 2009**

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**THE MEETING OPENED AT 7.01 P.M.**

**1. PRESENT**

*Councillors*

Cr. Diana Asmar (Mayor)  
Cr. Stanley Chiang  
Cr. Vince Fontana  
Cr. Gaetano Greco  
Cr. Nick Katsis  
Cr. Tim Laurence  
Cr. Ben Morgan  
Cr. Trent McCarthy  
Cr. Steven Tsitas

*Council Officers*

Michael Ulbrick – Chief Executive Officer  
Jan Black – General Manager Communities and Culture  
Geoff Glynn – General Manager Community Assets and Leisure  
Bruce Dobson – General Manager Corporate Services  
Kevin Breen – General Manager City Development  
Libby Hynes – General Manager Environment and Amenity  
Jeff Saker – General Manager City Services  
Ray McQuillen – Manager Customer and Civic Services  
Ron Downes – Council Business Coordinator

**2. APOLOGIES**

Nil.

**3. DISCLOSURES OF CONFLICTS OF INTEREST**

Nil.

**4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS**

**COUNCIL RESOLUTION**

**MOVED:** Cr. S. Chiang  
**SECONDED:** Cr. T. Laurence

**THAT** the Minutes of the Ordinary Meeting of Council held on 16 February 2009 be confirmed as a correct record of business transacted.

**CARRIED**

## **5. REPORTS BY MAYOR AND COUNCILLORS**

### **MINUTE NO. 65**

#### **5.1 REPORT OF CR. STANLEY CHIANG**

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

- Friends of Bundoora Park Advisory Committee meeting.
- Chinese community fund-raising activities to assist Victorian bushfire victims.
- Victorian Multicultural Commission meeting, where he highlighted his selection on the Commission's local government sub-committee.

#### **5.2 REPORT OF TRENT MCCARTHY**

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

- Meetings with local residents on planning issues.
- Meetings with local traders.
- Darebin Community and Kite Festival.
- Darebin Environmental Reference Group meeting.
- Meeting with a Prime Minister from Uganda.
- Municipal Association of Victoria State of Planning Seminar 2009.

#### **5.3 REPORT OF CR. GAETANO GRECO**

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

- Meeting with Manager of Merrilands Community Centre.
- DAREBINhealth (Municipal Public Health Plan) Steering Committee meeting.
- Darebin Enterprise Centre meeting.
- Friends of Bundoora Park Advisory Committee meeting.
- Audit Committee meeting.
- Darebin Community and Kite Festival.

#### **5.4 REPORT OF CR. BEN MORGAN**

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

- Meetings with residents of East Preston.
- Darebin Community and Kite Festival.
- Meetings with concerned residents regarding ant-social behaviour outside Preston City Oval.

**5.5 REPORT OF CR. STEVEN TSITAS**

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

- Meetings with local residents.
- On site meeting with residents of Evans Crescent Northcote.

**5.6 REPORT OF CR. TIM LAURENCE**

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

- East Reservoir Neighbourhood Renewal Steering Committee meeting.
- Site visits and meetings in relation to the issue of student accommodation.

**5.7 REPORT OF CR. VINCE FONTANA**

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

- National Australia Bank/Northern Bullants Business Breakfast.
- Family Day at Preston Oval.
- Audit Committee meeting.
- Darebin Community and Kite Festival.

**5.8 REPORT OF CR. NICK KATSI**

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

- Darebin Enterprise Centre meeting.
- Darebin Community and Kite Festival.

**5.9 REPORT OF THE MAYOR, CR. DIANA ASMAR**

The Mayor, Cr. Asmar, reported on her attendance at the following functions/activities:

- Road Safe Inner North Community Road Safety Council meeting.
- Presentation of Certificates for Aged Care.
- Darebin Ethnic Communities Council meeting.
- Melkite Catholic Church Function.
- Alawi Islamic Social Centre Dinner Dance.
- 3ZZZ Melbourne Ethnic Community Radio 20<sup>th</sup> Anniversary function.
- Meetings with local residents regarding various issues.
- Local Safety Committee meeting.
- Darebin Community and Kite Festival.

**6. PUBLIC QUESTION TIME****MINUTE NO. 66**

The Mayor, Cr. Asmar, invited questions from members of the public gallery.

The following questions were submitted:

- Jenny Morris of Northcote asked a question about Amendment C64 – Gadd Street Northcote (Report No. 8.6 on the Council Agenda Paper). The question was responded to by Mayor, Cr. Asmar and General Manager City Development, Kevin Breen.
- John Nugent of Epping asked a question about the possibility of Council providing a water bore on Donath West Reserve. The question was responded to by the General Manager City Services, Jeff Saker, who undertook to provide a written response.
- Jenny Morris of Northcote asked a question about contamination issues in relation to Amendment C64 – Gadd Street Northcote (Report No. 8.6 on the Council Agenda Paper). The question was responded to by the General Manager City Development, Kevin Breen.

After Public Question Time had concluded, five further questions were submitted in writing.



**7. REPORTS OF STANDING COMMITTEES****7.1 AUDIT COMMITTEE****MINUTE NO. 67**

The Audit Committee is an Advisory Committee appointed, pursuant to section 139 of the Local Government Act 1989, to assist Council in fulfilling its responsibilities relating to internal control mechanisms and external reporting requirements.

A meeting of the Audit Committee was held on 24 February 2009. A summary report of the meeting is attached as [Appendix A](#) to this report. The minutes of the meeting, incorporating the reports considered by the Committee, have been circulated to Councillors.

<b>COUNCIL RESOLUTION</b>
---------------------------

**MOVED:** Cr. V. Fontana

**SECONDED:** Cr. G. Greco

**THAT** the Report of the Audit Committee meeting held on 24 February 2009 be received and the Committee Recommendations be adopted.

**CARRIED**

**8. CONSIDERATION OF REPORTS****8.1 PENSIONER RATE REBATE IMPLEMENTATION****MINUTE NO. 68****AUTHOR: General Manager Corporate Services - Bruce Dobson****MANAGER: Chief Executive Officer - Michael Ulbrick****BUDGET****IMPLICATIONS: Cost of approximately \$291,000 in the 2009/2010 rating year****SUMMARY:**

At its meeting on 16 February 2009 Council requested that officers report back in two weeks with an implementation plan to facilitate the introduction of a \$50 pensioner rebate for residential ratepayers receiving the full Commonwealth Age pension. This report provides an update to Council and information on the implementation of the rebate in the 2009/2010 rating year.

**CONSULTATION:**

Executive Management Team  
Group Coordinator Revenue and Valuations

<b>RECOMMENDATION</b>
-----------------------

**THAT** Council note the process set out in this report for implementation of a \$50 pensioner rebate in the 2009/2010 rating year for residential ratepayers receiving the full Commonwealth Age pension.

<b>COUNCIL RESOLUTION</b>
---------------------------

**MOVED: Cr. T. Laurence**  
**SECONDED: Cr. S. Chiang**

**THAT** consideration of the matter be deferred until 13 April 2009 and the additional information circulated by Council officers be incorporated into a revised report for consideration by Council.

**CARRIED**

<b>REPORT</b>
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**BACKGROUND**

At its meeting on 16 February 2009 Council requested that officers report back in two weeks with an implementation plan to facilitate the introduction of a \$50 pensioner rebate for residential ratepayers receiving the full Commonwealth Age pension.

**CORE ISSUES**

Council currently facilitates the provision of a State Government funded municipal rates concession to eligible pensioners. In the 2008/2009 rating year the municipal rates concession provides a 50% discount off Council rates up to a maximum of \$178.60 to eligible persons for their principal place of residence. The State Government rates concession is shown separately on rate notices as a deduction from the general rate payable.

Approximately 12,000 pensioners across a range of different pension categories are eligible for the State Government municipal rates concession. The most common categories are age pensioners and disability pensioners. Other eligible categories include pensioners relating to parenting payment, carers, and Department of Veterans' Affairs service.

Based on information obtained from Centrelink, there are 5,817 pensioners in Darebin currently receiving the full Commonwealth age pension. A Council rebate of \$50 to this category of pensioners would cost Council approximately \$291,000 in the 2009/2010 rating year.

In order to implement the \$50 pensioner rebate in the 2009/2010 rating year, the following steps are required.

Budget process

The cost of the rebate will need to be included in the proposed 2009/2010 budget which is required to be approved in principle by Council and then made available on exhibition to the public. In accordance with section 223 of the *Local Government Act 1989*, Council will publish a public notice stating that members of the public are able to make submissions to Council in relation to the contents of the proposed 2009/2010 budget, including the pensioner rebate, with the submissions period closing not less than 28 days from the date of the public notice.

Submissions will be received and members of the public can speak in support of their submission at a Hearing of Submissions Committee meeting. After consideration of submissions, Council will make any changes it considers necessary to the proposed budget and will then adopt the final budget for the 2009/2010 rating year.

Provision of rebate on rate notice

Once the 2009/2010 budget has been adopted, the rebate will be applied to ratepayers receiving the full age pension. This will be applied to the rate notice for the pensioners' principal place of residence.

Council rate notices for the 2009/2010 year will show the full amount of rates applicable to a property and will show separately deductions for the State Government municipal rates concession and the Council pensioner rate rebate. Pensioners receiving the full Commonwealth age pension will then pay their rate instalments based on the rates amount after deducting both the State Government concession and Council rebate. The rate notice will show the applicable quarterly instalment amounts payable.

#### Identification of eligible pensioners

Centrelink is able to provide the relevant data to Council to indicate if a pensioner is receiving the full age pension and is therefore eligible for the Council rebate. In advance of the financial year-end, the information in Council's property rating system is updated based on the latest records from Centrelink. Currently, the State Government rates concession is applied to pensioners based on their eligibility at the start of the rating year. It is proposed that the Council rebate would similarly be applied to pensioners' rate notices based on eligibility to the full age pension at the commencement of the rating year, as confirmed by Centrelink.

For residents who become pensioners during the rating year, Council currently has a process whereby the relevant pensioner concession card is presented to a Council Customer Service centre and the State Government rates concession is then reflected on the pensioner's rate notice. The pensioner concession card does not however distinguish between different categories of pensioners, specifically those receiving the full age pension.

Recent discussion with Centrelink has indicated that Council will be able to access an on-line service from Centrelink to confirm the type of pension category. This can be done when a new pensioner presents their relevant card to a Council Customer Service centre. If the on-line service confirms the full age pension category, then the Council rebate can be applied to new full age pensioners at that point.

#### System changes

Some minor software system changes may be required in order to record the additional pensioner rebate category and display this information on the 2009/2010 rate notices. It is expected these changes can be undertaken within existing budgets.

### **FINANCIAL IMPLICATIONS**

Cost of approximately \$291,000 in the 2009/2010 rating year.

### **FUTURE ACTIONS**

Inclusion of the Council full age pensioner rebate in the 2009/2010 Council budget.  
Preparation of 2009/2010 rate notices after applying the rebate to full age pensioners.

### **RELATED DOCUMENTS**

Council meeting minutes - 16 February 2009

**8.2 REVIEW OF MEDIUM AND LONG TERM INCOME  
OPTIONS****MINUTE NO. 69****AUTHOR: General Manager Corporate Services - Bruce Dobson****MANAGER: Chief Executive Officer - Michael Ulbrick****BUDGET****IMPLICATIONS: Review expected to be conducted within budget****SUMMARY:**

At its meeting on 16 February 2009 Council resolved that Council Officers begin a high level review of Darebin's medium and long term income options over the next six to eight months, in conjunction with a comprehensive review of Darebin's rating system. Council requested that a report be provided within two weeks outlining the resources required for this income review.

**CONSULTATION:**

Executive Management Team

<b>COUNCIL RESOLUTION</b>
---------------------------

**MOVED: Cr. S. Tsitas****SECONDED: Cr. S. Chiang**

**THAT** Council note this report on the resources required to undertake a high level review of Darebin's medium and long term income options.

**CARRIED**

<b>REPORT</b>
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**BACKGROUND**

At its meeting on 16 February 2009 Council resolved that Council Officers begin a high level review of Darebin's medium and long term income options over the next six to eight months, in conjunction with a comprehensive review of Darebin's rating system. Council requested that a report be provided within two weeks outlining the resources required for this income review.

**CORE ISSUES**

Council has requested that the high level review of income options should include, but not be limited to, the following areas:

- A restructured developer levy
- Planning department fees and charges
- New fees on large undeveloped 'bomb sites'
- New federal funding initiatives
- New state funding initiatives
- Funding from private trusts
- Commercial waste services
- Car parking levies on sites with private vehicle car parking
- Parking meters in current high traffic areas and planned high density areas.

In accordance with Council's resolution, the income review will be conducted in tandem with a comprehensive review of Darebin's rating system. The rating review will include consideration of possible rate differential options that can increase the efficiency and equity of the current rating system.

The reviews will be undertaken through a combination of Council Officers and external consulting expertise. The scopes of the reviews are currently being prepared and it is expected that the reviews will be undertaken within existing budgets. Any additional funds required in the 2009/2010 financial year will be considered as part of the 2009/2010 Council budget following the scope of the reviews being fully defined.

**FINANCIAL IMPLICATIONS**

Reviews to be performed by a combination of Council officers and external assistance, within existing budgets.

**FUTURE ACTIONS**

Undertake the rate and income reviews over the next six to eight months and report back to Council following completion of the reviews.

**RELATED DOCUMENTS**

Council meeting minutes - 16 February 2009

**8.3 EARTH HOUR 28 MARCH 2009****MINUTE NO. 70**

**AUTHOR:** Sustainability Education and Promotions Coordinator - Kathleen Kemp

**MANAGER:** Coordinator Environmental Strategy - Michelle Bennett

**BUDGET  
IMPLICATIONS:** Nil

**SUMMARY:**

Earth Hour is a global initiative to raise awareness and encourage action on Climate Change through the symbolic turning off of lights for one hour - this year starting at 8.30pm on Saturday 28 March.

This report recommends that Council officially sign up for *Earth Hour* and turn off non-essential lighting including façade lighting at the Darebin Civic Centre and Darebin Arts and Entertainment Centre.

Darebin will hold a Community Power workshop on *Saving Energy for Household and Renters* on 26 March to help residents honour their Earth Hour pledge to reduce greenhouse gas emissions by at least 5% over the next year. Under the Darebin Sustainable Homes Program an inspiration event *Showcasing Local Sustainable Living* will be held on 12 March. At this event residents will hear about the actions that their neighbours are taking to reduce energy use. In addition the *Autumn in the Food Garden* workshop on 31 March will help residents grow their own food and reduce 'food miles'. Council will also encourage local residents and businesses to participate in Earth Hour and promote the Darebin Climate Action Now *Earth Hour* event at the Darebin Parklands.

**CONSULTATION:**

There is a high level of concern about Climate Change in the Darebin 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* and 95% indicated they were concerned about climate change. Many residents are taking positive action to reduce their emissions.

Further community consultation is underway through the development of the Community Climate Change Action Plan including the Community Leaders Forum that will take place on 12 March.

Facility Managers and relevant staff have been consulted regarding opportunities for turning off Council lights during *Earth Hour*. Economic Development has been consulted and will support the distribution of *Earth Hour* information to Darebin businesses. Darebin Climate Action Now are pleased to have Council promote their event in Darebin Parklands.

**COUNCIL RESOLUTION**

**MOVED:** Cr. S. Chiang  
**SECONDED:** Cr. T. McCarthy

**THAT** Council participate in *Earth Hour* on 28 March 2009 and encourage the Darebin community and others to participate in the event.

**CARRIED**

**REPORT****BACKGROUND:**

*Earth Hour* commenced on 31 March 2007 when 2.2 million people and 2100 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 joined *Earth Hour* in 2008, turning a symbolic event into a global movement.

Individuals, businesses and organisations can sign up for *Earth Hour 2009* by visiting the *Earth Hour* website ([www.earthhour.org](http://www.earthhour.org)) and committing to turn off their lights on 28 March from 8:30 to 9:30 pm and resolving to cut greenhouse gas emissions by at least 5% over the next year.

*Earth Hour* is an opportunity for raising awareness about Climate Change and what individuals, businesses and governments can do to reduce greenhouse gas emissions.

The City of Melbourne, and many metropolitan Councils will be participating in *Earth Hour 2009*.

**CORE ISSUES**

Climate change is a critical and urgent issue for our community and future. Darebin City Council is committed to providing the necessary leadership and direction to reduce greenhouse emissions to ensure that the impacts of climate change are minimised. Council has adopted a detailed and ambitious Climate Change Action Plan to tackle the emissions generated by Council activities and has reduced emissions by 16% in 2007/2008 compared to the previous year due to its implementation. Council is now in the process of developing a Community Climate Change Action Plan (CCCAP). The purpose of the CCCAP is to develop an effective strategy for Council to work with and support the Darebin community to make significant greenhouse gas emission reductions.

*Earth Hour* is an opportunity for Council to raise awareness of Climate Change and actions households and businesses can take to reduce emissions.



Council promotions of *Earth Hour* will identify existing Council programs that households and businesses can participate in to reduce their emissions on an ongoing basis. These programs include:

**Community Power** - which reduces community emissions by encouraging households and businesses to sign up to accredited GreenPower and through energy efficiency programs.

The Community Power program will deliver a workshop on '*Saving Energy for Householders and Renters*' in the *Earth Hour* week to assist households in achieving their *Earth Hour* target and to reduce their emissions and energy bills on an ongoing basis. The workshop will include free kits for participants including simple products such as compact fluorescent light globes and draft sealer.

**Going Places** - is Darebin's travel reward program that offers incentives to participants who reduce their car based travel by at least two trips a week.

**GreenTravel Plans** - Interested schools and businesses can contact Council to receive assistance in developing a green travel plan.

**Sustainable Homes Program** - a workshop series based on giving participants the inspiration and skills to assess their own homes and actions and free starter kits to help them take action. Workshops that assist participants to reduce their greenhouse emissions include: *Showcasing Local Sustainable Living* (12 March), Create an Energy Efficient Home; Buying Green and Avoiding Waste; Sustainable Eating; and Sustainable Transport.

Council 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. Many Council buildings are not operating at this time and only have security lighting operating. Our key municipal buildings and function centres are the main buildings that would be operating at the time and non essential lighting will be turned off in these where possible. Façade lighting at the Darebin Civic Centre and Darebin Arts and Entertainment Centre will be switched off during *Earth Hour*. Unfortunately at Reservoir Civic Centre and Northcote Town Hall façade lighting is linked with security lighting and cannot be separately switched off.

Darebin venues, business and community will be invited to participate in *Earth Hour* via notices in Business Update and Sustainability News, media releases and advertisements in the local newspapers and through Darebin's website. Participation in the event is voluntary.

#### **Darebin Climate Action Now Event**

Darebin Climate Action Now is a community group based in Fairfield. They are organising a picnic and the film *Wake Up, Freak Out – then Get a Grip* (to be shown using solar power) in Darebin Parklands. Council is promoting this event through Sustainability News, the Council website and printing leaflets.

#### **FINANCIAL IMPLICATIONS**

Within current budget.

#### **RELATED DOCUMENTS**

Climate Change Action Plan adopted June 2007  
2007 Climate Change Survey.

**8.4 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE FUND – STRATEGIC PROJECTS****MINUTE NO. 71****AUTHOR:** Manager Asset Strategy - Nerina Di Lorenzo**MANAGER:** General Manager Community Assets and Leisure - Geoff Glynn**BUDGET****IMPLICATIONS:** Funding submission is seeking a contribution of \$2.9 million in Federal Government funding to complete the Lancaster Gate Community Centre Project.**SUMMARY:**

In November 2008, a \$50 million funding program was announced by the Federal Government for “Regional and Local Community Infrastructure - Strategic Projects” as an economic stimulus and to support jobs in communities around the country. In February 2009, the Federal Government announced a \$500 million boost to this package, bringing the total available funds to \$550 million. This report recommends that Council make a submission for \$2.9 million from this fund to contribute to the Lancaster Gate Community Centre development. This submission will be in addition to the previous joint submission made by Darebin Council in conjunction with 13 other Councils for the Regional Food Kitchen project.

**CONSULTATION:**

All Council Departments  
Regional and Local Infrastructure Fund administrators

**RECOMMENDATION****THAT:**

- (1) Council Officers make a funding submission for the “Regional and Local Community Infrastructure – Strategic Projects” grant for the Lancaster Gate Community Centre project.
- (2) Council continue to endorse the existing joint funding submission for the Regional Food Kitchen project.

**COUNCIL RESOLUTION****MOVED:** Cr. T. Laurence**SECONDED:** Cr. S. Tsitas**THAT:**

- (1) Council Officers make a funding submission for the “Regional and Local Community Infrastructure – Strategic Projects” grant for the Lancaster Gate Community Centre project.
- (2) Council continue to endorse the existing joint funding submission for the Regional Food Kitchen project.
- (3) The Mayor write to both Local State and Federal Members requesting their support for Council’s funding submission to the “Regional and Local Community Infrastructure Fund – Strategic Projects”.

**CARRIED****REPORT****BACKGROUND**

In November 2008, a \$50 million funding program was announced by the Federal Government for Strategic Projects as an economic stimulus and to support jobs in communities around the country. This program is called the “Regional and Local Community Infrastructure Fund (RLCIF) – Strategic Projects”. The \$50 million program was part of a broader \$300 million funding package which included a one-off grant to every Council (Darebin received \$681,000). In light of the \$50 million available at the time, Council made a strategic decision to only submit a joint application with 13 other councils for the Regional Meals Kitchen, to provide the best chance for its success.

After an overwhelming response from Councils around Australia and in consideration of the economic climate, the Federal Government announced in early February 2009 that the \$50 million Strategic Projects funding would be increased to \$550 million. However, the additional funding was limited only to submissions that had already been made, which disadvantaged many Councils including Darebin. Following concerted lobbying from the Municipal Association of Victoria and concerned Councils including Darebin, the Federal Government announced on 13 February 2009 that the extended program would be reopened to all Local Government for a three week period until 6 March 2009.

**CORE ISSUES****Eligibility Guidelines for the \$550 million RLCIF - Strategic Projects Package**

This \$550 million fund is for strategic larger-scale community infrastructure to help deliver an additional injection of investment in communities. This will be competitive, application-based, and open to only those projects seeking a minimum Commonwealth contribution of \$2 million. Projects funded from this package must commence within six months of signing the funding agreement.

Councils may make a submission for one single Council project and one joint project. Darebin Council has already made a joint project submission for the Regional Food Kitchen project.

The Federal Government requirements for eligible projects are:

1. The projects must fit the community infrastructure definition provided within the guidelines. Some examples of community infrastructure are:
  - Social and cultural infrastructure, such as town halls, community centres, libraries, parks and public squares,
  - Sport and recreation facilities, such as sporting grounds, stadiums, pools, walking tracks and playgrounds,
  - Environmental initiatives, such as water conservation and treatment infrastructure, drainage and sewerage projects, and waste management infrastructure,
  - Tourism infrastructure, such as walkways and tourist information centres, and
  - Access facilities, such as footbridges, bus shelters, jetties and boat ramps.
2. The projects must be able to commence within six months of signing the funding agreement. This requirement heavily influences the selection of projects.

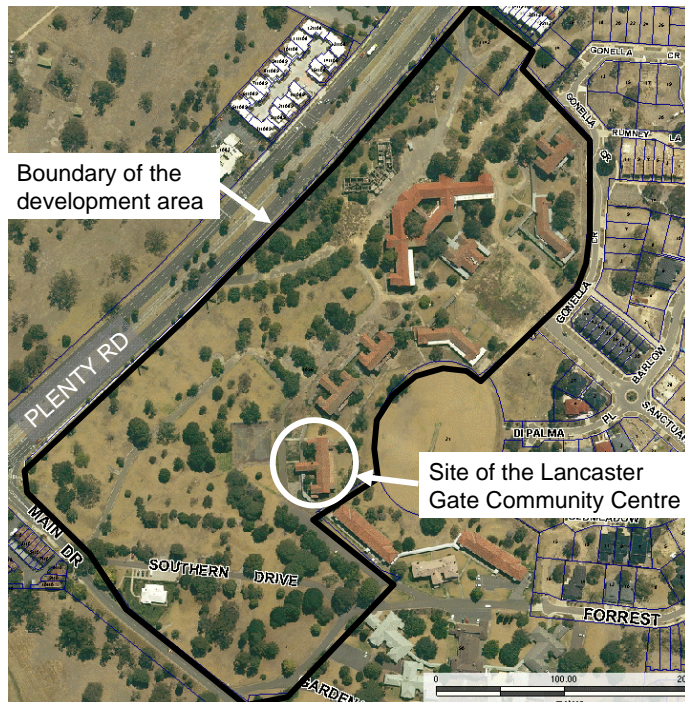
Transport infrastructure, such as roads, will not be funded through this package, as they are covered by the Roads to Recovery and Black Spot programs.

In addition to the Federal Government requirements, the following principles were developed to guide the selection of Darebin's project for this fund:

- The project should be visible and of interest to the community,
- The project should provide broad benefits to the community,
- The project should already be identified within existing works programs, and
- The project should be on Council owned assets, so the benefit of the funding is preserved for the whole Darebin community.

#### **Proposed Project for the RLCIF – Strategic Project fund**

After extensive review of potential projects, it was considered that the project with the best chance of securing funding is the Lancaster Gate Community Centre.



A private development is planned to occur within the area indicated on the adjacent diagram. This development will add 285 dwellings, 11000m<sup>2</sup> retail space, 5000m<sup>2</sup> office space, 125 student beds and a 145 bed retirement village.

The Lancaster Gate Community Centre Project provides a community facility in an area that has, and will continue to experience population growth, and that currently has little accessible community infrastructure. The project involves refurbishment of the building indicated on the adjacent diagram, to provide multi purpose community space for a broad range of users.

The developer has contributed both the building and approximately \$1.2 million in funds.

Attaining a RLCIF grant of \$2.9 million would bring the total project funding to \$4.1 million.

This project will provide new community infrastructure where there is an identified need. It is an attractive project based on the RLCIF criteria, and is believed to have the best chance of attaining funding against a competitive field. In addition, this project is already identified within the Long Term Capital Program, and attaining funding for this project would reduce pressure on the Capital Budget.

The project will be able to commence within the timelines, however permanent access and provision of permanent utilities will rely on the completion of the broader development. If there is a delay in the broader development, it may require temporary access and utilities to be provided to the site in the meantime.

## FINANCIAL IMPLICATIONS

If successful, this funding will provide income of \$2.9 million, and together with the \$1.2 million already contributed by the developer, brings the total available funds to \$4.1 million. This project is already identified within the Long Term Capital Program.

## FUTURE ACTIONS

A submission will be made before the due date of 6 March.

## RELATED DOCUMENTS

Regional and Local Community Infrastructure guidelines.

**8.5 PLANNING PROCESSES INVOLVING APPLICATIONS FOR TRADING/BUSINESS PLANNING PERMITS**

MINUTE NO. 72

**AUTHOR:** Manager Urban Development - Michael Ballock**MANAGER:** General Manager City Development - Kevin Breen**BUDGET****IMPLICATIONS:** Nil.**SUMMARY:**

The planning process dealing with trading/business permits is no different from the processing of all other planning applications. There are a number of potential delays in the system because of the requirements of the relevant legislation. Also, Council's Statutory Planning Unit has a heavy workload and, along with other local government authorities, has a relatively young and inexperienced staff profile which adds to the pressures of responding to applications in a timely fashion.

**CONSULTATION:**

None

**RECOMMENDATION**

**THAT** Council receive and note this report regarding the planning process involved with applications for trading/business planning permits.

**COUNCIL RESOLUTION****MOVED:** Cr. V. Fontana**SECONDED:** Cr. T. McCarthy**THAT:**

- (1) Council receive and note this report regarding the planning process involved with applications for trading/business planning permits.
- (2) Council officers provide a further report that distinguishes the difference in timeframes associated with residential planning applications and business planning applications.

**CARRIED**

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**REPORT****BACKGROUND**

Council resolved as follows under 'General Business' (Item 9.5) at its meeting on 2 February 2009:

*"That Council Officers prepare a report within the next month which identifies the planning process involving applications for trading/business permits and the respective timelines associated with these applications."*

**CORE ISSUES**

Applications for trading/business planning permits are not processed differently from all other planning applications. Council does not operate a priority system for particular classes of applications because to "fast track" one application invariably means slowing the processing of other applications. Generally, most business applications for a planning permit are located in the Activity Centres of Preston, Northcote, Reservoir, Northland, Fairfield, elsewhere along the High Street spine or in some of the smaller Business Zones. The applications can range from waivers of car parking to substantial multi-level redevelopments of larger sites.

The process for assessing planning applications involves a number of stages including an initial assessment of the application, referrals to internal departments and external agencies and, if appropriate, a request for further information, a direction to give notice (advertising) and a consultative meeting. The matters raised through this process including any objections and comments from the referrals are all considered along with the requirements of the Darebin Planning Scheme and detailed in a written report prepared by the planning officer. More complex applications are also assessed by an internal Development Approvals Panel which meets once a week and is made up of senior officers.

Applications with five or more objections are referred to the Planning Committee for a decision. However the majority of applications (around 90%) are passed onto a senior officer who reviews the report and signs off on the application. The file officer then either issues the permit or refusal. There is no difference between the reports presented to Planning Committee and those considered by the senior officers.

Planning applications range considerably in complexity, both in terms of the nature of applications requiring more detailed analysis and referrals to other authorities but also in the transactions with applicants and their representatives. Sometimes, even simple applications can be delayed by the lack of a timely response from the applicant. However, it is also acknowledged that the workload of the planning staff means that applications may not be processed within the statutory timeframe of 60 days. While certain applications can be processed in a matter of weeks including simple applications for properties covered by a Heritage or Special Building Overlay, where these issues are the only trigger for a permit, most applications for substantial domestic or commercial works, the processing take between three and six months.

In comparison to most metropolitan Councils, Darebin receives a high number of applications for a planning permit and, in terms of staff numbers, has a smaller planning department. This means that the planning staff are dealing with, on average, between 45 and 50 applications, which is high compared to other metropolitan Councils. Equivalent municipalities operate on somewhere between 20 and 30 live applications per planner.

In addition to the sustained high number of applications, the processing of applications has become increasingly complex with a growing number of issues being brought into the planning system. A good example of this is Council's own approach to improving Ecologically Sustainable Development and Disability Discrimination Act outcomes in the built environment. Both of these elements apply particularly to business applications and add to the range of issues which are considered and reported on as part of the assessment of planning permit applications. Added to this is the recent Auditor-General's report into the planning system (VAGO "Victoria's Planning Framework for Land Use and Development", May 2008) which recommended, amongst other things, more comprehensive and detailed planning reports dealing with the consideration of applications for a planning permit.

In this environment and with the current timeframes for dealing with applications for planning permits, Council management is continually reviewing processes and resourcing.

**FINANCIAL IMPLICATIONS**

Nil.

**FUTURE ACTIONS**

None proposed.

**RELATED DOCUMENTS**

Council Minutes – 2 February 2009.



**8.6 AMENDMENT C64 GADD STREET NORTHCOTE -  
CONSIDERATION OF SUBMISSIONS AND REQUEST TO  
THE MINISTER FOR PLANNING TO APPOINT AN  
INDEPENDENT PANEL**

**MINUTE NO. 73**

**AUTHOR:** Strategic Planner – Kris Shaw

**MANAGER:** General Manager City Development – Kevin Breen

**BUDGET**

**IMPLICATIONS:** Council will be required to pay for any representation for Council at an independent panel.

**SUMMARY:**

On 19 December 2005 Council resolved to exhibit Amendment C64 to the Darebin Planning Scheme. The Amendment relates to the former Joshua Pitt tannery sites and four adjoining properties in Gadd Street, Northcote. The Amendment seeks to:

- Rezone land from the Industrial 3 Zone to the Residential 1 Zone
- Apply an Environmental Audit Overlay to the land
- Apply a Design and Development Overlay (DDO) to the Joshua Pitt sites
- Include portions of the land on the Joshua Pitt site within the Schedule to the Heritage Overlay (1 building including an extension and a chimney stack).

Amendment C64 was exhibited for 4 weeks over February and March 2006. A total of 12 submissions were received. The key concerns were:

- The building form that the proposed Design and Development Overlay would allow (ie. bulk, height, setbacks, lack of open space, and impact on neighbourhood character)
- Residential amenity (ie. overlooking, overshadowing and noise)
- Traffic impacts
- Potentially contaminated land
- The impact on existing industrial businesses in Gadd Street
- The appropriateness of the Residential 1 Zone compared to the Mixed Use Zone.

Some of the issues raised can be addressed by changes to the Amendment.

Council requested that an assessment of the site by an environmental auditor establish that the land was suitable for residential use, prior to considering the submissions. An environmental auditor has stated that the site is suitable for medium density development provided that 500mm of existing soil in areas not covered by buildings or permanent paving be removed and replaced with clean soil. The auditor's environmental statement was not finalised until 23 September 2008.

Council's Transport Management and Planning Branch is satisfied that the traffic generated by redevelopment of the sites can be accommodated by the existing road infrastructure.

Changes to the Design and Development Overlay are recommended to require noise attenuation measures to be built into new development for future residents in a mixed use area.

This report recommends that 47-50 Gadd Street be removed from the Amendment and the zoning and suitability of the sites for mixed use development be considered as part of the Industrial Land Use Strategy review.

Since the time that the request to amend the scheme was lodged, Council has appointed heritage consultants to prepare a comprehensive heritage assessment of the whole municipality. Council's heritage consultants have indicated that based on a preliminary assessment of the Joshua Pitt sites it may be necessary to protect more than the single building that the proponent's heritage adviser is recommending be protected. More detailed analysis by Council's consultants is required.

If Council decides to support the Amendment, it must request the Minister for Planning to appoint an independent panel to consider the submissions and the amendment. This is a procedural requirement of the Planning and Environment Act 1987. Alternatively, Council can abandon the Amendment.

### **CONSULTATION:**

- Residents and owners of properties surrounding the subject land and land affected by the Amendment
- Prescribed Ministers, relevant agencies and public authorities
- Statutory Planning Unit
- Transport Management and Planning Branch
- Environment Protection Authority

<b>RECOMMENDATION</b>
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**THAT Council:**

- (1) Receive and note the submissions received in relation to Amendment C64 to the Darebin Planning Scheme.
- (2) Delete properties 47, 48, 49 and 50 Gadd Street from Amendment C64.
- (3) Make minor changes to the exhibited maps and Design and Development Overlay schedule as outlined in this report.
- (4) Request the Minister for Planning to appoint an independent panel in accordance with Part 8, section 153 of the Planning and Environment Act 1987 to consider submissions to Amendment C64.

**COUNCIL RESOLUTION**

**MOVED:** Cr. V. Fontana  
**SECONDED:** Cr. B. Morgan

**THAT** Council:

- (1) Receive and note the submissions received in relation to Amendment C64 to the Darebin Planning Scheme.
- (2) Delete properties 47, 48, 49 and 50 Gadd Street from Amendment C64.
- (3) Make minor changes to the exhibited maps and Design and Development Overlay schedule as outlined in this report.
- (4) Request the Minister for Planning to appoint an independent panel in accordance with Part 8, section 153 of the Planning and Environment Act 1987 to consider submissions to Amendment C64.
- (5) A further report be presented to Council to assess the progress of this submission to the Independent panel.

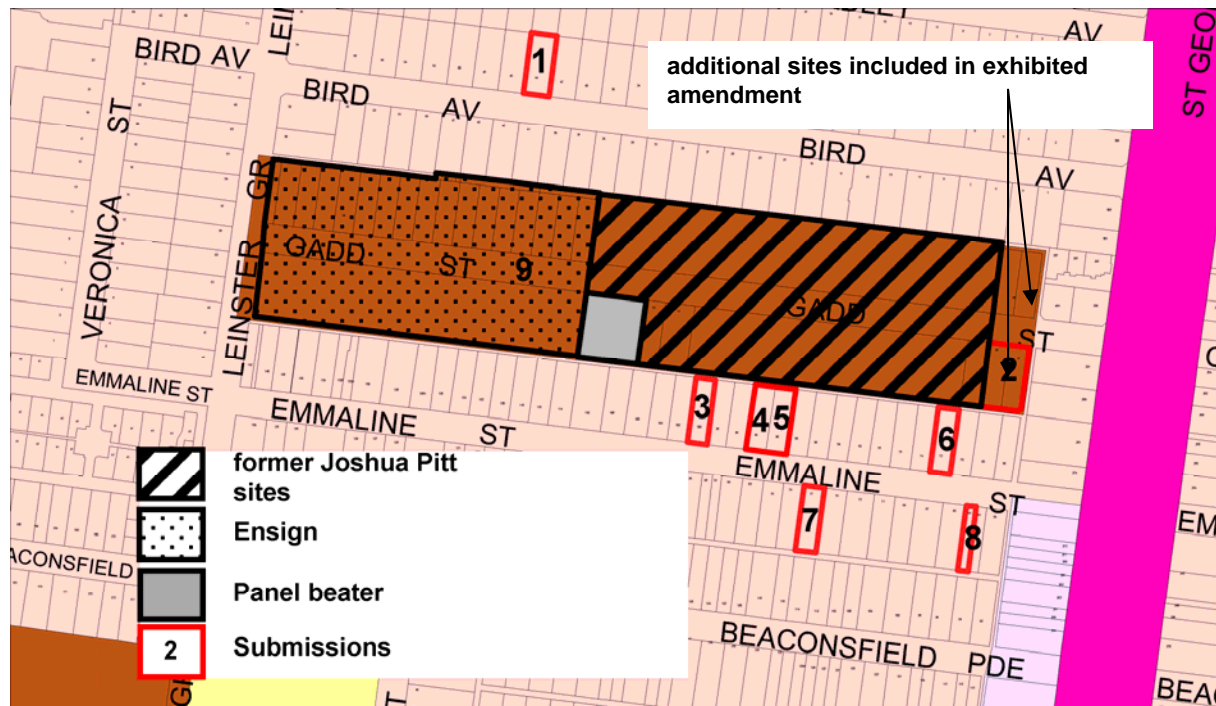
**CARRIED**

**REPORT****BACKGROUND****The site**

Gadd Street was originally subdivided in the 1880s when this part of Northcote was on the outer fringe of Melbourne. At that time, sale of land for housing was poor which provided the opportunity for businesses that needed to be separated from housing to take advantage of the location.

The Pitt family's tanning and leather goods manufacturing business started on one lot in Gadd Street in 1889. The business expanded gradually onto both sides of Gadd Street over an area of approximately 1.3 hectares. The Joshua Pitt Leatherworks business operated until 2001. At its peak the business employed about 200 people. The site has been vacant since 2001.

Four small warehouse/factory buildings on separate titles are located to the east of the Joshua Pitt sites. A panel beater is located to the west, on the southern side of Gadd Street. Ensign, a large industrial drycleaner is located on both sides of Gadd Street to the west of the Joshua Pitt sites.



### The Amendment

The request to amend the scheme was lodged with Council on 29 March 2005.

Council agreed to give 'in-principle' support to the Amendment in November 2005.

In response to a request from the owner of 49 Gadd Street to be included in the Amendment, Council wrote to the adjoining property owners (4) to the east to advise that Council would be considering including their land in the Amendment ie. rezoning the properties from Industrial 3 to Residential 1 and applying an Environmental Audit Overlay.

On 19 December 2005 Council resolved to 'agree in principle' to Amendment C64 which was changed to include the 4 adjoining properties to the east.

On 25 January 2006 Council received authorisation from the Minister for Planning to prepare and approve the Amendment. This process requires the Amendment to be certified by the Secretary of the Department of Planning and Community Development before Council can approve the Amendment. The Secretary takes into account the degree to which the Amendment has been changed since the Amendment was authorised and whether the Amendment utilises the Victoria Planning provisions correctly.

Prior to exhibiting the Amendment, Council commissioned an independent urban designer to work with the proponent's consultants to refine the details of the Design and Development Overlay (DDO). Based on this work, the DDO was changed to include:

- A reduction in scale of the building envelopes shown on the DDO from 4 to 3 storeys;
- On the southern side, increased setbacks from residential properties behind; and
- Ground level setbacks to Gadd Street increased from zero to 3m.

Amendment C64 was exhibited in accordance with the requirements of the Planning and Environment Act 1987 from 16 February to 24 March 2006.

12 submissions were received.

1	Resident of Bird Avenue – supports the Amendment
6	Residents in Emmaline Street – all submissions had concerns about the potential form and quality of new development; some supported the change of use to residential
1	Owners of 47 and 49 Gadd Street – object the inclusion of their sites in the Amendment, the Residential 1 Zone and the application of the Environmental Audit Overlay
1	Ensign – object to the Amendment
1	Department of Sustainability and Environment – no objection
1	Melbourne Water – no objection
1	Environment Protection Authority – provided advice about the application of the Environmental Audit Overlay

A subsequent letter from the Environment Protection Authority (EPA) (14 August 2006) recommended that 100m buffer distances from industrial drycleaners should be maintained.

A summary of the submissions is attached as [Appendix A](#).

### Consultation

Amendment C64 was exhibited between 16 February – 24 March 2006. Notice of the preparation of the Amendment was given to approximately 250 property owners and tenants and to prescribed Ministers and public authorities.

Two public consultation meetings were held in May 2006 to discuss the concerns of submitters. The first meeting was between Ensign's representatives, the proponent and Council. Ensign's representatives indicated that they opposed the Amendment in its entirety and sought to have the Amendment abandoned or postponed because of the adverse impacts their business would have on new residents in Gadd Street, and the consequential impact this would have on their business operations. The second meeting focused on residents' concerns about the physical form of new residential development.

### Planning and Environment Act 1987 provisions

The submissions raised a number of issues, some of which cannot be resolved by changes to the Amendment.

Where issues raised in the submissions cannot be accommodated by changes to the Amendment, section 23(1) of the Planning and Environment Act 1987 requires Council to request that the Minister for Planning appoint an independent panel to consider the Amendment and the submissions.

Council, the proponent and any person who made a submission to the Amendment will have an opportunity to be heard at the panel hearing. The panel is independent and its main role is to review the submissions and provide advice to Council and the Minister about the Amendment and the submissions. The panel considers the degree to which the Amendment supports State and Council policies. The panel's report will make recommendations about what Council should do with the Amendment. Council must consider the panel's recommendations but is not bound by the recommendations.

Council must decide whether to make changes, adopt the Amendment or abandon the Amendment. If Council decides to adopt the Amendment, it must submit the Amendment to the Secretary of the Department of Planning and Community Development for certification prior to Council approving the Amendment.

## CORE ISSUES

Issues raised in the submissions are discussed under the following headings:

1. Heritage
2. Urban design and residential amenity
3. Traffic
4. Land contamination
5. Proximity to existing businesses
6. Inclusion of 47-50 Gadd Street
7. Strategic basis of the Amendment.

### 1. Heritage

#### Allan Willingham assessment (2004)

The proponent's heritage expert has formed the opinion that the Joshua Pitt complex has limited local cultural heritage significance and that only one building, the former drying house (1907) including its extension (1925), and the chimney stack behind the drying house should be protected.

The proponent's heritage adviser Allan Willingham reported:

*An inspection and photographic survey of the existing buildings comprising the former Joshua Pitt Pty Ltd tannery complex confirms that the premises are now decommissioned, all of the essential tannery equipment and services have been removed and the exceedingly adhoc nature of the development of the tannery factory, warehouses and offices over an extended period is really discernible. There is no evidence to indicate that any of the buildings over the large site were designed by architects or reflect current architectural styles or idioms.*

*The industrial buildings erected over the majority of the tannery site are in a very dilapidated condition, the fabric is badly affected by corrosion and decay and there is much evidence of adhoc alteration being made to the structural framework and brick fabric over an extended period of more than 75 years.*

*The northern tannery buildings have been altered and extended often in an exceedingly expedient manner over a very long period. Most of these changes have been made necessary with improvements in leather processing techniques and the tanning equipment used. New equipment has often had to be introduced into building fabric and spaces not designed to accommodate new devices and the structure shows this fact quite dramatically. All of the tangible links with the early years of operation of Pitt's Croxton Tannery have been obliterated in the almost constant process of rebuilding and adaptation of the fabric.*

Northern Suburbs Factory Study (1992)

An earlier assessment of the site included in the Northern Suburbs Factory Study (a 1992 report commissioned by the Historic Buildings Council, Department of Planning and Community Development now Heritage Victoria) suggested that the complex was of State significance as the *largest and most intact tannery in Melbourne*.

Gary Vines assessment (2002)

A subsequent assessment of the complex by Gary Vines in 2002 was commissioned by Heritage Victoria. Vines concluded that the buildings were locally significant and recommended retention of all buildings in the complex.

Context assessment (2009 as part of the Darebin-wide heritage study)

Since lodgement of the request to amend the scheme, Council has appointed consultants to prepare a comprehensive heritage assessment of the whole municipality. Context has advised:

*The Joshua Pitt Tannery is... considered important because it is the last remaining example of a tannery which along with other noxious industries were common in inner Melbourne during the 19<sup>th</sup> and early 20<sup>th</sup> century. The site is substantially intact, providing a compelling reason for further consideration of the significance of the site. In addition, two earlier detailed studies of the site, by Vines (2002) and Willingham (2004) provide conflicting opinions on...the significance and the buildings and features that should be retained.*

It is recommended that Council's heritage consultants be engaged to prepare a more detailed analysis of the sites if Council decides to refer Amendment C64 to a panel.

**2. Urban Design and residential amenity**

It should be noted that some of the submitters were supportive of the rezoning and residential redevelopment but were concerned about the scale of new development and design quality.

The Amendment includes a Design and Development Overlay (DDO) which is used to apply specific requirements to land relating to the design and built form of new development. The DDO uses building envelopes to illustrate the maximum heights and setbacks from residential properties.

Residential amenity impacts such as overlooking and overshadowing were considered prior to exhibiting Amendment C64. Changes to the building envelopes were negotiated through discussions between Council's urban design advisers, the proponent's urban designers and Council officers. The key changes to the DDO were:

- A reduction in height from 4 levels to 3 levels;
- A 3m setback from the rear southern boundary; and
- 3m setbacks from the front boundary for landscaping.



A comparison between the existing buildings on the site and the proposed building envelopes follows:

Current height of buildings on the northern side	Proposed height of buildings on the northern side	Current setbacks	Proposed setbacks from the rear boundary
Drying house – 11m Other buildings – 8m	Gadd Street frontage – 10m (3 levels) Rear – Level 1 – 3m Rear – Level 2 – 7m Rear – Level 3 – 10m	About half the site has buildings on the rear boundary or very close to the boundary	Level 1 – 3m Level 2 – 5m Level 3 – 7m
Current height of buildings on the southern side	Proposed height of buildings on the southern side	Current setbacks	Proposed setbacks from the rear boundary
Between 5m & 8m	Gadd Street frontage – 10m (3 levels) Rear – Level 1 – 3m Rear – Level 2 – 7m Rear – Level 3 – 10m	About half the site has buildings on the boundary of the rear laneway	Level 1 – 3m Level 2 – 3m Level 3 – 8m



Aerial photo of Joshua Pitt complex

It is considered that the proposed maximum 3 storey building heights to the Gadd Street frontage, stepping down to double and single storey heights at residential interfaces achieves 2 main objectives:

1. Ensuring heights are consistent with the ResCode provisions for development within a residential area.
2. Allowing development to achieve a reasonable amount of residential density given the sites' location and size. In Darebin, most new housing is going to be achieved through development in activity centres and 'strategic redevelopment sites' such as the Joshua Pitt sites.



Modifications have been made to the exhibited DDO to address some of the concerns raised by submitters regarding the building envelope and potential impacts on adjoining businesses. The modifications include a requirement for:

- A concept plan to promote a staged development of the site;
- Noise attenuation measures in new buildings to support the continued operation of existing businesses; and
- Development to incorporate environmentally sustainable design elements.

### **3. Traffic**

The Transport Management and Planning Branch has advised that the existing road network can accommodate the potential redevelopment of the Joshua Pitt sites. The impact of parking generated by new residential development will be considered as part of the planning permit application process.

### **4. Land contamination**

A Statement of Environmental Audit has been issued for the Joshua Pitt sites. A series of tests were carried out on site between 1999 and 2008. The auditor found that there were levels of soil contamination on the site that make the site unsuitable for low density residential development but suitable for medium-high density residential provided there is limited access to soil and that 500mm of soil in exposed areas is replaced with clean fill.

The auditor's conclusion was the soil contamination was predominantly the result of contaminated fill material rather than a result of tannery processes. Some contamination was caused by the storage of chemical elements used in the tanning process.

### **5. Proximity to existing businesses**

A submission was received from Urbis on behalf of Ensign Services, located to the west of the Joshua Pitt sites.

Ensign's Northcote plant in Gadd Street is head office for its operations in Victoria and Tasmania. Ensign has been at its current site since 1952. It has an administrative office that employs over 30 staff and a plant that employs approximately 70 staff. The company employs between 100-120 staff at the site including drivers.

The key points of the submission are summarised below:

- Ensign objects to the proposal on the basis that the Amendment does not take into account the continued operation of Ensign and the effect redevelopment of the Joshua Pitt sites will have on that operation.
- Ensign has run an industrial laundry on the sites since the 1950s. The laundry plant is Ensign's biggest production facility. The plant employs a 'significant number of local people'.
- The proposed Amendment would render the Ensign operation a lone commercial/industrial activity in a street that was entirely commercial in the past. Gadd Street was unique in that it was entirely commercial in the midst of a residential area. 'The surrounding residential areas are largely unaffected by the industrial business/industrial traffic (which is directed down Gadd Street to St Georges Road rather than into the residential areas)'. The truck movements occur between 4.00am and 6.30pm and could be a source of nuisance to residents in Gadd Street.
- The rezoning proposal is 'not sufficiently underpinned by an appropriate land use analysis which has regard to market conditions and competing planning policy objectives. (L)imited

consideration has been given to the application of a Mixed Use Zone or Business 2 Zone to...limit the extent of the loss of employment from the area whilst also allowing for housing objectives to be realised'. Ensign 'does not believe that rezoning of the area should never occur but contends that it is not appropriate until such a time that further reviews and considerations have been undertaken'.

- A 'precinct-based approach to rezoning Gadd Street is more appropriate than the incremental, site-by-site approach' suggested by Amendment C64. An incremental approach is more likely to result in 'significant conflict between residential and industrial uses. (F)urther analysis should be undertaken in relation to the extent of land subject to rezoning and the DDO'.
- Without a planning permit application, it is difficult for Ensign to determine the extent to which its operations would be affected by redevelopment of the Joshua Pitt sites. Redevelopment of the sites with high density housing with limited off-street parking would severely affect Ensign's current heavy transport usage of Gadd Street. 'It is not appropriate to determine Amendment C64 in isolation of a comprehensive planning application...'

Clause 52.10 of the Planning Scheme specifies the recommended minimum distance uses with adverse amenity potential should be from land in a residential zone. If an application is received for development with the potential to adverse amenity impacts within those threshold distances, the application has to be referred to the Environment Protection Authority (EPA). Council has to consider the reverse situation with a proposal for housing within the buffer distance of an established drycleaner.

Following receipt of Ensign's submission, advice was sought from the EPA about the potential for new residential development to occur near an industrial drycleaner.

The EPA advised:

*The buffer distance recommended for an industrial drycleaner is 100m as specified in the EPA publication 'Recommended Buffer Distances for Industrial Residual Air Emissions'. EPA strongly supports the observance of these buffer distances as they are designed to protect both the sensitive user and the existing industry. Where sensitive land uses are not sufficiently separated from industries, amenity and quality of life in adjacent areas may be reduced.*

The Advisory Committee that considered the introduction of the Victorian Planning Provisions made the following statement on the issue of buffer distances in planning schemes:

*The distances are a threshold or a trigger as to whether a permit is required or not. In reality they are only trigger mechanisms for the need for a permit. In appropriate circumstances a permit for a particular use may be granted for a location within the specified buffer distance.*

It has to be noted that there are already approximately 200 households within 100m of Ensign.

The EPA has provided a brief record of recent complaints about the Ensign operation in Gadd Street:

2008	1 complaint about odour 1 complaint about noise (from the operation rather than noise caused by truck movements)
2007	1 complaint about odour 1 complaint about noise and air emissions (lint)
2006	1 complaint about noise 1 complaint about lint 1 complaint about odour
2005	6 complaints

The EPA issued a pollution abatement notice in 2004 for lint and again in 2005. The EPA's records note that Ensign installed lint elimination equipment in 2005 and the number of complaints has dropped.

Ensign is currently operating under the requirements of the Environment Protection Act 1970 and the State Environment Protection Policy N1 (Control of Noise from Commerce, Industry and Trade). The EPA administers the Environment Protection Act and related standards.

Given the scale of the Ensign operation, the number of complaints to the EPA could be considered to be low, particularly since 2005. However, it is obvious that aspects of the operation cause nuisance to nearby residents.

Matters raised by the EPA and Ensign will be discussed at a panel hearing.

## 6. Inclusion of 47-50 Gadd Street

The 4 small warehouse-style buildings at 47, 48, 49 and 50 Gadd Street have been used for a series of commercial/industrial uses including knitwear manufacturing and a commercial baker. The sites are currently being used as:

- 47            Photographer's studio and dwelling
- 49            Architect/artist studio and dwelling
- 48            Vacant
- 50            Dance and fitness studio.

Council decided to include these sites in the Amendment after being asked by the previous owner of 49 Gadd Street to be included. Council decided 'in the interest of proper and orderly land use planning' to extend the rezoning to the adjoining properties to the east. Some time after the decision to include the properties, 49 Gadd Street was sold to the owners of 47 Gadd Street. The new owners have objected to 47 and 49 Gadd Street being included in the Amendment because they were not consulted about being included in the Amendment and they believe their sites should be zoned Mixed Use rather than the proposed Residential 1 Zone.

Historically, both 47 and 49 Gadd Street have been used as caretaker's dwellings but currently only 47 Gadd Street is being rated as a 'factory' and a 'dwelling'.

Council's rate records indicate that 49 Gadd Street was used as a foundry (in 1971). A foundry is a use that has a high potential to cause contamination. The owners of the site have had a preliminary assessment of the potential for contamination at 47 and 49 Gadd Street and the results were inconclusive. As a result Council needs an environmental assessment to be undertaken that specifically recommends that the site is suitable for residential purposes before it can be rezoned to a residential zone (Residential 1 or the Mixed Use Zone).

When Council considers rezoning industrial land to a zone that would allow sensitive uses it has to decide whether to apply the Environmental Audit Overlay (EAO) which has a serious impact on the future use and development of the land. The EAO triggers the need for an audit to ensure that land is suitable to be used for a sensitive use. Once the EAO has been applied to a site, even minor works associated with a residential use would trigger the need for an environmental audit. The cost of an environmental audit is usually between \$20,000 and \$30,000. Given the inconclusive results of the environmental investigation and the lack of an economic assessment of the viability of the sites for economic activities, it is recommended that the Amendment be changed to exclude 47-50 Gadd Street. The future zoning of these sites and the need for an EAO can be considered as part of the review of the Industrial Land Use Strategy. Any possible future rezoning of the sites will have to be supported by an assessment by an environmental consultant about the need for an environmental audit overlay. This assessment would be the responsibility of the land owners who would be the beneficiaries of a future rezoning.

#### **7. Strategic basis of the Amendment**

The Residential 1 Zone was proposed to ensure consistency with the surrounding Residential 1 zoned land.

One of the key principles of Council's Industrial Land Use Strategy (ILUS) is to retain industrial land for economic activities and even where continued industrial use may no longer be appropriate, the suitability of the land for other economic activities should be tested.

The ILUS includes a brief assessment of industrial land in Gadd Street:

(O)ld building stock (some purpose built) would be difficult to reuse and not desirable to maintain industry in this location in the longer term therefore could be rezoned if major activity moves out.

An assessment of the potential for the Joshua Pitt sites to support economic activities has not been prepared. The proponent has agreed to do this work prior to a panel hearing. If the assessment finds that economic activities are viable on the sites then the Panel may recommend using the Mixed Use Zone. The Mixed Use Zone is a residential zone that also provides for a range of commercial, industrial and other uses.

#### **Conclusion and recommended changes**

The potential for the Joshua Pitt sites to be reused by another industrial business is very low. The buildings are of a low standard and would require substantial investment to bring them up to a modern commercial standard. The sites will not be attractive to some industries due to the lack of main road frontage. The proximity to residents is also a disincentive for industry that has the potential to cause off-site impacts. Reuse of the sites for commercial purposes may also be complicated by the need to protect heritage buildings. However, the potential for the sites to support other commercial uses should be tested in line with Council's Industrial Land Use Strategy. This work will be prepared by the proponent prior to a panel hearing.

The existing and future best use of 47 and 49 Gadd Street is unclear at this stage. More information is needed on the suitability of the sites for housing and economic activities. It is recommended that the

sites be abandoned from the Amendment and that they be investigated as part of the Industrial Land Use Review.

A detailed analysis of the heritage significance of the Joshua Pitt sites by Council's heritage consultants will be required prior to a panel hearing.

It is considered that changes to the building envelopes to achieve reduced heights and increased setbacks will reasonably address the amenity issues raised by nearby residents while still achieving housing in a location that has good access to services and transport. The revised DDO also requires noise attenuation for new dwellings to provide a high level of internal amenity and address some of the concerns of Ensign.

Prior to attending a panel hearing it is recommended that changes be made to the DDO to simplify the height and setback drawings. These changes will aid the reading of the DDO without changing its intent.

The proposed redevelopment of the former industrial sites for residential use has merit. However, the change to residential use presents a number of land use issues that need to be addressed. The panel hearing is part of the process of resolving these outstanding matters.

## **FINANCIAL IMPLICATIONS**

The Amendment was initiated by the land owner. The costs of an independent panel will be borne by the land owner. Council will be required to pay the cost of:

- A detailed heritage assessment of the site prior to attending a panel hearing
- Its expert witnesses to prepare submissions and attend the panel.

## **FUTURE ACTIONS**

This report recommends that Amendment C64 be referred to an independent panel.

## **RELATED DOCUMENTS**

Council report – 21 November 2005

Council report – 19 December 2005

Industrial Land Use Strategy: A framework for decision-making (November 2001)

**8.7 TRAVEL BEHAVIOUR CHANGE PROGRAMS IN DAREBIN****MINUTE NO. 74****AUTHOR:** Sustainable Transport Officer – Ben Grounds**MANAGER:** Manager Transport Management and Planning – Daniel Kollmorgen**BUDGET****IMPLICATIONS:** Within current budget and grant funding received**SUMMARY:**

The City of Darebin has been a leader in travel behaviour change programs in Victoria, if not Australia, for a number of years. Our successes in this field have been numerous and the feedback from residents involved in the programs has been exceptionally positive. This report serves to summarise the programs implemented over the past year, provide results, feedback and a summary of plans for the future of travel behaviour change programs for Darebin.

**CONSULTATION:**

Department of Infrastructure, Transport Management and Planning, neighbouring Councils, other relevant Departments within Council, community.

<b>COUNCIL RESOLUTION</b>
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**MOVED:** Cr. T. Laurence**SECONDED:** Cr. B. Morgan**THAT:**

- (1) The status of travel behaviour change programs, as outlined in the body of this report, be noted.
- (2) Council continues to promote, support and encourage sustainable transport initiatives.
- (3) Officers continue to provide Council with annual reports on the progress of travel behaviour change initiatives within Darebin.

**CARRIED**

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**REPORT****BACKGROUND**

Originally through Darebin's Integrated Travel Plan (ITP, 2001) and now through the Darebin Transport Strategy (DTS, 2007) Council has a clear mandate to undertake a Green Travel Plan for Council staff and travel awareness campaigns to change the attitude and behaviours of the community at large in the way they travel.

In addition, Promise 39 of the previous Council Plan refers to Council's commitment to delivering travel behaviour change and information programs: "We will encourage use of alternatives to the motor vehicle such as walking, cycling and public transport and we will advocate for the development of services and infrastructure that support this change".

The Green Travel Plan (GTP) for Council staff was the first travel behaviour change program introduced to Darebin. Since the appointment of a full time Sustainable Transport Officer in October 2003, a number of programs have been conducted which have attracted substantial external funding, national and international attention as well as praise from our residents.

**CORE ISSUES**

Since the initial report to Council in 2004 on travel behaviour change programs, a number of significant projects have been implemented within the Darebin community and results for others have been received. [Appendix A](#) provides an overview on the status of these projects and available results. Key projects, however deserve particular attention, these are detailed below.

In reporting on the programs run by Council, it must be remembered that changing travel behaviours is a long term endeavour. Even though it is difficult and costly to measure with any certainty, it is important to lead by example for the long term objectives of minimising our impact on climate change, congestion and minimising the effect of peak oil on our communities.

**Love Living Local:** Darebin, in partnership with the Victorian Government, is now in the final stages of implementation of a three year innovative travel behaviour change program. Funding of \$300,000 over three years was awarded, to be matched by Council and the community by in-kind and monetary sources. Each year of the program has concentrated on a different Activity Centre; Preston (2006/2007), Fairfield and Thornbury (2007/2008) and now Reservoir (2008/2009). In each of these centres the schools, traders, shoppers, newly-arrived tenants and local residents are targeted. Programs have been designed to encourage, reward and promote local shopping using sustainable transport modes.

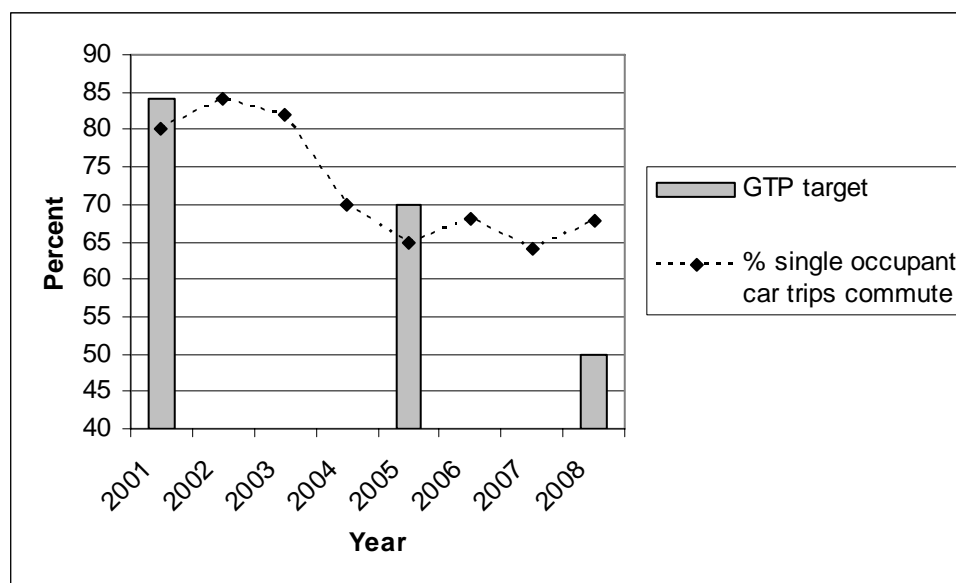
The Love Living Local program began in Preston and engaged a wide cross section of the community including four schools, Preston Business Association, Preston Market, Northern Bullants, nearly 4,000 households and four Real Estate Agents.

Year two of Love Living Local was conducted in Fairfield and Thornbury, engaging the Fairfield Traders Association, Darebin Bicycle User Group, six real estate agents, and the community.

Year three of the project is undertaking a wide range of initiatives including bike maintenance workshops, local champion promotion, new tenants kits, story telling photographic competition, school street signs, and community-developed street art. The partnerships being developed in year three are of significant importance. These partnerships are with the East Reservoir Neighbourhood Renewal team and the StreetsAhead Project operating in East Reservoir and East Preston.

Evaluation for the first two years of the project has encountered some of the traditional challenges of measuring travel behaviour change – that is, it is difficult attributing changes in community travel behaviour change to a single initiative or project like Love Living Local. However, the evaluation has shown a high level of engagement and satisfaction by the community with the various initiatives of the project.

**Green Travel Plan (GTP):** The GTP continues to be Darebin’s flagship travel behaviour change initiative and is applauded by both the local government sector and other organisations. Our first goal of reducing staff travelling to work alone to 70% was reached in 2004 – one year before the target of 2005. This is a result of incentives, events and awareness programs conducted with the staff over a period of four years and installing new facilities. Figure 1, below, shows a further drop in car use, before a plateau in the trend.



*Figure 1 – Percentage of Darebin Staff commuting by single occupant vehicle.*

Since the inception of the Incentive Program as part of the GTP, the following outstanding results have been achieved:

- 22,377 trips by staff coming to/from work in 2008 being registered as sustainable modes (there have been a cumulative total of 81,377 trips made since the beginning of the program in 2003)
- 501,928 kilometres<sup>1</sup> not travelled by car with a single occupant in 2008 (a cumulative total of 1,150,928 kilometres of single-occupant car travel have been avoided since the inception of the program in 2003)
- 131 tonnes<sup>2</sup> of greenhouse gas emissions abated through the GTP incentive scheme in 2008 (there have been 345 tonnes of greenhouse gases abated since the inception of the program in 2003)

Figure 2 below compares the 2008 data for active Green Travel program members, the number of points (that is, green travel trips) logged, and the number of kilometres travelled by green travel. While the number of staff active in the program has reduced slightly in the last two years, the number of trips logged on the system has continued to rise.

<sup>1</sup> Staff registered on the GTP incentive scheme travel an average of 14.5km to work

<sup>2</sup> GHG emissions = VKT x 0.33kg per person per kilometre



A review of the GTP was completed in 2008 and has begun to be implemented to address some identified issues and opportunities, including to ensure broad staff participation in the program.. The review was initiated in light of the age of the program and the target originally set for 2008 (50% of staff travelling to work alone) that was not achieved due to a number of circumstances including:

- Continued provision of free parking for staff at the Darebin Civic Centre
- Ample free unrestricted parking in nearby streets for staff at Preston
- The size of the car pool fleet (currently under review through the Climate Change Action Team).

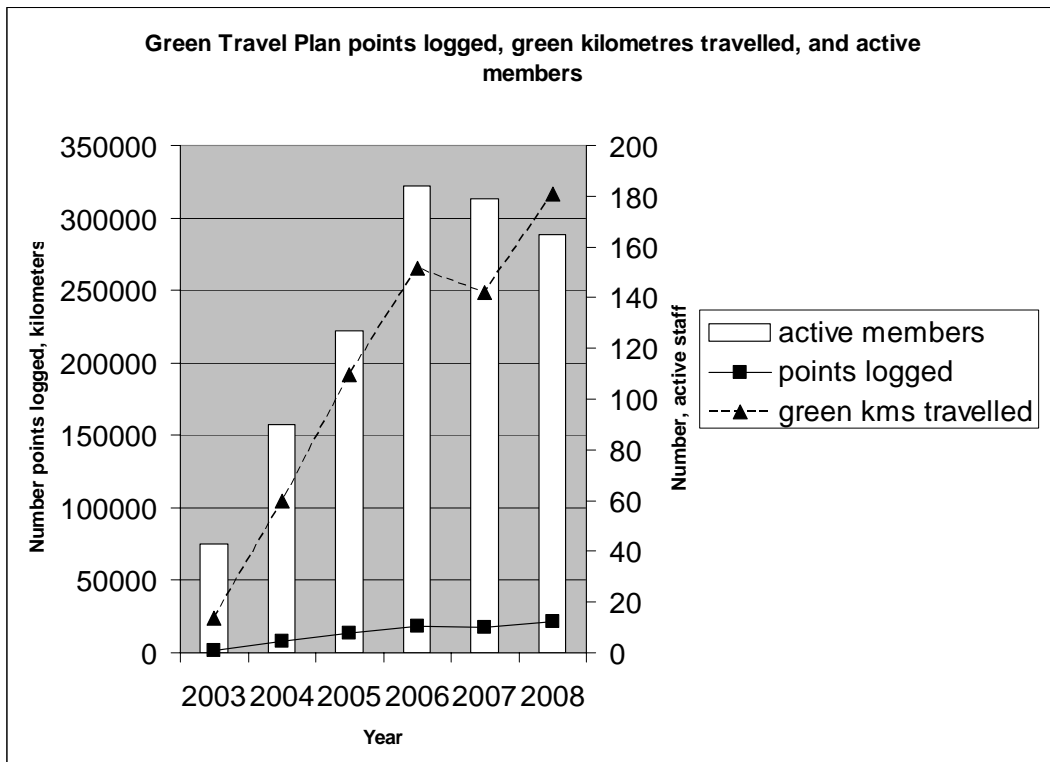


Figure 2 - Green Travel Plan points logged, green kilometres travelled, and active members

The 50% target will be set back to coincide with changes in the parking circumstances for staff through the Preston Precinct Redevelopment. Additional, new targets will also be developed and pursued.

GTP initiatives have been melded into Council practice so that costs are not borne by one area and they have become standard Council Business across the board. The costs to run all aspects of the Green Travel Plan are approximately \$48,000. Savings are more difficult to measure – Green Travel initiatives almost certainly increase staff attraction and retention, reduce sick days, and reduce fleet car costs. One measurable example is that the 876 Metcards used for business travel saved \$9954 in CBD car parking fees alone.

**Going Places – Darebin’s Community Reward Scheme:** Council originally received \$49,700 of funding through the Department of Infrastructure to create Going Places in 2005.

The program is designed to extend a travel behaviour change method that has proven very successful in a Council staff setting – the rewards scheme. Going Places encourages residents to make changes to their travel habits by rewarding them for fulfilling a pledge to take two less drive alone trips per week. It is operated through a web-based program whereby each time a resident achieves this goal they log the pledge on the website and earn points to redeem as rewards. Members of Going Places also have access to a discount card for local businesses and are able to communicate with each other through an on-line messaging service.

Since Going Places was launched in February 2006 the following results have been achieved:

Item (cumulative)	First Year	Second Year	Third Year
Number of Members	380	520	640
Greenhouse gases abated	33 tonnes	58 tonnes	76 tonnes
Kilometres of car travel saved	100,000km	161,000km	215,802km
\$ saved in the community	\$13,000	\$22,700	\$29,737

**Travel Plans for New Developments:** Council adopted “Guidelines for Travel Plans for New Developments” in 2005 to encourage developers to provide information, incentives and infrastructure for sustainable transport modes. These Guidelines have been consistently applied now for nearly two years and ongoing reviews and enhancements have enabled Council to work closely with developers to ensure a good outcome for pedestrians, cyclists, neighbours and the environment.

**School Travel Planning:** Through a number of years of working with, and providing funding to, local schools to develop and implement travel behaviour change programs, we now have 10 schools in Darebin implementing travel plans. School Travel Plans are documents containing goals and actions that the school works towards to increase the number of students travelling by sustainable transport, particularly active travel modes.

**Leadership activities:** The design and implementation of the above initiatives (and those found in [Appendix A](#)) demonstrate Darebin’s commitment to sustainable transport programs and leadership in this field. This is demonstrated by the following activities in the last 12 months:

- Darebin staff initiated and coordinated a two-day Sustainable Transport Short Course with a visiting UK expert. Over 40 professionals from local and state government attended the well-received course at Northcote Town Hall.
- The Age newspaper ran an article on carpooling and used two Darebin employees as a case study.
- Channel Nine’s A Current Affair program ran a segment on car-pooling featuring a case study of Darebin staff and interviewed Darebin’s Sustainable Transport Officer about the Green Travel Plan.
- Sustainable Transport Officer interviewed on 3AW in regard to Council’s policy on Travel Plans for New Developments.

**Walking School Bus:** The funding for Walking School Bus came to an end in 2008. Darebin was successful, through the Community Access, Health and Safety Unit, in obtaining VicHealth funding for the 3 year StreetsAhead program which is the replacement program being supported by VicHealth in the place of the Walking School Bus.

**Future planning:** The Love Living Program comes to the end of its 3 year duration at the end of this financial year. Going Places and the Green Travel Plan will both continue to be run by the Transport Management and Planning Branch travel behaviour change officers.

At the conclusion of Love Living Local all previous travel behaviour change programs in Darebin will be reviewed to determine a set of programs for subsequent financial years. Future programs will be planned and delivered in accordance with the Darebin Transport Strategy actions:

**A31 Review Darebin's behaviour change programs:** ensure current and ongoing programs are meeting expectations, continue to be worthwhile and are sufficiently integrated into all new systems and infrastructure delivered by Council.

**A32 Pilot and test innovative sustainable transport initiatives:** Council is open to innovative ideas and will support well-designed trials of promising ideas.

**A33 Promote informed travel choices:** this includes a wide range of initiatives including information packs to new residents, quality maps, advice and materials to event managers, free Bike Ed training and use of bicycles in primary schools, walking programs, supporting community groups to take a leadership role in sustainable transport and local purchasing policies and campaigns.

**A35 Develop and build on successful school travel plans:** this includes working through the 'Love Living Local' framework to develop new plans in targeted areas and directing schools to other agencies, such as Bicycle Victoria, for help.

## FINANCIAL IMPLICATIONS

All programs are catered for in the current budget together with the grant funding/collateral that Darebin has been successful in attaining. New streams of funding have become available or are being utilised in to coming financial year to ensure high quality execution of travel behaviour change at Darebin. Future programs will be referred to future budget processes.

## FUTURE ACTIONS

An Annual Report to be submitted to Council on the progress of current and future travel behaviour change programs in Darebin.

## RELATED DOCUMENTS

Darebin Transport Strategy, 2007

Green Travel Plan, 2001

Report to Council, February 2008 "Travel behaviour change programs in Darebin"

EMT Green Travel Plan Status Report, December 2008

Green Travel Plan Review, December 2008

**8.8 STATUS REPORT ON REPORTS AND 'GENERAL BUSINESS' ITEMS OUTSTANDING****MINUTE NO. 75****AUTHOR:** Council Business Coordinator – Ron Downes**MANAGER:** General Manager Corporate Services – Bruce Dobson**BUDGET****IMPLICATIONS:** Nil**SUMMARY:**

This report provides a summary of the status of reports and 'General Business' items outstanding as at February 2009.

**CONSULTATION:**

Executive Management Team

<b>COUNCIL RESOLUTION</b>
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**MOVED:** Cr. N. Katsis**SECONDED:** Cr. S. Chiang

**THAT** the status report on Reports and 'General Business' items outstanding as at February 2009, attached as [Appendix A](#) to this report, be received and noted.

**CARRIED**

<b>REPORT</b>
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The status of outstanding reports and actions requested by Council resolution is reported to Council monthly.

A schedule of the reports and actions outstanding as at February 2009 is attached as [Appendix A](#).

The list of reports requested includes items raised by Councillors under 'General Business'.

Items are deleted from the list once the report or action has been completed and the completed status has been noted by the Council.

**9. URGENT BUSINESS**

Nil.

**10. GENERAL BUSINESS****10.1 MULTICULTURAL COMMUNICATION STRATEGY****MINUTE NO. 76****COUNCIL RESOLUTION****MOVED: Cr. G. Greco****SECONDED: Cr. N. Katsis**

**THAT** Council officers prepare a comprehensive multicultural communication report and strategy to complement Darebin's existing communication strategy 2008-2009 that will ensure we recognise, encourage and support Darebin's culturally diverse community's right to be consulted and communicated to so as to provide inclusive and effective governance.

The strategy will seek to review and enhance Council's current communication strategic goals and actions, in relation to Media, Advertising, Publications, Civic Events, Strategic Advice, Branding and Website and New Media.

To facilitate the preparation of this report Council officers will develop terms of reference to be considered at the 6 April 2009 Council briefing with a full report coming to Council by 30 June 2009.

**CARRIED****10.2 'HOME STAY' STUDENT ACCOMMODATION SCHEME****MINUTE NO. 77****COUNCIL RESOLUTION****MOVED: Cr. G. Greco****SECONDED: Cr. T. Laurence**

**THAT** Council officers provide a report on the feasibility of brokering a 'home stay' accommodation arrangement between Darebin residents willing to offer spare rooms for rent and students seeking secure and safe accommodation.

To facilitate the preparation of this report Council officers will develop terms of reference to be considered at the 6 April 2009 Council briefing with a full report coming to Council by 30 June 2009.

**CARRIED**

10.3

**GILBERT ROAD TRAM ADVOCACY STRATEGY**

MINUTE NO. 78

**COUNCIL RESOLUTION**

**MOVED:** Cr. G. Greco  
**SECONDED:** Cr. B. Morgan

**THAT** building on the Darebin Transport Strategy Plan, Council officers report and prepare a detailed advocacy strategy to promote the extension of the Gilbert Road tram. The report will investigate and detail work done to date, costing, routing, alternative transport solutions and past and proposed community consultation activities.

To facilitate the preparation of this report Council will develop terms of reference to be considered at the 6 April 2009 Council briefing with a full report coming to Council by 30 June 2009.

**CARRIED**

10.4

**POSSIBLE CONTAMINATION FROM INDUSTRIAL SITES –  
GADD STREET NORTHCOTE**

MINUTE NO. 79

**COUNCIL RESOLUTION**

**MOVED:** Cr. T. McCarthy  
**SECONDED:** Cr. G. Greco

**THAT** Council officers liaise with residents in Gadd Street, Northcote regarding their concerns about possible contamination from neighbouring industrial sites and recommend to the next Council meeting what actions, if any, Council could take in response to these concerns.

**CARRIED**

**10.5 LETTER OF APPRECIATION****MINUTE NO. 80****COUNCIL RESOLUTION****MOVED: Cr. S. Chiang****SECONDED: Cr. S. Tsitas**

**THAT** on behalf of Darebin Council, the Mayor send a letter of appreciation to Mr Don Myott for his contribution to Bundoora Park.

**CARRIED****10.6 TRAFFIC ISSUES – MARY STREET PRESTON****MINUTE NO. 81****COUNCIL RESOLUTION****MOVED: Cr. V. Fontana****SECONDED: Cr. S. Tsitas**

**THAT** Council officers assess traffic issues and concerns along Mary Street Preston.

**CARRIED****10.7 VACANT BLOCK – MANOEL AVENUE RESERVOIR****MINUTE NO. 82****COUNCIL RESOLUTION****MOVED: Cr. T. Laurence****SECONDED: Cr. S. Tsitas**

**THAT** Council Officers investigate and report back to Council regarding the vacant block in Manoel Avenue Reservoir that is now being used as a bus depot.

**CARRIED**

**11. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL**

Nil.

**12. CLOSE OF MEETING**

The meeting closed at 9pm.