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MINUTES OF THE COUNCIL MEETING

Held on Monday 17 August 2015

Released to the public on Thursday 20 August 2015

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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 17 AUGUST 2015**

THE MEETING OPENED AT 7.00 PM

1. PRESENT

Councillors

Cr. Steven Tsitas (Mayor) (Chairperson)
Cr. Vince Fontana
Cr. Tim Laurence
Cr. Bo Li
Cr. Trent McCarthy
Cr. Angela Villella (7.01 pm)
Cr. Oliver Walsh (Deputy Mayor)
Cr. Julie Williams

Inspectors of Municipal Administration

Mark Madden
Bill Mountford

Council Officers

Steve Hamilton – Acting Chief Executive
Katrina Knox – Director Community Development
Tiffany White – Acting Director Corporate and Planning Services
Jacinta Stevens – Manager Corporate Governance and Performance
Darren Rudd – Manager City Development (8.31 pm)
Yvonne Rust – Town Planner (8.31 pm)
Dave Bell – Senior Media Advisor (7.01 pm)
Katia Croce – Coordinator Council Business
Jody Brodribb – Council Business and Governance Officer

2. APOLOGIES

Cr. Gaetano Greco is on an approved leave of absence.

3. DISCLOSURES OF CONFLICTS OF INTEREST

Cr. Laurence disclosed a conflict of interest in Item 9.4 – Revocation of Council Resolution.

Cr. Walsh declared in ‘interest’, not a conflict, in Item 8.10 – Amendment C136 – Amendment and Adoption.

Cr. Vilella and Dave Bell, Senior Media Advisor entered the meeting at 7.01 pm.

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

COUNCIL RESOLUTION

MOVED: Cr. J. Williams

SECONDED: Cr. O. Walsh

THAT the Minutes of the Ordinary Meeting of Council held on 3 August 2015 be confirmed as a correct record of business transacted.

CARRIED

5. REPORTS BY MAYOR AND COUNCILLORS

MINUTE NO. 408

5.1 REPORT OF CR. BO LI

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

- Launch of National Alliance for Gambling Reform
- Darebin Environmental Reference Group meeting
- Lunch with Rosie Batty
- Darebin Interfaith Advisory Committee meeting
- Photoshoot to support marriage equality
- WH Robinson reserve community planting day
- Planning Committee meeting
- Councillor Briefing session
- Darebin Enterprise Learning Centre board meeting
- Councillor briefing with Municipal Inspectors
- Northcote Hysterical Society art exhibition opening
- Meeting with residents of Stott Street
- Meeting with residents regarding Capp and Robinson reserve
- Residential issues including traffic, planning and community safety

5.2 REPORT OF CR. TRENT MCCARTHY

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

- Council photo shoot in support of Marriage Equality
- Northern Alliance for Greenhouse Action Executive Meeting
- Meeting with residents regarding transport and traffic issues in Alphington / Fairfield, including Banyule night-time truck ban
- Presentation by Wild Darebin regarding biodiversity and natural heritage protection in Darebin
- Planning Committee Meeting
- Council Briefing
- Workshop with Municipal Inspectors
- Merri Creek footbridge proposal
- Yarra Valley Hockey Club proposal
- Marriage Equality Rally - thanks and congratulations to Darebin residents who attended in large numbers
- Resident and trader enquiries regarding C136 and 137, multi-sports stadium, litter management, planning matters, rates
- Petition to be tabled regarding litter management issues

SUSPENSION OF STANDING ORDERS – 7.06 PM**COUNCIL RESOLUTION**

MOVED: Cr. T. McCarthy
SECONDED: Cr. O. Walsh

THAT Standing Orders be suspended to allow the tabling of a petition.

CARRIED

TABLING OF PETITION

MINUTE NO. 409

COUNCIL RESOLUTION

MOVED: Cr. T. McCarthy
SECONDED: Cr. O. Walsh

THAT the petition titled "Litter and Rubbish in the City of Darebin and Specific litter and Rubbish issues near Gladstone Avenue and St Georges Road, Northcote" be tabled and a report be presented to Council on 21 September 2015.

CARRIED

RESUMPTION OF STANDING ORDERS – 7.07 PM**COUNCIL RESOLUTION**

MOVED: Cr. T. McCarthy
SECONDED: Cr. V. Fontana

THAT Standing Orders be resumed.

CARRIED

5.3 REPORT OF CR. JULIE WILLIAMS

Cr. Williams reported on her attendance at the following functions/activities:

- Lunch with Rosie Batty – Australian of the Year
- Pre Planning Committee
- Planning Committee
- Briefing Session
- Briefing session with Mark and Bill – inspectors
- Meet with residents regarding girls playing cricket
- Attended Residents issues regarding graffiti, development, Preston Market, building and VCAT issues, other various constituent matters.

5.4 REPORT OF CR. VINCE FONTANA

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

- Meeting with Preston Market Manager regarding NFL finals
- Attended the Business Lunch with guest : Rosie Batty
- Photo shoot for marriage Equality
- Northern Blues Business Breakfast
- Visited Barling Reserve to observe issues with parking
- Planning Committee meeting
- Council Briefing session
- Visited NMIT Preston and Zwar Park
- Met with Park Street residents to discuss traffic and local issues
- Attended the Inspectors of Municipal Administration Councillors Briefing session

5.5 REPORT OF CR. OLIVER WALSH

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

- Fairfield Listening Post regarding grade Separation
- Fairfield Residents traders
- Metro Waste Management group
- Met with Sustain Me Group
- DECAL Board Meeting
- Opening of Welcome Thornbury
- Northcote Hysterical Society Exhibition opening at Bundoora Park
- Route 86
- Met with Moreland Mayor
- Catch Up with A/Chief Executive Officer
- Met with various Darebin Staff
- Launch of "Peace in the Bush"
- MAV Exclusive Briefing on National Alliance for Gambling Reform
- Arts Ambassadors Meeting
- Metropolitan Transport Forum (MTF)
- Planning committee
- Briefing
- Photo-shoot in Support of Marriage Equality
- Kata Lebanese Political Party
- Various Constituent enquiries
- Rosie Batty Lunch

5.6 REPORT OF CR. TIM LAURENCE

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

- Council meeting
- Attended lunch with Rosie Batty, Australian of the Year
- Pre Planning Briefing
- Planning Committee meeting
- Councillor Briefing session
- Consultation with Reservoir residents on planning issues
- Photoshoot with Councillors, the Member for Preston Robin Scott and head of the State Government level crossing authority at Reservoir station intersection
- Meetings with various traders in Reservoir regarding state of vegetation and footpaths in Edwardes Street and Broadway, Reservoir
- Meeting with municipal inspector at Preston
- Site inspection of John Cain memorial Park
- Ongoing consultation with Rucker ward and Cazaly ward residents with regard to indoor stadium project
- Consultation with Rucker ward and Latrobe ward residents with regard to minor asset policy
- Consultation with Cazaly ward and Latrobe ward residents with regard to concerns on C136 and C137 planning amendments

5.7 REPORT OF CR. ANGELA VILLELLA

Cr. Villella reported on her attendance at the following functions/activities:

- Darebin Women's Advisory Committee
- Visit new Reservoir Library
- Discussions with residents regarding the former Ruthven primary school site, new street lighting, grade separation and general community safety issues.

5.8 REPORT OF CR. STEVEN TSITAS

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

- Council Meeting
- Planning Committee meeting
- Councillor Briefing session
- Catch Up with Chief Executive Officer
- Meeting with Inspector Mark Madden
- Council Briefing with Inspectors Mark Madden and Bill Mountford
- Pakistan Independence Day

- Victoria University
- CALD Press Briefing
- Discussion with Staff regarding Mayor's Event
- Apology letter to GG

Cr. Tsitas also tabled a written apology to Cr. Greco as per the requirements of the Councillor Conduct Panel. As Cr. Greco is on a leave of absence, Cr. Tsitas will provide a verbal apology to Cr. Greco upon his return from leave.

NOTE: A copy of the written apology to Cr. Greco from Cr. Tsitas is attached as **Appendix A.**

6. PUBLIC QUESTION TIME**MINUTE NO. 410**

The Chairperson, Cr. Tsitas, invited questions from members of the public gallery.

The following questions were submitted:

- Dajarra Golding of Thornbury asked a question regarding the transparency regarding the selection process for the site of the proposed Multi-Sports Stadium. The question was responded to by the Chairperson, Cr. Tsitas.
- Helen McDonald of Northcote asked a question regarding a proposed Pedestrian and Cyclist Bridge at Beavers Road Northcote. The question was responded to by the Chairperson, Cr. Tsitas.
- Juliet Hall of Northcote asked a question regarding a proposed Pedestrian and Cyclist Bridge at Beavers Road Northcote. The question was responded to by the Acting Chief Executive, Steve Hamilton.
- John Nugent of Epping asked several questions regarding CT Barling Reserve. The questions were responded to by the Chairperson, Cr. Tsitas.
- Christopher Jennings of Thornbury asked a question regarding Council Procedural matters. The question was responded to be the Manager Corporate Governance and Performance, Jacinta Stevens.

After Public Question Time had concluded, no further questions were submitted.

7. RECORDS OF ASSEMBLIES OF COUNCILLORS

7.1 ASSEMBLIES OF COUNCILLORS HELD

MINUTE NO. 411

An Assembly of Councillors is defined in section 76AA of the *Local Government Act 1989* to include Advisory Committees of Council if at least one Councillor is present or, a planned or scheduled meeting attended by at least half of the Councillors and one Council Officer that considers matters intended or likely to be the subject of a Council decision.

Written records of Assemblies of Councillors must be kept and include the names of all Councillors and members of Council staff attending, the matters considered, any conflict of interest disclosures made by a Councillor attending, and whether a Councillor who has disclosed a conflict of interest leaves the assembly.

Pursuant to section 80A (2) of the Act, these records must be, as soon as practicable, reported at an ordinary meeting of the Council and incorporated in the minutes of that meeting.

An Assembly of Councillors record was kept for:

- Darebin Environmental Reference Group – 5 August 2015
- Darebin Interfaith Council – 6 August 2015

COUNCIL RESOLUTION

MOVED: Cr. T. Laurence
SECONDED: Cr. J. Williams

THAT the record of the Assembly of Councillors held on 5 and 6 August 2015 be noted and incorporated in the minutes of this meeting.

CARRIED



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Darebin Environment Reference Group (DERG)
	Date:	Wednesday 5 August 2015
	Location:	Conference Room, Preston Municipal Offices
PRESENT:	Councillors:	Cr. Bo Li
	Council Staff:	Libby Hynes, Gavin Mountjoy
	Other:	Darebin Environment Reference Group members
APOLOGIES:		

The Assembly commenced at 7.15 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Waste and Litter Strategy and Draft Natural Heritage Strategy Update	No disclosures were made
2	Solar \$aver 2015/2016 program update	No disclosures were made
3	Climate Change Review and Becoming Carbon Neutral by 2020	No disclosures were made
4	Council Minutes (of meetings since the last DERG meeting)	No disclosures were made
5	Environmental Project Updates	No disclosures were made

The Assembly concluded at 8.50 pm

RECORD COMPLETED BY:	Officer Name:	Libby Hynes
	Officer Title:	Manager Environment and Natural Resources



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Darebin Interfaith Council
	Date:	Thursday 6 August 2015
	Location:	Northern Community Church of Christ
PRESENT:	Councillors:	Cr Gaetano Greco Cr Bo Li
	Council Staff:	Cesar Diaz, Darren Aziz Cooper
	Other:	Darebin Interfaith Committee representatives
APOLOGIES:		None

The Assembly commenced at 6 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Chairman's welcome	No disclosures were made
2	Apologies	No disclosures were made
3	Previous minutes	No disclosures were made
4	Interfaith Officer Report	No disclosures were made
5	Interfaith Tour Progress Report	No disclosures were made
6	Interfaith Strategic Plan 2015 - 2016	No disclosures were made
7	Report on DCC – Preston Mosque bi-monthly collaboration meeting	No disclosures were made
8	Community Inclusion Plan – Progress Report	No disclosures were made
9	Victorian Interfaith Network 2016 Conference – Progress Report	No disclosures were made
10	Other business	No disclosures were made
	Next Meeting	19 November 2015

The Assembly concluded at 8 pm

RECORD COMPLETED BY:	Officer Name:	Cesar Diaz
	Officer Title:	Multicultural Affairs Officer

8. CONSIDERATION OF REPORTS

8.1 HIGH STREET RESERVOIR BEAUTIFICATION LANDSCAPING OF RAILWAY CORRIDOR

MINUTE NO. 412

AUTHOR: Acting Manager Leisure and Public Realm

REVIEWED BY: Acting Director Culture Leisure and Works

SUMMARY

At its meeting on 16 February 2015, Council resolved that:

'Officers prepare a report on the feasibility of the beautification of High Street, Reservoir along the railway corridor from Reservoir Station to the corner of High Street and Keon Park Parade.

A planned beautification would include tree planting and general landscaping. The report is also to include a process for liaising with other government authorities. The report will inform the 2015/2016 budget process.'

As a key gateway to Darebin, a landscaping project at the northern end of the Reservoir line would make a significant improvement to the overall amenity of the strip and enhance this major entrance to the city.

CONSULTATION

- Manager Parks and Vegetation
- Acting Coordinator Open Space and Horticulture
- Acting Coordinator Urban Tree Management
- Coordinator Public Realm
- VicTrack Maintenance Coordinator

RECOMMENDATION

THAT Council:

- (1) Notes this report on the High Street Reservoir Beautification and Landscaping of Railway Corridor.
- (2) Council continues to engage with VicTrack for improvements to the High Street railway corridor.
- (3) Council investigates the possibility of entering into an MOU with VicTrack to govern the beautification and maintenance of rail corridor land.

MOTION

MOVED: Cr. T. Laurence
SECONDED: Cr. A. Villella

THAT Council:

- (1) Notes this report on the High Street Reservoir Beautification and Landscaping of Railway Corridor.
- (2) Council continues to engage with VicTrack for improvements to the High Street railway corridor.
- (3) Council investigates the possibility of entering into an MOU with VicTrack to govern the beautification and maintenance of rail corridor land.

Cr. Villella proposed to the mover that point (4) be added as follows. This was accepted by Cr. Laurence.

- (4) Be provided with an update regarding point (2) and point (3) by the end of November 2015.

THE AMENDED MOTION THEN READ AS FOLLOWS:

AMENDED MOTION

MOVED: Cr. T. Laurence
SECONDED: Cr. A. Villella

THAT Council:

- (1) Notes this report on the High Street Reservoir Beautification and Landscaping of Railway Corridor.
- (2) Council continues to engage with VicTrack for improvements to the High Street railway corridor.
- (3) Council investigates the possibility of entering into an MOU with VicTrack to govern the beautification and maintenance of rail corridor land.
- (4) Be provided with an update regarding point (2) and point (3) by the end of November 2015.

THE AMENDED MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

COUNCIL RESOLUTION

MOVED: Cr. T. Laurence
SECONDED: Cr. A. Villella

THAT Council:

- (1) Notes this report on the High Street Reservoir Beautification and Landscaping of Railway Corridor.

- (2) Council continues to engage with VicTrack for improvements to the High Street railway corridor.
- (3) Council investigates the possibility of entering into an MOU with VicTrack to govern the beautification and maintenance of rail corridor land.
- (4) Be provided with an update regarding point (2) and point (3) by the end of November 2015.

CARRIED UNANIMOUSLY

REPORT

INTRODUCTION AND BACKGROUND

The Reservoir rail corridor is a 2km long stretch of land running along High Street from Reservoir Station to Mahoneys Road. This land is owned and maintained by VicTrack with the exception of a one metre wide strip along the road edge currently mowed by Darebin.

ISSUES AND DISCUSSION

Maintenance of Rail Corridor Land

Prior to 2005, Council was responsible for mowing and tree planting on the whole rail corridor even though the land was owned by VicTrack. Mowing undertaken by Council was done on a 5-6 week rotation with tree pruning undertaken on a 2-3 yearly cycle. This practice was discontinued when VicTrack resumed maintenance of their land. No trees have been planted by Council on this land for more than 10 years.

In 2012 following concerns from Darebin residents, Council approached VicTrack to discuss improving the maintenance standards along all railway lines throughout the municipality. Following these discussions, VicTrack increased the frequency of mowing but did not resume the practice of tree planting due to new regulations governing clearances of branches from power lines, rail assets and VicRoads managed roads.

The existing trees have been relatively successful but due to their proximity to overhead wires and VicTrack and VicRoads regulations regarding the proximity of vegetation to railway assets/major roads there has been severe pruning of the existing vegetation.

Considerations when planting on non-Council owned land

Should Council investigate planting on VicTrack owned land, there are several issues to consider:

1. The Reservoir rail corridor is owned by VicTrack and as such VicTrack are the responsible authority for the maintenance of the land. As the land owner, VicTrack have the risk liability for any damage caused to electrical, rail or road infrastructure by vegetation. If Council was to undertake planting and maintenance of this land VicTrack may expect Council to accept this liability.
2. VicTrack require periodic access through the Reservoir rail corridor for maintenance of railway assets. In cases where access is required, any planting materials or other infrastructure impeding access would be removed. This occurred at the Northcote Community Park where Council has a lease agreement for use of the VicTrack land.

Track works in this area caused severe damage to Council infrastructure in the park. In this instance, repairs were undertaken at Council's cost.

3. A lease agreement is required for use of VicTrack land. In some cases and depending on the intended use, soil testing and an environmental management plan may be required to undertake a lease agreement with VicTrack.

Cost of installation and maintenance for tree planting on Reservoir rail corridor

Cost of installation of landscaping materials would depend on the final amount of vegetation Vic Track would permit. Estimates based on the size of the site, traffic management and site preparation works that are expected indicates the planting works are likely to cost \$150,000-\$200,000. There would also be an estimated ongoing maintenance of cost of \$12,500 per year.

VicTrack and VicRoads Regulations

The section of High Street that runs from Reservoir Station to the intersection of Keon Parade is managed by Vic Roads. VicRoads have regulations on the distance all trees and vegetation must be from the back of kerb to mitigate the risk of a collision between car and roadside plantings. In this case, a road such as High Street with a maximum speed of 60km/h requires a clear zone offset of at least 1.2m.

VicTrack also have a requirement for a 6m clearance from all railway assets. Preliminary discussions with VicTrack have indicated they are not supportive of any more trees planting within the rail corridor and that any future planting will be restricted to small shrubs and grasses.

When these requirements are taken together, this substantially decreases the amount of physical space available for plantings as well as the type of planting that may be undertaken.

Potential Planting Sites

High Street in this location is a major north-south gateway point into Darebin. At the northern end of the Reservoir rail corridor, there is a successful planting of Iron Bark (*Eucalyptus sideroxylon*). This planting could be complimented with understorey planting on the western side of High Street. Removal of redundant post and rail fencing at this location would also improve aesthetics.

The southern end of the rail corridor could similarly be planted with low shrubs and tufting grasses.

Any works of this nature would require permission from VicTrack as the landowner and permission from VicRoads.

POLICY IMPLICATIONS

Environmental Sustainability

Tree and understory planting provide habitat for native flora and fauna and help to mitigate the urban heat island effect.

Any planting undertaken will be with hardy, drought tolerant plant materials that are suited to the conditions of the site.

Human Rights, Equity and Inclusion

Consultation will be undertaken should any planting works be undertaken.

Economic Development

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Should Council undertake landscaping works within the Reservoir rail corridor, Council would be responsible for maintaining the site. There would be an estimated ongoing maintenance of cost of \$12,500 per year.

CONCLUSION

Opportunities for planting along the Reservoir rail corridor are limited and dependent upon VicTrack as the land owners and permissions from VicRoads as the management authority for High Street.

Beautification works at the gateways or surrounding existing vegetation would add significant appeal to the area provided appropriate permissions were received.

FUTURE ACTIONS

- Council notes this report
- Council continues to work with VicTrack for improvements to the High St railway corridor

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

- Council Meeting Minutes – 16 February 2015

**8.2 CITYWIDE BEAUTIFICATION WORKS – \$2 MILLION
PROJECT IDENTIFICATION****MINUTE NO. 413****AUTHOR: Acting Manager Leisure and Public Realm****REVIEWED BY: Acting Director Culture, Leisure and Works****SUMMARY**

As part of the 2015/2016 Capital Works Budget, Council has allocated \$2M to citywide beautification works throughout Darebin. This report identifies the projects that will be undertaken with this funding. These projects have been selected in Darebin's key precincts where master plans and structure plans have suggested top priority projects that contribute to the existing vision of the Council Plan as well as coordinated and enhanced public place development.

CONSULTATION

- Director Assets and Business Services
- Director Culture Leisure and Works
- Manager Major Projects and Infrastructure
- Manager City Works
- A/Manager Leisure and Public Realm
- Coordinator Public Realm
- Coordinator, Project Management Office (PMO)
- Landscape Architect
- Project Officer, Project Management Office (PMO)

RECOMMENDATION

THAT Council endorse nominated citywide beautification projects throughout Darebin as specified in Table 1 of this report, from the 2015/2016 adopted budget.

MOTION

MOVED: Cr. T. McCarthy
SECONDED: Cr. O. Walsh

THAT Council:

- (1) Endorse nominated citywide beautification projects throughout Darebin as specified in Table 1 of this report, from the 2015/2016 adopted budget.

- (2) Receives a further report in late 2015, following consultation with residents, traders and relevant authorities (eg. VicTrack, Metro, VicRoads), on what beautification and traffic management works can be undertaken in the corridor bordered by the South Morang line, High Street, Arthurton Road and Bell Street as part of current and future budget allocations. The report should also highlight what external funding may be available to support these works (eg. developer contributions, State Government). Ward Councillors should be invited to attend any consultation activities regarding this matter.

Cr. Villella proposed to the mover that point (3) be added as follows. This was accepted by Cr. McCarthy.

- (3) Officers provide a revised table nominating programs based on scope as outlined in last paragraph on page 10 of report.

With leave of the Chairperson, Cr. Tsitas, Cr. Walsh withdrew as Seconder to the motion. Cr. Li subsequently seconded the motion.

Cr. McCarthy further proposed that the motion be amended as follows:

THAT Council:

- (1) Receive a report at its next Councillor Briefing session with a revised table nominating programs based on scope as outlined on pages 10 and 11 of the report.
- (2) Receives a further report in late 2015, following consultation with residents, traders and relevant authorities (eg. VicTrack, Metro, VicRoads), on what beautification and traffic management works can be undertaken in the corridor bordered by the South Morang line, High Street, Arthurton Road and Bell Street as part of current and future budget allocations. The report should also highlight what external funding may be available to support these works (eg. developer contributions, State Government). Ward Councillors should be invited to attend any consultation activities regarding this matter.

THE AMENDED MOTION THEN READ AS FOLLOWS:

AMENDED MOTION

MOVED: Cr T. McCarthy
SECONDED: Cr. B. Li

THAT Council:

- (1) Receive a report at its next Councillor Briefing session with a revised table nominating programs based on scope as outlined on pages 10 and 11 of the report.

- (2) Receives a further report in late 2015, following consultation with residents, traders and relevant authorities (eg. VicTrack, Metro, VicRoads), on what beautification and traffic management works can be undertaken in the corridor bordered by the South Morang line, High Street, Arthurton Road and Bell Street as part of current and future budget allocations. The report should also highlight what external funding may be available to support these works (eg. developer contributions, State Government). Ward Councillors should be invited to attend any consultation activities regarding this matter.

THE AMENDED MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

COUNCIL RESOLUTION

MOVED: Cr T. McCarthy
SECONDED: Cr. B. Li

THAT Council:

- (1) Receive a report at its next Councillor Briefing session with a revised table nominating programs based on scope as outlined on pages 10 and 11 of the report.
- (2) Receives a further report in late 2015, following consultation with residents, traders and relevant authorities (eg. VicTrack, Metro, VicRoads), on what beautification and traffic management works can be undertaken in the corridor bordered by the South Morang line, High Street, Arthurton Road and Bell Street as part of current and future budget allocations. The report should also highlight what external funding may be available to support these works (eg. developer contributions, State Government). Ward Councillors should be invited to attend any consultation activities regarding this matter.

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

Citywide beautification is the process of making visual improvements to an urban area.

Beautification can take the form of small interventions like infill planting of trees in a streetscape, a new garden bed, repairing cracks in footpath paving or it can be large scale changes involving streetscape renewal, constructing new community spaces or increasing the amount of urban furniture in parks and retail precincts.

Beautification projects are undertaken to refurbish or lift the profile of an area and often have positive benefits for commerce, physical accessibility and pedestrian safety. In Darebin, beautification of the city is a vitally important issue to lift the look of the municipality, its liveability and community pride and confidence.

ISSUES AND DISCUSSION

When identifying projects for Citywide Beautification works in 2015/2016, several factors were considered including identifying works that contribute to a feeling of safety, highlighting city gateways, focusing on retail precincts, increasing prevalence of public art and adding greenery to the municipality.

Nominated projects are concentrated in Darebin's key precincts where master plans and structure plans have suggested top priority projects that contribute to the existing vision of the Council Plan as well as coordinated public place development.

Public Safety

The scope of projects identified as part of the City Beautification works will contribute to an overall increase in the feeling of public safety. This includes physical improvements aimed at repairing footpaths, increasing passive surveillance, installing seating and urban furniture, increasing the provision of shade and creating pedestrian refuges as well as aesthetic improvements to both draw more people into a space increasing the passive surveillance and increase the pride of place.

Improving amenity also increases the perception that a space is watched or 'looked in on.' This goes a long way to increasing both the actual and the perception of safety in any given location.

City Gateways

City gateways are primary and secondary entries into Darebin from neighbouring areas. These entrances make an impression on the visitor and should be reflective of Darebin's high level strategic goals. In many cases, current gateways are marked only with a sign or are not marked at all.

At present, there is no strategy that governs the upgrade or management of gateways. Darebin's Open Space Strategy expires in 2017, and will be reviewed starting in 2016. As part of this review, a Gateway Strategy will be added into the Open Space Strategy. This Gateway Strategy will identify primary and secondary gateways, nominate a consistent way to treat gateways and suggest an action plan for gateway renewal and beautification.

In the interim, major maintenance including tree works, garden bed maintenance, weed removal and mulching can prepare the gateways for upgrade in the coming years.

Retail Precincts including Junction Urban Master Plan

Council has identified several major retail activity precincts within the municipality and has developed master plans to guide upgrade, development and renewal in each area. Key master plans include:

- Northcote High Street Streetscape Master Plan – complete 2010
- High Street, Thornbury Streetscape Master Plan – in progress 2015/2016
- Reservoir Streetscape Master Plan – complete 2014
- Station Street Fairfield Retail Activity Centre Streetscape Upgrade – in progress 2015/2016
- JUMP – Junction Urban Master Plan – complete 2014.

These master plans nominate a list of projects in each area for completion over a series of subsequent years. The action plans for these master plans are in various stages of completion.

Implementation of Northcote High Street Streetscape Master Plan covers High Street from Merri Parade through to Separation Street. Works have taken place over three years with a capital investment of more than \$2M. Implementation of the core actions of this plan is largely complete.

A master plan for High Street, Thornbury (Separation Street through Dundas Street) is in development in the 2015/2016 financial year. This project will include several rounds of community consultation and input taking place later in the calendar year. Similarly, a master plan is under development for Station Street Fairfield along a similar time frame.

The Reservoir Streetscape Master Plan was adopted in 2014 and covers Edwardes Street and Broadway. Creation of this document was identified as a top priority action in the Reservoir Structure Plan. Investigation and implementation of core projects began in 2014/2015 and will continue into 2015/2016. Funding for implementation of this master plan has been identified as part of the capital budget for 2015/2016. This budget contains funding for footpath paving that will see a new and consistent footpath and street furniture installed in 80% of the centre. Additional funding is required to complete the final 20% of the footpath and furniture works.

There is no funding allocated in the 2015/2016 capital budget to realise actions from the Junction Urban Master Plan, JUMP. Top priority works for JUMP have been identified and are ready for implementation. The JUMP area is rapidly growing in terms of residential population as well as economic development and would benefit from an infusion of capital to initiate works on completing items associated with the master plan.

Existing Master Plans and precinct development

Darebin has several major open space master plans with active action/implementation plans including:

- Donath Dole Master Plan
- Darebin Parklands Master Plan
- Bundoora Park Precinct Master Plan
- Batman Park Master Plan
- Robinson Capp Master Plan.

In some cases, capital budgets have been assigned to implement projects associated with master plan delivery in 2015/2016 as is the case with Donath Dole Master Plan, Batman Park Master Plan and Robinson Capp Master Plan. Because of the scale of some of the required works, delivery can take place over several years as funds become available.

Additionally, there are six major development areas within Darebin that are either covered by an existing master plan or have master plans in development. These precincts are:

- Reservoir
- JUMP - Junction Urban Master Plan
- NURP - Northland Urban Renewal Precinct (precinct plan under development)
- Preston Central (precinct plan under development)
- Northcote.

Allocating funding or additional funding (topping up a budget) to works associated with existing master, precinct or structure plan is beneficial in that it allows for large scale change in a short period of time and benefits from concurrent works occurring in a location in terms of cost savings.

Public Art, Active Spaces and graffiti murals

The location for 2015/2016 public art acquisition has not been set. Placing the public art acquisition in one of the master plan areas or adjacent to other beautification works both highlights the art and allows for a more holistic integration of the art into its surroundings.

Similar to gateways, Council does not have definitive policy governing graffiti murals as public art or as part of a landscape upgrade. Darebin's Open Space Strategy expires in 2017, and will be reviewed starting in 2016. As part of this review, a policy statement governing the implementation of murals into public open space will be added to the new Open Space Strategy.

Greenscaping

Citywide beautification often includes planting of trees, renewing of garden beds and generally greening parks, retail centres, traffic treatments and streetscapes. When an area appears to be manicured or maintained, instances of dumped rubbish, vandalism and other antisocial behaviours decrease. Greenscaping is most successful in an urban context when done on a human scale – that is providing a mid and understory of vegetation and infrastructure to encourage people to come into a space and stay a while. Often times this is seating, shade or provision for recreation or play.

Alternative Funding

Alternative sources of funding to compliment beautification works may be available. These sources may be federal or more local in the case of Melbourne Water or MAV.

Strategic Works - Power- line Undergrounding

Undergrounding of power lines can be very expensive when it is not done as part of a larger scheme of works. Beautification will include advocacy with municipal or private development to consider undergrounding power lines as part of development.

Allocation of Funds based on areas of need

The suggested list of projects nominates works throughout Darebin's major precincts and parklands where most of which budgets are not provided for in the current financial year.

Consultation

Consultation with the community, key stakeholders and traders associations will feature in the implementation of beautification works. The type of consultation used will vary depending on the nature of the project but direct mailing, website, social media, signs on site and face to face meetings will be used in most cases.

Because the nature of all of the beautification works will be diverse, a linking sentence collecting the citywide beautification projects will be included in each means of consultation used. Such a sentence could read "This project is funded as part of Darebin Council's \$2M citywide beautification works and will improve the liveability, useability and accessibility of our city".

Maintenance

Any project that increases the amount of vegetation or adds infrastructure to an area will increase the maintenance costs. Any trees planted as part of beautification works in 2015/2016 will include two years of formative maintenance within the costing and any garden beds will include one year of maintenance.

Costs of ongoing maintenance should be considered and provisions in terms of funding or staff should be made to keep new assets looking and functioning at their best.

2015/2016 Citywide Beautification Projects

Works programmed as part of Citywide Beautification are nominated in **Table 1** below.

Table 1

PRECINCT	PROJECT	\$	DELIVERABLES
Municipality	Active Spaces	\$20,000	Increase profusion of public art murals, active spaces installations and artful hoarding
Bundoora	Bundoora Park Precinct Master Plan	\$210,000	Implementation of tree planting, new garden beds, upgraded fencing, interpretive signage, and branding refresh at the sustainable farm and the heritage village.
Reservoir	Reservoir Streetscape Master Plan	\$60,000	Completing footpath paving and furniture implementation across Edwardes Street and Broadway. <i>Note: Funds to supplement the already approved from 2015/2016 budget, \$1.2M works for the Reservoir Streetscape Master Plan implementation</i>
Reservoir	Donath Dole Master Plan	\$50,000	Planting 200 trees in Donath and Dole Reserves with two years maintenance.
Northcote Reservoir	Gateway Beautification	\$150,000	High Street (Westgarth) - Understorey planting on both sides of street under existing tree cover. Works will include seating, cleansing, mulching and planting. High Street east side at Mahoney's Road. Fencing works and understorey planting under existing Ironbark to compliment west side of street.
Municipality	Infill Street Tree Planting	\$30,000	Additional 100 infill trees in residential and commercial streets.
Preston (JUMP)	Junction Urban Master Plan	\$750,000	Implementation of top priority actions from JUMP starting on High Street including indented kerb work on east side of High Street, raised central median with landscaping and two pedestrian crossing points, permeable paving, line marking following works (cycle lanes, parking, bus stops) and general amenity including WSUD tree grates, tree guards (design and manufacture), tree planting and street furniture. Works include civil design work High Street, Plenty Road and auxiliary streets - civil engineering, transport analysis, traffic analysis and public art installation.

PRECINCT	PROJECT	\$	DELIVERABLES
Northcote	Darebin Parklands Master Plan	\$100,000	Implementation of an entry into Darebin Parklands, one of Darebin's major parks. Works include signage, formal entry/drop off area for school groups and bush kinder as well as works to BBQ area and shelter.
Preston (Civic Precinct)	Preston Civic Precinct	\$50,000	Seating area at gateway of Preston City Oval off Gower Street. Works to include garden bed renovation, tree planting, seating and renewal of BBQ area.
Municipality	Street Furniture, Customer Requests	\$100,000	Increase the amount of seating, greenscaping, repair/renew damaged kerbs and footpaths. Currently a backlog of community requests exists. These works would implement works requested by community members as part of the Customer Service Request process.
Municipality	Street Tree Planting	\$280,000	Additional 1000 street trees planted with 2 years maintenance.
Northland Urban Renewal Precinct (NURP)	Youth Precinct upgrade	\$60,000	Northland Youth Art Wall Seating - Implement a youth focused seating area to compliment the new Northland Art Wall.
Municipality	Consultancy, surveys, etc.	\$120,000	Fees for consultants, site surveys, permits etc. required by beautification works
Municipality	Advocacy works	\$20,000	Identification of Specific Urban areas throughout the Municipality.
TOTAL		\$2M	

Works are nominated for completion within the 2015/2016 financial year. In order to accomplish this, a combination of internal staff and contractors will be used. Prince2 project management framework will be used to manage and monitor each project. Where possible, annual supply panels will be used to complete physical works.

POLICY IMPLICATIONS

Environmental Sustainability

When beautifying a city, materials used should be robust, sustainable and require minimal maintenance to continue to look their best. Increasing the amount of vegetation and natural shade is beneficial to a broad area in that it helps to mitigate the urban heat island effect.

Human Rights, Equity and Inclusion

Consultation will be undertaken as a key part of each individual project.

Economic Development

Increasing the usability, amenity and provision of public infrastructure such as seating has a positive impact on economic development in the area.

Other

None

FINANCIAL AND RESOURCE IMPLICATIONS

Project allocations described in this report are part of the adopted 2015/2016 Council budget (capital), and will be delivered within the 2015/2016 financial year.

Increasing the amount of manicured spaces, garden beds and trees in the municipality will have a corresponding impact on the amount of maintenance required to keep beautified spaces looking their best. Where possible, maintenance costs for the initial establishment period of trees or vegetation will be included in the implementation cost.

CONCLUSION

The suggested list of projects nominates works throughout Darebin's major precincts and parklands where budgets are not provided for in the current financial year.

Beautification works should be located in places where they will be exposed to the greatest numbers of people, allow for current works to be completed more quickly or provide amenity in areas where it is lacking.

Concentrating beautification works in a single area(s) has the opportunity to make a large impact. The Junction Urban Master Plan area is at the heart of Darebin having a complete, consulted master plan and implementable action plan.

FUTURE ACTIONS

- Develop an identifying statement that will be included in all correspondence associated with citywide beautification works.
- Engage with community and stakeholder groups in each project area as part of implementing citywide beautification projects.
- Examine Federal and State funding grants and apply for external funding where appropriate.
- Provide further detailed design and implementation timing to Council at briefings in September.
- Undertake project delivery.

DISCLOSURE OF INTERESTS

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

The Author of the Briefing Paper, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this briefing paper.

RELATED DOCUMENTS

- Budget Meeting Minutes – 23 June 2015

**8.3 PREVENTION AND MANAGEMENT OF GRAFFITI ALONG
THE PLENTY ROAD CORRIDOR****MINUTE NO. 414****AUTHOR: Manager Children, Families and Community****REVIEWED BY: Director Community Development****SUMMARY**

At its meeting on 1 June 2015, Council resolved:

“That officers prepare a report on the feasibility of an innovative and integrated, whole of council/community strategy on the prevention and management of vandalism and tagging along the Plenty Road tram corridor.”

“The report is to look into current state government initiatives and social media initiatives and development of an awareness raising media campaign. Consultation with the following groups should also be sought; local business associations, commercial stakeholders (and their financial responsibilities) schools, community groups and residents more generally.”

This report will outline Council’s current approach to graffiti management, as outlined in the 2014 – 2018 Graffiti Management Strategy as it respond to the resolution, plus identifies specific actions.

CONSULTATION

- Community Safety Officer
- Graffiti Management Officer
- Plenty Road / Tyler Street Junction Traders

COUNCIL RESOLUTION

MOVED: Cr. A. Villella
SECONDED: Cr. J. Williams

THAT Council:

- (1) Note the current graffiti management model as part of the 2014 – 2018 Graffiti Management Strategy.
- (2) Endorse the proposed actions and prioritisation of resources to address graffiti and improve amenity along the Plenty Road corridor.

CARRIED

REPORT**INTRODUCTION AND BACKGROUND****Council's Approach to Graffiti Management**

The 2014 – 2018 Darebin Graffiti Management Strategy provides an up to date response based on Darebin's current graffiti culture and community expectations of how graffiti should be effectively managed across the municipality within the framework articulated by the *Graffiti Prevention Act 2007*.

The Strategy was endorsed by Council in October 2014 after an extensive consultation process with over 500 residents, traders and State Government partners such as Victoria Police and Department of Justice.

This strategy has been developed based on community consultation, the experience of graffiti in Darebin and best practice principles to prevent and manage graffiti across four key areas; eradication, engagement, education and enforcement. The Strategy includes five strategic objectives:

- Objective 1: Maintain public amenity through the rapid removal of graffiti on Council assets
- Objective 2: Support the community to rapidly remove graffiti from private property
- Objective 3: Encourage and facilitate street art to prevent graffiti and enhance the street scape
- Objective 4: Support community education and diversion programs to prevent graffiti
- Objective 5: Support and facilitate the enforcement of the law

These objectives are implemented through an annual action plan that is designed to be responsive to the changing graffiti trends within our municipality, while remaining consistent with our understanding of best practise in graffiti management.

State Government Resources

The Department of Justice and Regulation provides annual grants of up to \$25K for graffiti removal and prevention initiatives. Council has been successful in receiving these grants over the past two years and have implemented two successful street art graffiti prevention projects.

Council also participates in the Department of Justice and Regulation Graffiti Removal Program, which provides graffiti removal from Council assets and private property abutting public land. Council has utilised this program for over 10 years, removing on average 8000 m² per year. It is important to note that this program can only be used for Council assets or private property abutting Council land, such as parks and reserves, so is unsuitable for many areas that have the greatest volume of graffiti, such as activity centres and main traffic corridors.

ISSUES AND DISCUSSION

Graffiti Prevalence

Last year Council commissioned a city-wide graffiti audit and clean up that captured information on graffiti within Darebin on both private and public property, excluding the rail corridor. The clean-up recorded a total of 2,467 incidents of graffiti throughout the municipality, and removed a total of 27,279m² of graffiti.

Of these incidents 42.3% were for graffiti on Council property, 31.1% were for graffiti on private property and 26.6% for private utilities, such as power poles, traffic signal boxes and signs. The greatest number of recorded incidents was in Northcote followed by Preston. The audit found high volumes of graffiti on commercial properties in activity centres throughout the municipality, particularly along High Street in Preston, Thornbury and Northcote.

This is consistent with the recorded number of incidents and volume of graffiti removed during the 2014/2015 financial year. In 2014/2015 there were 3,832 recorded incidents across the municipality and a total of 22,067m² removed. The greatest number of incidents continues to be in Northcote. This data continues to illustrate that the prevalence and impact on amenity varies between suburbs, with the highest volume of graffiti in the southern part of the municipality.

Graffiti Removal from Private Property

While there is a clear community expectation for Council to show leadership in graffiti management, Council does not have the resources to provide free graffiti removal for all private property. Further to this, the Strategy recognises the importance of encouraging community responsibility for removal on private property.

To support residential and commercial private property owners and occupiers to remove graffiti, Council offers a free graffiti removal kit or \$50 paint / contractor voucher. A subsidy of up to \$500 is available to assist property owners and occupiers in the removal of offensive graffiti.

Further to this, three categories have been established that prioritise Council's allocation of resources and response for graffiti removal from Council and private assets based on the prevalence of graffiti, the relative impact of the graffiti on community amenity and perceptions of safety and the existing resources available to respond to graffiti removal.

Priority Location	Response
Priority 1 Offensive graffiti on Council assets or private property	Request actioned in 2 working days.
Priority 2 Graffiti Hotspots Locations, based on reported incidents of graffiti and operational knowledge	Request actioned in 3 working days.
Priority 3 All other areas in the Local Government Area	Request actioned in 7 working days

Based on this information, all Activity Centres listed below (inclusive of both retail and residential properties) have been identified as graffiti hotspots and classified as Priority 2 for graffiti removal, with a commitment for Council to action requests in 3 working days.

All High Street centres including:

- Westgarth, Northcote, Thornbury and Preston
- Gilbert Road/Miller Street Thornbury
- Edwardes Street Reservoir
- Station Street Fairfield
- Plenty Road / Tyler Street junction
- St. Georges Road between Normandy and Merri parade
- Arthurton Road / Separation Street

The 2014/2015 Action Plan also gives a commitment to monitor the Priority 2 graffiti hotspots and deliver one annual graffiti clean-up at these sites. As identified in the Strategy, priority locations can be adjusted to respond to the existing and emerging needs in the community.

2014/2015 Action Plan Outcomes

In 2014/2015 the following key outcomes were achieved:

- In the 2014/2015 financial year there were 3,832 recorded incidents of graffiti across the municipality and a total of 22,067m² removed.
- 518 requests processed in the 2014/2015 financial year for the graffiti removal subsidy program for private property owners, which providing free graffiti removal kits and vouchers for contractors and paint.
- 15 targeted graffiti clean-ups in hotspots areas.
- The Department of Justice Graffiti Removal Program removed 8,801m² of graffiti from Council assets and private property abutting public land.
- 14 Street Art projects have been implemented across the city on assets prone to graffiti including both Council assets and private properties.
- 3 site specific education and diversion programs with young people to promote legitimate street art, not vandalism, including the Department of Justice funded Northwall large scale street art project.
- Continuation of the Active Spaces program to activate unused retail space and identify opportunities for the inclusion of street art to prevent graffiti.

The 2014 Community Survey (4th Quarter) identified that 73% of the Darebin community is satisfied with Council's efforts in managing graffiti, a 12% increase from 2013. The Survey also demonstrated that 64.9% of residents agree that graffiti is a problem, an increase from 54.6% in 2013; however this may be influenced by the increased promotion of Council's graffiti management work and media coverage.

Prevalence of Graffiti along Plenty Road

Of the 3,832 graffiti incidents responded to in the 2014/2015 financial year, 133 occurred along Plenty Road, including the Priority 2 hotspot at the Tyler Street intersection. Plenty Road presents a number of challenges regarding graffiti management including; the accessibility through tram and train connections, attractive visibility and prominence for graffiti writers, vacant shops and buildings, the presence of state assets and a lack of legitimate night time activity in some parts.

The Plenty Road activity centre (Tyler Street intersection) is considered a Priority 2 location, with requests for graffiti removal actioned within three working days. This section of Plenty road also received an annual graffiti clean-up in June 2015, in which 14 incidents were identified and approximately 200m² of graffiti removed by Council from both private properties and Council assets.

Currently, the remainder of Plenty Road between Bundoora and Thornbury is considered Priority 3, with requests for removal actioned within seven working days. While the level of graffiti reported to Council along Plenty Road is not disproportionate to other parts of Darebin, there has been a visible increase over the past two months in the volume of graffiti observed along the corridor, in particular between Tyler and Bell Street.

Council officers have had regular contact with both Plenty Road residents and traders in the past financial year concerning graffiti, with six face to face meetings and over 13 email exchanges in this time. During these interactions residents and traders have been supportive and appreciative of Council's efforts to manage the issue, while repeatedly expressing concern that there is an apparent lack of effort from other key stakeholders such as VicRoads, Jemena Lighting and Yarra Trams in maintaining their assets. Council officers have assured residents and traders that Council will continue to work collaboratively with key stakeholders to effectively manage the issue.

Further to this, traders have indicated that Councils' investment in graffiti removal at the Tyler Street junction has improved the amenity and is attracting prospective businesses to activate vacant spaces. Contrasting this, the graffiti build up in other parts of the corridor is noted as a deterrent by prospective businesses.

Ongoing Initiatives to Address Graffiti along Plenty Road

In recognition of the increased level of graffiti and the impact on amenity, Plenty Road (between Bell Street and Tyler) will be classified as a Priority Two location for removal and allocation of resources.

In 2015/2016 under the Objectives of the 2014/2018 Graffiti Management Strategy and within the available resources a number of actions will be delivered including:

Objective 1: Maintain public amenity through the rapid removal of graffiti on Council assets

- 1.6 Investigate graffiti removal partnerships for state assets in Darebin such as rail corridors, traffic signal and other utility boxes.

Objective 2: Support the community to rapidly remove graffiti from private property

- 2.1 Continue to implement and expand on the graffiti removal subsidy program for private property owners (residents and businesses) through the provision of free graffiti removal kits, vouchers for contractors and paint.
- 2.3 Investigate the development of co-contribution removal partnerships with Darebin Business Associations to facilitate regular, rapid removal from activity centres identified as Priority 2 locations.
- 2.4 Continue to implement the Active Spaces program to activate unused retail space and identify opportunities for the inclusion of street art to prevent graffiti.
- 2.5 Monitor Priority 2 graffiti hotspots and deliver one annual graffiti clean-up at these sites.

Objective 3: Encourage and facilitate street art to prevent graffiti and enhance the street scape

- 3.1 Continue to implement and expand on the subsidised street art program for private property owners to access street art on heavily tagged walls.
- 3.2 Identify a heavily tagged and highly visible location along Plenty Road to trial a *Street Art Advertising Space*.

To support and expand the reach of existing resources, Council will apply for a 2015/2016 Department of Justice Graffiti Removal and Prevention Grant to deliver a project in this corridor across all five Objectives of the Graffiti Management Strategy.

This proposal will seek 25K and will utilise rapid removal, community engagement, street art, space activation and enforcement initiatives that respond to the specific issues in this corridor. The initiatives within this proposal will aim to beautify this corridor, aiming to not only reduce graffiti, but improve amenity and enhance perceptions of safety.

POLICY IMPLICATIONS

Environmental Sustainability

Graffiti is linked to environmental damage specifically due to aerosol spray paint can litter, and paint and chemicals being washed down drains during the graffiti removal process, thereby polluting stormwater systems. Effective graffiti management and prevention processes can help reduce the overall environmental impact of graffiti.

Human Rights, Equity and Inclusion

Graffiti Management is strongly linked to the Darebin Community Safety Strategy 2012 – 2016, Priority Area Number Two: Place: Design and maintain our city to reduce crime, and enhance public safety and perceptions of safety. Graffiti negatively impacts on perceptions of safety and can distort understandings regarding actual levels of safety and crime, particularly if graffiti is of an offensive nature. When individuals feel unsafe in their environment this can decrease their participation in the community and negatively impact on their sense of wellbeing

Involvement in graffiti occurs amongst people from different age groups, genders and cultural backgrounds. Although not exclusively, involvement in graffiti is often more prevalent amongst young people and more specifically young people from disadvantaged backgrounds. As a result the initiatives aimed at preventing and diverting involvement in graffiti will focus on young people, with further focus on young people from disadvantaged backgrounds.

Economic Development

A large volume of graffiti in Darebin is located on commercial properties. 73% of the amount of graffiti removed along Plenty Road was located on commercial properties. The build-up of graffiti can negatively impact perceptions of safety and amenity in retail activity centres, deterring the investment of new businesses. This Strategy includes a number of actions that involve working directly with businesses in both a removal and prevention role to reduce the impact of graffiti on retail precincts along Plenty Road and broader Darebin.

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

The management of graffiti along Plenty Road will be through the existing Graffiti Management Budget of \$352,158. This includes salaries and on-costs, materials, plant hire and contractors. An additional 25K is available to support street art programs to prevent graffiti. While the prioritisation of resources for this location is warranted, it will reduce the pool of removal resources available for other locations.

An additional grant of 25K will be sought to expand on Council's capacity to reduce graffiti and beautify this space.

CONCLUSION

Under the 2014 – 2018 Graffiti Management Strategy the Plenty / Tyler junction activity centre has been the priority for graffiti removal resources. While Council has seen positive results in this area, the prevalence of graffiti has increased in other parts of the corridor and there is a need to expand the Priority Two Location along this corridor from Bell to Tyler Street.

While the corridor presents a range of factors that may increase the prevalence of graffiti, these issues are acknowledged and aim to be addressed through the Objectives of the current Strategy. Within the available resources, a number of removal and prevention approaches will be prioritised and implemented.

To enhance this work Council will apply to the Department of Justice Graffiti Removal and Prevention Grants with a proposal to implement a multifaceted graffiti removal and prevention project along this corridor. Council will also continue to explore partnerships with the State Government and other relevant authorities to improve graffiti removal from their assets along this corridor.

FUTURE ACTIONS

- 18 September 2015 - Application to the Department of Justice Graffiti Removal and Prevention Grants for a graffiti removal and prevention project along the Plenty Road corridor between Bell and Tyler Street.
- Continue to implement the graffiti management action plan to respond to and remove graffiti along the Plenty Road corridor
- Identify a location/s for street art along Plenty Road
- Continue to work with the State Government and other relevant authorities to improve graffiti removal from their assets in the municipality.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

- 2014 – 2018 Graffiti Management Strategy
- Council Meeting Minutes – 20 April 2015
- *Graffiti Management Act 2007*

8.4 BATMAN PARK LANDSCAPE MASTER PLAN ADOPTION**MINUTE NO. 415****AUTHOR: Acting Manager Leisure and Public Realm****REVIEWED BY: Acting Director Culture, Leisure and Works****SUMMARY**

At its meeting on 1 December 2014, Council resolved:

That Council:

- (1) *Approve the Draft Batman Park Landscape Upgrade Master plan for community consultation.*
- (2) *Receive a further report to adopt the final Batman Park Landscape Master plan following consultation.*
- (3) *Rules out any loss of parkland in relation to any potential redevelopment of children's services facilities at Batman Park.'*

This report presents the public consultation feedback from the draft Batman Park Landscape Upgrade Master plan undertaken in April 2015.

CONSULTATION

- Manager Parks and Open Space
- Coordinator Park Maintenance
- Coordinator Urban Tree Management
- Coordinator Public Realm
- Public consultation from draft Batman Park Landscape Upgrade Master Plan.

COUNCIL RESOLUTION**MOVED: Cr. T. McCarthy****SECONDED: Cr. O. Walsh****THAT Council:**

- (1) Adopt the Batman Park Landscape Upgrade Master Plan attached as **Appendix A** to this report.
- (2) Endorse the Key Actions for 2015/2016 as outlined in the Batman Park Landscape Upgrade Master Plan
- (3) Consider further budget allocations for Key Actions identified in the Batman Park Landscape Upgrade Master Plan in future financial years.

CARRIED UNANIMOUSLY

REPORT

Batman Park, Northcote, is medium sized formal, heritage parkland located in Northcote at the intersection of two major roadways, St Georges Road and Separation Street.

Following consultation and feedback period and two onsite community meetings in May 2014, a draft master plan for Batman Park was developed. This draft was approved for community consultation by Council in April 2015 and subsequently presented back to the community for comment and feedback over a three week period. This feedback has been considered when finalising the draft master plan.

Council has allocated \$400,000 to implement top priority actions from this master plan in the current financial year. This whole project will be on a 3-5 year timeframe as Capital Works funding will have to be approved for all works after this financial year as per Key Actions listing below.

ISSUES AND DISCUSSION

Recent Improvements to Batman Park

There have been several improvements made to Batman Park in recent years. A new playspace was implemented in 2012/2013 and in 2014 tree planting works were undertaken including removal of dead and underperforming trees.

These works were well received by the community and improved the amenity of the park, strengthened the heritage structure and indicated to the local community that Council is committed to improving public open space as well as playspaces.

Key Messages from Consultation

The draft Batman Park Landscape Master Plan was released to the community on 10 April 2015 for a 3 week feedback period where residents and park where users could provide their input via email, letter or telephone. The methods of distribution included a mailing to all addresses within 500m of the park, signs on site, posting on the website and two onsite meetings held at the parklands.

Participation in this round of interaction with the community was low with 14 points of contact.

Feedback regarding the master plan was generally positive with several core themes:

- Strong preference to preserve, protect and enhance the heritage look and feel of the parklands by keeping the overall structure and character of the parklands.
- Strong support for the proposed fencing around the Arthurton Road and St Georges Road frontages.
- Strong support for an upgraded BBQ facility.
- Strong support for increasing the provision of natural shade through tree planting and reinvigorate the existing garden beds.
- Support for renovating/relocating the public toilet block.
- Some desire for Batman Park to be a dog off lead park.

Some of the feedback expressed concerns which included:

- Broad preference for Batman Park to be removed from consideration for the location of the Darebin Children's hub.
- Concerns that dog owners do not leash their dogs in Batman Park (currently an on-lead park).

Most of the points of contact were requesting more information or had clarifying questions about the master plan and did not request any changes to the draft or the action plan. As a result of this positive reception of the draft master plan, no changes to the document were made.

Key Actions in the Draft Master Plan (Appendix A):

1. New furniture and low fence (planned 2015/2016)

Increase opportunities for seating around the park, most notably along the Separation Street frontage. New bins, signage and a water fountain that has a dog bowl and tap attached to be installed throughout the park.

Install a low post and rail fence along the Arthurton Road frontage of the Park.

Include a removable bollard at the south east corner to deter vehicles from entering the park.

2. Upgrade BBQ facility (planned 2015/2016)

Improve the current BBQ facility, consolidate seating and create a communal gathering area.

3. Upgrade and improve garden beds, turf and irrigation (planned 2015/2016)

Restore planting in all garden beds with a consistent planting palette. All plant materials will be low maintenance, hardy and attractive species that can withstand warmer periods.

4. New Toilet Block (design 2015/2016)

Design a new toilet facility that is more open, accessible and visually permeable facility that would deter anti-social behaviour and improve amenity and perceptions for safety for other park users.

5. Refurbishment of memorial and water feature

The war memorial garden located on the Elm Street edge of Batman Park and the corresponding water feature located on Arthurton Road side edge are significant features of the park and will be upgraded to improve and preserve the overall amenity of the park.

The war memorial garden is currently characterized by a circular planting of cypress trees and offers a space for quiet contemplation. Improving this area will include removal of the loose stone surface and replacement with a more stable surface such as concrete or cement stabilized granitic gravel; uplifting and pruning the trees as well as a general tidy up of the space to open it up and make it a more appealing. The stone water feature is currently not operational and should be re-plumbed and repaired.

6. Redevelopment of Council Building Pioneers Retreat

Council will investigate the viability and suitability of The Pioneers Retreat building located on the St Georges Road edge of Batman Park.

7. Refurbishment of Rock walls and Stonework

A significant feature of Batman Park is the bluestone rockwork that edges the park and garden bed areas. Much of this rock work is in poor condition and requires restoration works including replacement of some bluestone and re-grouting to ensure its longevity and safety. A stonemason with experience with similar work will be engaged to undertake the works.

8. Refurbishment of Footpaths

The footpaths within Batman Park are a mix of concrete and asphalt. Improvement and consistency of pathway materials will help improve the amenity of the park. Asphalt is a preferred material as it is easier to repair and can accommodate the growth of tree roots as necessary.

9. Upgrade of main park entrance on the corner of Arthurton Road and St Georges Road

The historic entrance of Batman Park located on the corner of Arthurton Road and St Georges Road is iconic of the park and should be retained and protected. Works will include both refurbishment of the rock wall entrance and steel as part of the entrance.

POLICY IMPLICATIONS**Environmental Sustainability**

Increasing tree planting and vegetation in Batman Park is a simple and cost effective way to create habitat, maximise shade, and reduce heat island effect in the park as well as in the area surrounding the park.

Human Rights, Equity and Inclusion

Batman Park is a public space for all people; the playspace will be designed for people of all needs (with the incorporation of accessible play items). The developments proposed in the draft Master Plan will increase the human rights, equality and inclusion in the park.

An EIPAT tool assessment was deemed as not required by Darebin's Community Planner as the process was inclusive and built on other consultation for works in the park.

Economic Development

Increasing amenity, usability and accessibility of public realm and parks will have a positive impact on the community. Parks offer places for communities to gather and make vital connections. Improvements to parks also demonstrate council's commitment to public spaces and illustrates the value they can contribute to the community. Improving the amenity of parks in this way will have flow on effects on adjacent retail centres, residential area and public transport corridors.

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Any capital improvements and garden bed plantings will require an initial capital outlay and ongoing maintenance. All materials will be robust, drought tolerant and locally sourced where possible.

CONCLUSION

The Batman Park Master Plan incorporates the information provided by key stakeholders and discussions with the community during a three week community feedback period. Community reception for the Batman Park Landscape Master Plan was very positive. The master plan is ready for adoption and implementation.

FUTURE ACTIONS

- Endorse the Batman Park Landscape Master Plan.
- Include capital projects from the Batman Park Landscape Master Plan in subsequent capital bid cycles.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

- Batman Park Landscape Master Plan (**Appendix A**)
- Council Meeting Minutes – 1 December 2014

**8.5 SAFE PEDESTRIAN CROSSING MASSEY AVENUE
RESERVOIR****MINUTE NO. 416****AUTHOR: Senior Coordinator Transport Management****REVIEWED BY: Director Assets and Business Services****SUMMARY**

At its meeting on 29 April 2015, Council resolved:

That:

- (1) Council receive a report on the creation of a safe pedestrian crossing controlled by lights near the corner of Glasgow Avenue and Massey Avenue, Reservoir to enable school children from St Joseph the Worker Primary School and elderly residents to cross the road.*
- (2) Council consider the feasibility of preparing a submission to the relevant state government agency and Ministers to secure the relevant approval for a pedestrian crossing at this site and refer to the council budget process costing estimates in relation to this potential pedestrian safety project.'*

This report assesses the merits and opportunities of creating a safer crossing point in this location having consideration for:

- Existing pedestrian volumes
- Existing traffic volumes
- Council's Priority Pedestrian Network (PPN)
- Existing accident data
- VicRoads warrants for pedestrian treatments
- Potential external funding opportunities.

The outcome of this assessment is that whilst traffic volumes were high at this location, the site does not form part of the Darebin PPN and existing pedestrian volumes were below what was required to warrant pedestrian operated signals. Furthermore, there have been no accidents recorded in the last available 5 years of data. On this basis, the data does not support the need to upgrade the existing school crossing and no external funding opportunities would be available for future works.

Notwithstanding, as Massey Avenue is a local road Council could apply for approval to build a pedestrian crossing at this location however the full cost (approximately \$90,000 - 100,000) would need to be borne by Council. There are also concerns with the safety of a pedestrian crossing at this location given its proximity to a major roundabout and it may be necessary to signalize the intersection to provide an appropriate solution which would be a substantial cost \$180,000 - \$200,000.

CONSULTATION

- Transport Management
- VicRoads

RECOMMENDATION

THAT Council:

- (1) Does not support the implementation of a signalised pedestrian crossing in Massey Avenue, in isolation to other substantial works to the roundabout at the Massey/Glasgow Avenue intersection.
- (2) Monitor pedestrian and vehicle counts together with accident data on Massey Avenue over time to determine if the circumstances change that justify a signalised crossing and consequent restructure of the intersection.

MOTION

MOVED: Cr. T. Laurence
SECONDED: Cr. A. Villella

THAT Council defer the report.

Cr. McCarthy proposed to the mover and seconder that point (2) be added to the motion as follows. This was accepted by Cr. Laurence and Cr. Villella.

- (2) The report come back to Council with information about the changes required to the *Road Management Act* and associated regulations to enable consideration of a safe pedestrian crossing at the location.

THE AMENDED MOTION THEN READ AS FOLLOWS:

AMENDED MOTION

MOVED: Cr. T. Laurence
SECONDED: Cr. A. Villella

THAT Council:

- (1) Defer the report.
- (2) The report come back to Council with information about the changes required to the *Road Management Act* and associated regulations to enable consideration of a safe pedestrian crossing at the location.

THE AMENDED MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

COUNCIL RESOLUTION

MOVED: Cr. T. Laurence
SECONDED: Cr. A. Villella

THAT Council:

- (1) Defer the report.

- (2) The report come back to Council with information about the changes required to the *Road Management Act* and associated regulations to enable consideration of a safe pedestrian crossing at the location.

CARRIED UNANIMOUSLY

REPORT

INTRODUCTION AND BACKGROUND

Massey Avenue and Banbury Road in Reservoir form a major connection between Edwardes Street to Mahoneys Road with Massey Avenue carrying an average of 14,132 vehicles per day. These roads are also used by a large number of trucks (9% of traffic) that use it to access industrial areas in Darebin.

There is a 2.5 kilometre gap between the pedestrian crossing controlled by lights on Mahoneys Road and the one on Edwardes Street. This means that there is no controlled crossing to the shops in Massey Avenue and children have no safe crossing point. The only available crossing is 30 metres north of the intersection of Glasgow Avenue and Massey Avenue; this is a supervised school crossing.



Figure 1: Massey Avenue and Glasgow Avenue Reservoir



Figure 2 Existing Massey Avenue School crossing

ISSUES AND DISCUSSION

Strategic Need

Councils existing Safe Travel Strategy includes an action to providing safe crossing points. A signalised crossing in this location may assist in achieving this action.

Council has previously worked closely in the area with ten local schools to develop travel plans, which identify barriers to safe and healthy travel for schools. Council has developed a priority pedestrian network (PPN) that identifies key pedestrian routes through the municipality.

Existing Operation

An afternoon peak hour survey of existing pedestrian activity was conducted with the results shown below:

- 6 Adults
- 28 Children (8 of which crossed alone)

The volume of traffic has previously been surveyed and indicated that approximately 14,132 vehicles per day use this road.

VicRoads guidelines

VicRoads (the State road authority) has responsibility for prioritising the installation of this type of crossing and have developed guidelines to identify where their installation may be appropriate.

Where the crossing is primarily intended for the use of school children, the device may be appropriate where for at least one hour of an average school day:

- The number of children (P) crossing the road within 20 m of the proposed site exceeds 50 per hour; and
- The number of vehicles (V) which children have to cross during that hour exceeds 500; and

- The product P x V exceeds:
 - 25,000 for primary school children, or
 - 34,000 for secondary school children

This site only meets two of the three criteria therefore VicRoads would not consider this site to be appropriate for a signalised crossing. It is noted however that even if the site in isolation warranted pedestrian operated signals, the proximity to the intersection of Massey Avenue and Glasgow Avenue is problematic as operated signals less the 20 metres from the intersection roundabout carries risks associated with safety and operational effectiveness.

On this basis either the intersection would need to be altered to be signalised or the crossing will need to move further north to ensure it does not impact on the operation or the safety of the roundabout

Funding opportunities

As the crossing does not form a strategic link or have a high number of crashes and is located on a Council managed road, any future signalised crossing is unlikely to attract external funding. As such, Council would be required to fully fund the delivery of the crossing.

Estimated cost

The cost of a signalised crossing point is generally between \$90,000 and \$100,000. However if the existing roundabout needed to be upgraded this would cost in the order of \$180,000 - \$200,000.

POLICY IMPLICATIONS

Environmental Sustainability

Nil

Human Rights, Equity and Inclusion

Nil

Economic Development

Nil

Other

This report considers:

- The Darebin Transport Strategy 2007-2027
- Safe Travel Strategy 2010-2015
- Principle Pedestrian Network

FINANCIAL AND RESOURCE IMPLICATIONS

The cost to install a signalised pedestrian crossing would be between \$90,000 and \$100,000. However if the existing roundabout needed to be upgraded this would cost in the order of \$180,000 - \$200,000.

CONCLUSION

In summary implementation of pedestrian operated signals is not supported at this location on the basis that:

- There is no strategic justification
- The site does not meet the prescribed warrant
- There is no history of accidents at the site

Furthermore, the proximity of the crossing to the existing roundabout is an operational and safety issue that would require significantly increased costs to resolve. It is not recommended that the pedestrian crossing upgrade as identified be supported.

FUTURE ACTIONS

- Massey Avenue Pedestrian count to be reviewed

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

- VicRoads Traffic Engineering Manual Volume 1
- Council Meeting Minutes – 29 April 2015

Cr. Walsh temporarily left the meeting during discussion of the above item at 8.14 pm and returned at 8.15 pm.

8.6 RIGHT OF WAY (ROAD) DISCONTINUANCE REAR OF 37 TO 55 NORTHERNHAY STREET AND 38 TO 54 SOUTHERNHAY STREET, RESERVOIR

MINUTE NO. 417

AUTHOR: Manager Assets and Property

DIRECTOR: Director Assets and Business Services

SUMMARY

This report recommends that Council discontinue the section of right of way (road) at the rear of 37 to 55 Northernhay Street and 38 to 54 Southernhay Street, Reservoir, and sell the land from the road to the owners of the adjoining properties by private treaty in accordance with Council policy.

Statutory procedures under the *Local Government Act 1989* have been completed and two submissions have been received. Following consideration of the submissions this report recommends that the road be formally discontinued and sold by private treaty in accordance with Council policy.

CONSULTATION

- Macquarie Local Government Lawyers
- Owners of adjoining properties
- Statutory Authorities
- Council Departments

COUNCIL RESOLUTION

MOVED: Cr. V. Fontana

SECONDED: Cr. J. Williams

THAT Council, having given public notice of a proposal to discontinue the road at the rear of 37 to 55 Northernhay Street and 38 to 54 Southernhay Street, Reservoir, shown hatched on the plan enclosed as **Appendix A** to this report, and having considered submissions received in relation to the proposal in accordance with section 223 of the *Local Government Act 1989*:

- (1) Discontinues the road in accordance with section 206 and schedule 10, Clause 3 of the *Local Government Act 1989*;
- (2) Directs that a notice be published in the Victoria Government Gazette;
- (3) Directs that the land from the road be sold by private treaty to the owners of the adjoining properties in accordance with Council policy;
- (4) Directs that Council transfer to itself title to any land in the discontinued road not sold to adjoining properties;
- (5) Directs that the discontinuance and sale will not affect any right, power or interest held by the Yarra Valley Water Corporation and the Darebin City Council, in the road in connection with any sewers, drains or pipes, under the control of those authorities in or near the road;

- (6) Signs and seals all documents relating to the sale of any land from the discontinued road to the owners of the adjoining properties; and
- (7) Advises each person who lodged a submission in relation to the proposal of Council's decision and the reasons for the decision, as follows:
 - *The road, in Council's opinion is not reasonably required for public use.*
 - *The formal discontinuance and subsequent sale of the land from the road in accordance with Council policy is consistent with the current physical status of the land and formalises actions to occupy and use the land taken in the past by the majority of owners.*

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

Since 2006, Council has received several requests from adjoining property owners regarding their interest in purchasing land from the right-of-way located between Northernhay Street and Southernhay Street, Reservoir (Road). Despite attempts to proceed to the next stage of the process, Council had met with an impasse, with some property owners wanting the Road reopened and the others supporting the discontinuance and expressing interest in purchasing.

In 2008, a section of the Road (the section at the rear of 27 to 37 Northernhay Street and 28 to 36 Southernhay Street, Reservoir, where owners were in agreement) was discontinued and sold – see **Appendix B**. However, there was not a consensus of opinion from owners in the section of Road at the rear of 37 to 55 Northernhay Street and 38 to 54 Southernhay Street.

Further investigations into the proposed discontinuance of the ROW (being the section of Road that was not discontinued in 2008) were undertaken in 2010. The investigations revealed that over 85% of adjoining property owners supported the potential discontinuance and sale, with only a few wanting to see the Road reopened. All properties that abut the Road have access and egress from the front of their properties and do not require the road as primary access.

Investigations into the proposed discontinuance were reinitiated following a general business item raised at Council's Ordinary Meeting of 6 February 2012 requesting that:

“Council officers report back to Council on the status of the right-of-way (ROW) located between Northernhay Street and Southernhay Street, Reservoir and the options available to residents abutting the ROW to the rear of 27-55 Northernhay Street and 28-54 Southernhay Street, Reservoir.”

Macquarie Lawyers were commissioned to undertake the statutory procedures to facilitate the possible discontinuance and sale of the whole of the ROW. The ROW, which is not listed in Council's Register of Public Roads, is unconstructed, not used for road purposes and is fenced and occupied by the adjoining owners (**Appendix A – Locality Map**).

ISSUES AND DISCUSSION

At its Ordinary Meeting of 6 August 2012, Council directed that the statutory procedures for the proposed discontinuance and sale of the 3.66m wide road at the rear of 37 to 55 Northernhay Street and 38 to 54 Southernhay Street, Reservoir, be commenced.

Public notice of the proposal was given in Preston and Northcote Leader newspapers in the week commencing Monday, 27 October 2014. Notification was also given on Council's website.

Owners and occupiers of all of the adjoining properties were also notified in writing and were advised that submissions, in writing, would be considered by Council pursuant to the provisions of section 223 of the *Local Government Act 1989*.

At the time of notification, all owners were provided with the historical background relating to previous attempts to discontinue the Road and advising of Council's intention to progress the matter. The information provided, advised owners of Council's Sale of Minor Council Property Assets Policy and that the land would be allocated in accordance with the Policy on an equitable basis, should Council resolve to discontinue the Road.

Council received two written submissions.

Submission(s)

- A and L Digiambattista - Reservoir
- L Miller and B Hubber - Reservoir

A copy of the submissions has been circulated separately to Councillors for information. None of the submitters had requested to be heard in support of their submission

Council is required under section 223 of the *Local Government Act 1989* to take into consideration all of the submissions received and after it has made a decision, must notify each of the submitters of the decision and the reasons for the decision.

Consideration of Submission(s)

A and L Digiambattista

The submitters strongly support the proposal to discontinue the road and have expressed interest in acquiring part or all of the land.

L Miller and B Hubber

The submitters have asserted that the acquisition of the land would be of relatively little or no benefit and suggested that Council should gift the land to owners and also meet a fair share of the legal and administrative costs associated with discontinuing and selling the road.

Council is required under section 223 of the *Local Government Act 1989* to take into consideration all of the submissions received and after it has made a decision, must notify each of the submitters of the decision and the reasons for the decision.

Consideration of Submission(s)

Whilst one of the submitters is strongly in favour of the proposal the other has questioned the merits/benefits of acquiring the land. The Policy provides for the land from discontinued roads to be sold at market value and that purchasers meet all Council's reasonable costs associated with undertaking the discontinuance including disbursements.

All adjoining owners are afforded the opportunity to consider whether or not they view the land as being beneficial and choose to either purchase or not to purchase part of the allocated land, if the road is formally discontinued.

Service Authorities / Council Departments

Council and the Service Authorities have been consulted in respect to the proposal and no objections have been received.

Yarra Valley Water Corporation has a sewer within the land and will require an easement to be saved over the land if the road is discontinued. Similarly Council has a drain within the land and will also require an easement to be saved over the land if the road is discontinued.

POLICY IMPLICATIONS**Environmental Sustainability**

There are no factors in this report which impact upon environmental sustainability.

Human Rights, Equity and Inclusion

Consultation with the immediate adjoining owners has been undertaken and the statutory procedures have extended this by giving public notice of the proposal.

Economic Development

There are no factors in this report which impact upon economic development.

Other

This report has been prepared having regard to Council's Sale of Minor Council Property Assets Policy.

FINANCIAL AND RESOURCE IMPLICATIONS

Owners of the adjoining properties will be required to acquire the land from the discontinued ROW at its current market value and to also meet all of Council's reasonable costs associated with undertaking the discontinuance.

Should Council resolve to sell the ROW and all lots be sold, the income is estimated in excess of \$150,000 inclusive of GST. All costs associated with the transfer of land from the ROW would be payable by the purchasers.

The land from the ROW, once sold to an abutting owner, would also attract additional Council rates, though this would be minimal amount per property given the small size of each land parcel.

Any costs associated with taking title to unsold parcels of land would be managed within annual budget allocations.

CONCLUSION

It is considered that the section of road at the rear of 37 to 55 Northernhay Street and 38 to 54 Southernhay Street, Reservoir, is no longer reasonably required as a road for public use. On this basis it would be reasonable for Council to discontinue the road and sell the land from the road to the adjoining owners by private treaty in accordance with Council policy. Council would transfer title to itself any land not sold in the first instance; thereby it would protecting its interest in the land and reserving it for future sale.

The proposed action is also consistent with the current physical characteristics of the land and formalises actions taken to occupy and use the land in the past by the majority of owners.

FUTURE ACTIONS

Arrange for a notice to be published in the Victoria Government Gazette and for the land to be sold and transferred to the owners of the adjoining properties by private treaty in accordance with Council policy.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

- Section of road proposed to be discontinued and sold (**Appendix A**)
- Overall plan (**Appendix A**)
- *Local Government Act 1989*
- *Road Management Act 2004*
- Council's Sale of Minor Council Property Assets Policy – May 2015
- Council Minutes – 6 February 2012 and 6 August 2012

8.7 PROPOSED DISCONTINUANCE AND SALE OF RIGHT-OF-WAY (ROAD) AND RESERVE ADJOINING 11 TO 41 MAY STREET, 2 TO 24 PAYWIT STREET AND 19 LEONARD STREET, PRESTON

MINUTE NO. 418

AUTHOR: Manager Assets and Property

DIRECTOR: Director Assets and Business Services

SUMMARY

This report recommends that Council commence statutory procedures for the discontinuance and sale of a 3.05m wide right of way (road) and 0.28 to 0.30m wide Council owned reserve (revenge strip) adjoining 11 to 41 May Street, 2 to 24 Paywit Street and 19 Leonard Street, Preston.

CONSULTATION

- Macquarie Local Government Lawyers
- Owners of adjoining properties
- Statutory Authorities
- Council Departments

COUNCIL RESOLUTION

MOVED: Cr. V. Fontana

SECONDED: Cr. O. Walsh

THAT Council:

- (1) Commence the statutory procedures, pursuant to section 206 clause 3 of Schedule 10 to the *Local Government Act 1989*, (the Act) to discontinue and sell the 3.05m wide road adjoining 11 to 41 May Street, 2 to 24 Paywit Street and 19 Leonard Street, Preston, shown cross-hatched on **Appendix A**.
- (2) Give Public Notice under sections 207A, 82A and 223 of the Act of the proposed discontinuance in the appropriate newspapers and on Council's website and that such notice state that if discontinued Council proposes to sell the land from the road to the adjoining property owners by private treaty.
- (3) Commence the statutory procedures, pursuant to section 189 of the Act, for the sale of the 0.28 to 0.30m wide Council owned reserve adjoining 11 to 41 May Street, 2 to 24 Paywit Street and 19 Leonard Street, Preston, shown hatched on **Appendix A**.
- (4) Give Public Notice under sections 189, 82A and 223 of the Act of the proposed sale of the reserve in the appropriate newspapers and on Council's website and such notice state that Council intends to sell the land from the reserve to the adjoining property owners by private treaty.

- (5) Prepare an application under Part 4 of the *Planning and Environment Act 1987* and section 24A and 35(8) of the *Subdivision Act 1988* to remove reserve status from the Council owned reserve land, merge the road and reserve land as one and then subdivide the land into various lots.

CARRIED

REPORT

INTRODUCTION AND BACKGROUND

Council had received an application from one of the adjoining owners for the discontinuance and sale of the right of way (road) and reserve shown cross-hatched and hatched on the overall plan (**Appendix A**) and the aerial photo (**Appendix B**).

Council officers commenced initial investigations which resulted in 54% in support, 3% objecting and 43% not providing a written response to the proposal and presumed to have no objection. Given that more than half of the adjoining owners expressed interest, it had been determined that it would be reasonable to progress the matter with further consultation with owners.

Macquarie Lawyers were commissioned to undertake the process to facilitate the possible discontinuance and sale of the road and reserve and consult with owners on the allocation of the land.

The road is not listed on Council's Register of Public Roads under the *Road Management Act 2004* and is not used for access, nor is the road or reserve constructed.

The majority of the road and reserve is enclosed within the adjoining properties, a situation which appears to have prevailed for a considerable period of time. The only section of road adjoining 17 Leonard Street, 2 and 2A Paywit Street remains open and is used, therefore this section of road is not proposed to be discontinued.

ISSUES AND DISCUSSION

Consultation with owners/purchase price

All of the immediate adjoining owners have been extensively consulted regarding the proposal. The vast majority of owners have confirmed their interest in acquiring the land at current market value as well as meeting a share of the reasonable costs associated with Council discontinuing the road and reserve. The proposed allocation/division of the land is shown in **Appendix C**.

Owners that have not expressed interest in purchasing land have not raised any objection to the proposed Road discontinuance at this stage.

Service Authorities and Council departments

Council and all necessary Service Authorities have been consulted in respect to the proposal and no objections have been received.

Yarra Valley Water Corporation has a sewer in the land and therefore will require an easement to be created within the Plan of Subdivision.

Whilst Council currently does not have any assets located within the land at present it will require an easement for drainage to be created in the Plan of Subdivision over the land to cater for the installation of a drain in the future.

Implementation

Given that the land comprises both a road and reserve Council is required to undertake the following procedures in order to be in a position to sell the land:

- Procedures under section 206 clause 3 of Schedule 10 of the *Local Government Act 1989* to discontinue and sell the road;
- Procedures under section 189 of the *Local Government Act 1989* for the sale of the land from the reserve; and
- Procedures under part 4 of the *Planning and Environment Act 1987* and section 24A and 35(8) of the *Subdivision Act 1988* to remove the reserve status from the Council owned reserve land, merge the road and reserve land as one and then subdivide the land into various Lots.

The statutory procedures require Council to give public notice of its intention to discontinue the road and to sell the land from both the road and reserve and invite submissions from affected parties. Submitters may request to be heard by Council prior to a decision being made to proceed or otherwise with the proposal.

In addition, all abutting property owners will be advised of the proposal in writing and informed of their right to make a submission. Following which, a report will be presented to Council for a decision whether to discontinue the road and reserve, part of the road and reserve or not to discontinue the road and reserve.

POLICY IMPLICATIONS

Environmental Sustainability

There are no factors in this report which impact upon environmental sustainability.

Human Rights, Equity and Inclusion

Initial consultation with the immediate adjoining owners has been undertaken. The statutory procedures will extend this to the whole of the community by giving public notice of the proposal and providing the opportunity to make formal submissions to Council regarding the proposal

Economic Development

There are no factors in this report which impact upon economic development.

Other

This report has been prepared having regard to Council's Sale of Minor Council Property Assets Policy.

FINANCIAL AND RESOURCE IMPLICATIONS

There are no financial or resource implications as a result of the recommendations contained in this report.

CONCLUSION

Extensive consultation has resulted in the vast majority of adjoining property owners agreeing to purchase the land allocated at market value plus the costs associated with the discontinuance and sale. This would result in a clearance of approximately 90% of the entire section land.

The road adjoining 11 to 41 May Street, 2 to 24 Paywit Street and 19 Leonard Street, Preston, is considered to be no longer reasonably required as a road for public use and that the reserve adjoining the same properties is also no longer considered to be reasonably required for the purpose for which it was reserved.

On that basis it is reasonable for Council to commence the statutory procedures to potentially discontinue and sell the land from the road and reserve to the adjoining property owners.

FUTURE ACTIONS

Arrange for the statutory procedures for the discontinuance and sale of the road and reserve to be undertaken pursuant to the provisions of section 189, section 206 and clause 3 of Schedule 10 and section 223 of *the Act* and part 4 of the *Planning and Environment Act 1987* and section 24A and 35(8) of the *Subdivision Act 1988*.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

- Site plan (**Appendix A**)
- Aerial photo (**Appendix B**)
- Allocation plan (**Appendix C**)
- Council's Sale of Minor Council Property Assets Policy – May 2015
- *Local Government Act 1989*
- *Road Management Act 2004*
- *Planning and Environment Act 1987*
- *Subdivision Act 1988*

8.8 DAREBIN LIBRARIES OPENING HOURS REVIEW 2015**MINUTE NO. 419****AUTHOR: Acting Manager Libraries, Learning and Youth****REVIEWED BY: Director Community Development****SUMMARY**

At its meeting on 10 December 2012, Council resolved to:

- (1) *Retain the current spread of hours at the Fairfield Library and refer them for consideration as part of the service wide review into opening hours that will be included within the Darebin Libraries strategy development in 2013.*
- (2) *Consider funding a trial of one of the options listed in the report as part of the 2013-2014 budget deliberations, to apply to any of the library services.*

This report outlines the review process and provides information on the recommended changes to Darebin Libraries opening hours.

CONSULTATION

- Acting Director Culture, Leisure and Works
- Acting Strategy and Business Advisor, Libraries and Learning
- Senior Research and Projects Officer, Performance Support
- Coordinator Information Systems and Technology, Darebin Libraries
- Team Leader Customer Service, Darebin Libraries
- Darebin Disability Advisory Committee
- Darebin Women's Advisory Committee
- Sexuality, Sex and Gender Diversity Advisory Committee
- Darebin Aboriginal Advisory Committee
- Anti-Racism Committee
- Darebin Ethnic Communities Council
- Darebin Health and Wellbeing Committee
- Darebin community
- Darebin Libraries customers

COUNCIL RESOLUTION

MOVED: Cr. T. McCarthy
SECONDED: Cr. V. Fontana

THAT Council:

- (1) Open Fairfield Library to 6 pm two nights per week from the week commencing 4 January 2016 with an evaluation after 12 months of the usage, impact and effectiveness.
- (2) Open Preston Library at 11 am on Sunday from the week commencing 4 January 2016 with an evaluation after 12 months of the usage, impact and effectiveness.
- (3) Review Northcote Library Sunday opening hours following the evaluation of additional Sunday opening hours at Preston Library.
- (4) Retain the new spread of hours at the Reservoir Community and Learning Centre and review opening hours after 12 months to assess impact of the new hub on usage by all centre customers.

CARRIED UNANIMOUSLY

REPORT**INTRODUCTION AND BACKGROUND**

Darebin Libraries four branches are currently open 214 hours per week, with Preston and Northcote Libraries open 60 hours each over seven days and Fairfield (41 hours) and Reservoir Libraries (56 hours) open over six days. (An overview of other library service opening hours is provided later in the report.) The Darebin Libraries website is also available to support online information needs with a substantial range of online resources accessible to library members including e-books, e-audiobooks, e-magazines, films, newspapers and databases to support research and study.

With the opening of the Reservoir Community and Learning Centre in August 2015, Reservoir Library hours have been extended to 8 pm on Friday evenings in response to customer feedback and usage, and in recognition of the collocated Council services in the centre.

The last change to Darebin Libraries opening hours occurred in 2006 when it was agreed Fairfield Library would close on Thursday evenings due to low usage patterns and open on Saturday instead to meet a wider range of customers' needs and provide a level of consistency for customers. At present, all branches open at 10 am Monday–Friday and between 10 am – 4 pm on Saturday; Preston and Northcote Libraries are open 1 pm – 5 pm on Sunday.

Following a review of Fairfield Library's opening hours in 2012, at its meeting on 10 December 2012, Council resolved to:

- (1) *Retain the current spread of hours at the Fairfield Library and refer them for consideration as part of the service wide review into opening hours that will be included within the Darebin Libraries strategy development in 2013.*

The development of the Darebin Libraries Strategy 2014–2019 included an extensive library customer survey covering a wide range of issues and asking for feedback. As a result and to avoid survey fatigue, it was agreed that a separate opening hours review in the first year of the Strategy implementation would be appropriate.

However, in April 2014, as part of the Darebin Libraries Strategy survey, respondents were asked '*If you could make one improvement to your library what would it be?*' Many responses to this question indicated longer opening hours would be preferred along with the removal of the reservations fee, which was implemented as of 1 July 2015.

ISSUES AND DISCUSSION

Darebin Libraries Service Framework

In 2009, Darebin Libraries developed a three-level library hierarchy to provide a framework to guide development and planning at both the holistic and branch level for collections, programs, service delivery and infrastructure. The hierarchy identifies characteristics in relation to population served, location and resources and services offered.

Hierarchy	Branch	Population served	Focus
Neighbourhood	Fairfield	Up to 10,000	Providing resources and service tailored to reflect local interest
Community	Reservoir	30,000–50,000	Providing resources and services to reflect the diverse needs of the local community
Activity Centre	Northcote Preston	Up to 80,000	Providing resources and services to address the diversity of needs of the wider community

In addition to this hierarchy, the demographic profile, customer usage and feedback contributes to determining the collection, services and programs offered at each branch.

Members, Loans and Visits

The 2014 Darebin Libraries Strategy survey results indicate the main reason for visiting the library is to borrow books (86%) or borrow music or DVDs (36%) to take home. Other reasons for library visits include using the resources to look something up (34%) and bringing children to the library (34%). Respondents also indicated that while 82% used the branch closest to their home, 53% used branches other than their regular branch to access better collections or because those branches had better physical access and parking.

During 2014/2015, 29,500 people visited a Darebin Libraries branch to attend an event; almost 30,000 people accessed library wireless internet on their own devices and over 75,000 people used library PCs. These figures confirm that while the main reason for visiting a library may be to borrow books, library customers are also visiting to use a wider range of library resources and to socially engage with others.

Preston Library is the busiest branch for both loans and visits. While Northcote and Reservoir Libraries have similar visitor numbers, Northcote has significantly higher loans. The statistics below confirm the Darebin Libraries website acts as the 'fifth branch' with a significant number of both visits and loan renewals. Over the past 10 years, visit and loan percentages from each branch have remained stable when compared against each other. The website has increased significantly in usage over that time which has naturally impacted the number of physical visits and loan renewals at all branches.

	Membership (home branch) as at June 2015		Loans July 2014–June 2015		Visits July 2014–June 2015	
Fairfield	13,360	11%	129,536	11%	100,413	10%
Northcote	44,286	36%	272,574	24%	155,558	15%
Preston	42,159	34%	392,821	34%	240,073	23%
Reservoir	24,063	19%	157,362	14%	143,867	14%
Web			192,440	17%	414,540	39%
Home Lib.	90	<1%	11,887	1%		
Total	123,958		1,156,620		1,054,451	

	2006/2007		2010/2011		2014/2015	
	Visits	Loans	Visits	Loans	Visits	Loans
Fairfield	99,851 (16%)	149,680 (11%)	108,845 (12%)	164,112 (11%)	100,413 (10%)	129,536 (11%)
Northcote	170,699 (27%)	396,619 (29%)	168,861 (19%)	379,824 (27%)	155,558 (15%)	272,574 (24%)
Preston	229,833 (37%)	515,366 (38%)	253,912 (28%)	500,477 (35%)	240,073 (23%)	392,821 (34%)
Reservoir	122,981 (20%)	236,142 (17%)	132,867 (15%)	212,586 (15%)	143,867 (14%)	157,362 (14%)
Web	Not tracked	58,493 (4%)	238,962 (26%)	170,676 (12%)	414,540 (39%)	192,440 (17%)
Total	623,364	1,356,300	903,447	1,427,675	1,054,451	1,156,620*

* Includes Home Library Service loans

Neighbouring Libraries

When considering library opening hours, it is relevant to compare and contrast with neighbouring libraries to assess availability of alternatives for customers (45% of the Darebin Libraries Strategy survey respondents indicated they use other public library services as well as Darebin Libraries).

Municipality	Number of branches	Total opening hours	Average per branch
Darebin City Council	4	217	54.25
Banyule City Council	3	170	56.67
Moreland City Council	5	253	50.6
Nillumbik Shire Council	2	105.5	52.75
Yarra City Council	5	224	44.8
Whittlesea City Council	4	209	52.25

Darebin Libraries are open 217 hours each week

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun	Total
Fairfield	10 am– 5 pm (7 hrs)	10 am– 5 pm (7 hrs)	10 am– 5 pm (7 hrs)	10 am– 5 pm (7 hrs)	10 am– 5 pm (7 hrs)	10 am– 4 pm (6 hrs)		41 hours
Northcote	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 4 pm (6 hrs)	1 pm – 5 pm (4 hrs)	60 hours
Preston	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 4 pm (6 hrs)	1 pm – 5 pm (4 hrs)	60 hours
Reservoir	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 4 pm (6 hrs)		56 hours

Our neighbouring library branches have a range of opening hours.

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun	Total
Brunswick (Moreland)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 6 pm (8 hrs)	9 am– 4 pm (7 hrs)	1 pm– 5 pm (4 hrs)	59 hours
Carlton (Yarra)	1 pm– 8 pm (7 hrs)	10 am– 8 pm (10 hrs)	1–6 pm (5 hrs)	10 am– 8 pm (10 hrs)	1–6 pm (5 hrs)	10 am– 4 pm (6 hrs)	2 pm – 5 pm (3 hrs)	44 hours
Coburg (Moreland)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	10 am– 8 pm (10 hrs)	9 am–4 pm (7 hrs)	1 pm– 5 pm (4 hrs)	61 hours
Ivanhoe (Banyule/ Yarra Plenty)	10 am– 8.30 pm (10.5 hrs)	10 am– 8.30 pm (10.5 hrs)	10 am– 8.30 pm (10.5 hrs)	10 am– 8.30 pm (10.5 hrs)	10 am– 5 pm (7 hrs)	10 am– 5 pm (7 hrs)	1 pm– 5 pm (4 hrs)	60 hours
North Fitzroy (Yarra)	1 pm– 8 pm (7 hrs)	10 am– 6 pm (8 hrs)	10 am– 6 pm (8 hrs)	1 pm– 6 pm (5 hrs)	11 pm– 6 pm (5 hrs)	10 am– 1 pm (3 hrs)	2 pm – 5 pm (3 hrs)	39 hours
Thomas- town (Whittlesea/ Yarra Plenty)	10 am– 8.30 pm (10.5 hrs)	10 am– 8.30 pm (10.5 hrs)	10 am– 8.30 pm (10.5 hrs)	10 am– 8.30 pm (10.5 hrs)	10 am– 5 pm (7 hrs)	10 am- 1 pm (3 hrs)		52 hours
Watsonia (Banyule/ Yarra Plenty)	10 am– 8.30 pm (10.5 hrs)	10 am– 8.30 pm (10.5 hrs)	10 am– 8.30 pm (10.5 hrs)	10 am– 8.30 pm (10.5 hrs)	10 am– 5 pm (7 hrs)	10 am– 5 pm (7 hrs)	1 pm– 5 pm (4 hrs)	60 hours

When comparing Darebin Libraries opening hours and spread with our neighbouring branches, the tables above highlight that Darebin Libraries currently has good access and availability with a spread of hours across the week.

Note: North Fitzroy Library would be considered a Neighbourhood library (as per Fairfield Library) based on size and location.

Opening Hours Consultation

In 2015, the opening hours review was undertaken to consult the Darebin community, consider library demographic and usage data and explore options to consider what, if any, changes are required to Darebin Libraries' opening hours across the service to meet customer needs.

The community were consulted in May through the opening hours survey, which was delivered in conjunction with Council's Performance Support team. The survey was available both online and in hardcopy and was translated into eight community languages (Arabic, Chinese, Greek, Hindi, Italian, Macedonian, Somali and Vietnamese) to ensure accessibility for community members from a CALD background. The survey was promoted through both Council and Darebin Libraries websites with in-branch promotion through self-assist computers and roving staff with iPads. The survey was also promoted through the Darebin Libraries eNewsletter and forwarded to Council Advisory groups and local organisations. As a result, the survey received over 1,300 responses.

Opening Hours Survey Responses

The May 2015 opening hours survey asked community members to provide feedback on how convenient they found the current opening hours of Darebin Libraries branches and to share their suggestions for change.

Fairfield Library

Fairfield Library is located in Station Street as part of the Fairfield Community Centre. It is open 41 hours over six days each week with no evenings or Sunday hours: Monday – Friday 10 am – 5 pm; Saturday 10 am – 4 pm; Sunday closed. As noted previously, in 2014/2015 Fairfield Library had 100,413 (10%) visits and 129,536 (11%) loans.

Of the 382 respondents who visit Fairfield Library, 39% rated the current hours as convenient or very convenient and 42% rated the hours as not at all convenient or inconvenient. When asked about the opening time, 57% indicated no change was needed during the week and 69% indicated no change was needed on Saturday. When asked about closing time, 57% indicated they would like to have the library close later during the week and 55% indicated no change was needed on Saturday.

When asked whether opening on Sunday would improve access to the library, 73% of respondents said yes; however, this response does not equate with actual intention to use, especially given the close proximity of Northcote Library (2.3kms from Fairfield Library). An intercept survey at Northcote Library on Sunday indicated a number of Fairfield residents comfortably use Northcote Library on Sundays to fulfil their library needs. An average of 263 people visit Northcote Library on Sunday.

Based on survey feedback and usage, the change with the most impact for Fairfield Library customers would be to extend closing hours during the week.

Northcote Library

Northcote Library is located in Separation Street opposite Northcote Plaza and Northcote Central Shopping Centres. It is open 60 hours over seven days each week: Monday – Friday 10 am – 8 pm; Saturday 10 am – 4 pm; Sunday 1 pm – 5 pm. As noted previously, in 2014/2015 Northcote Library had 155,588 (15%) visits and 272,574 (24%) loans.

Of the 651 respondents who visit Northcote Library, 75% said the opening hours were convenient or very convenient. When asked about opening hours during the week, 64% indicated no change was required to the opening time and 80% indicated no change was required to the closing time.

When asked about Saturday hours, 74% were happy with the opening time; while response to closing time was mixed with 49% indicating satisfaction with the current closing time and 48% wanting the library to close later. When asked about Sunday, 59% would like the library to open earlier; 78% indicated no change was required to closing time.

Based on survey feedback and usage, the change with the most impact for Northcote Library customers would be to open earlier on a Sunday.

Preston Library

Preston Library is located in Gower Street behind the Preston Council Precinct. It is open 60 hours over seven days each week: Monday – Friday 10 am – 8 pm; Saturday 10 am – 4 pm; Sunday 1 pm – 5 pm. As noted previously, in 2014/2015 Preston Library had 240,073 (23%) visits and 392,821 (34%) loans.

Of the 654 respondents who visit Preston Library, 72% said the opening hours were convenient or very convenient. When asked about opening hours during the week, 64% indicated no change was required to the opening time and 79% indicated no change was required to the closing time.

When asked about Saturday hours, 72% were happy with the opening time; while response to closing time was mixed with 45% indicating satisfaction with the current closing time and 52% wanting the library to close later. When asked about Sunday, 59% would like the library to open earlier; 73% indicated no change was required to closing time.

Based on survey feedback and usage, the change with the most impact for Preston Library customers would be to open earlier on a Sunday.

Reservoir Library

Reservoir Library is currently located in the Ralph St car park. It is now open 56 hours over six days each week: Monday – Friday 10 am – 8 pm; Saturday 10 am – 4 pm; Sunday closed. As noted previously, in 2014/2015 Reservoir Library had 143,867 (14%) visits and 157,362 (14%) loans.

Of the 316 respondents who visit Reservoir Library, 53% said the opening hours were convenient or very convenient. When asked about opening hours during the week, 58% indicated no change was required to the opening time and 82% indicated no change was required to the closing time Monday – Thursday. When asked specifically about closing time on Friday, 47% indicated no change was required and 49% wanted the library to close later.

When asked about Saturday hours, 73% were happy with the opening time; 54% indicated no change was needed to the closing time. When asked whether opening on Sunday would improve access to the library, 74% of respondents said yes; however, this response does not equate with actual intention to use.

Based on survey feedback and usage, the change with the most impact for Reservoir Library customers would be to open on a Sunday given library hours were extended on Friday evening when the library relocated to the Reservoir Community and Learning Centre in August 2015.

Options

Across all Darebin Libraries branches, 64% of respondents indicated the current opening hours were convenient or very convenient. This indicates our library service is open when most customers need access, with the Darebin Libraries website complementing service delivery for many customers. However, there are some identified opportunities to consider both in light of community benefit and financial impact.

Extend evening hours at Fairfield during the week

To address the need identified by 57% (218) of Fairfield Library respondents, Darebin Libraries could extend Fairfield Library's opening hours two nights per week to close at 6 pm.

To implement this change, the cost is estimated at \$8,000 per year to cover staffing and utilities.

Open Northcote Library earlier on Sunday

To address the need identified by 59% (385) of Northcote Library respondents, Darebin Libraries could open Northcote Library at 11 am (instead of 1 pm) each Sunday. This would extend opening hours on Sunday by 2 hours and match the number of hours the library is open on Saturday.

To implement this change, the cost is estimated at \$12,500 per year. In 2014/2015 an average of 263 people visit Northcote Library on Sunday.

Open Preston Library earlier on Sunday

To address the need identified by 59% (386) of Preston Library respondents, Darebin Libraries could open Preston Library at 11 am (instead of 1 pm) each Sunday. This would extend opening hours on Sunday by 2 hours and match the number of hours the library is open on Saturday.

To implement this change, the cost is estimated at \$16,500 per year. In 2014/2015 an average of 378 people visit Preston Library on Sunday.

Open Reservoir Library on Sunday

To address the need identified by 74% (232) of Reservoir Library respondents, Darebin Libraries could open Reservoir Library from 1 pm – 5 pm each Sunday. This would extend opening hours by 4 hours per week and mean that Reservoir Library would be open 60 hours per week over seven days.

To implement this change, the cost is estimated at \$38,600 per year.

Branch by Branch Options

Library branch	Option	Estimated annual cost
Fairfield Library	Extend opening hours two nights per week to close at 6 pm	\$8,000
Northcote Library	Extend opening hours on Sunday by 2 hours to open at 11 am	\$12,500
Preston Library	Extend opening hours on Sunday by 2 hours to open at 11 am	\$16,500
Reservoir Library	Open 4 hours from 1 pm – 5 pm each Sunday	\$38,600
		\$75,600

POLICY IMPLICATIONS

Environmental Sustainability

The environmental impacts of extending library opening hours focus on increased energy consumption. Darebin Libraries continues to work with Council's Environment and Natural Resources Team to investigate and implement improvements to environmental sustainability across all library branches. Two Darebin Libraries branches have recently undertaken energy efficiency upgrades with resulting energy savings.

Human Rights, Equity and Inclusion

The Darebin Libraries Strategy 2014–2019 acknowledges the rights of all to have free, accessible library services. The Darebin Libraries Opening Hours Review was conducted within the framework of the Equity and Inclusion Planning and Audit Tool. The survey was available both online and in hardcopy and was translated into eight community languages to ensure accessibility to community members from a CALD background.

Extending opening hours would increase the opportunity for our community members to use and Darebin Libraries services and resources.

Economic Development

Darebin Libraries commitment to skills acquisition and lifelong learning is an important aspect in building community capacity and increases economic development opportunities. Extended opening hours may increase patronage for local businesses but this is not able to be measured at this time.

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Option	Estimated annual cost	Recommended in 2015/2016?
Extend Fairfield Library opening hours two nights per week to close at 6 pm	\$8,000	Recommended
Extend Northcote Library opening hours on Sunday by 2 hours to open at 11 am	\$12,500	Consider 2016/2017
Extend Preston Library opening hours on Sunday by 2 hours to open at 11 am	\$16,500	Recommended
Open Reservoir Library 4 hours from 1 pm–5 pm each Sunday	\$38,600	Consider 2016/2017

The cost to implement the recommended changes to Darebin Libraries opening hours is estimated at \$24,500. Darebin Libraries would need to assess current staffing and rostering models to ensure appropriate customer support during these extended hours.

Due to changes to rostering models and the impact of customer self-service, especially in relation to borrowing activities, Darebin Libraries could implement limited (recommended) increased opening hours changes from the week commencing 4 January 2016 within the current 2015/2016 operations budget. A full costing would then need to be considered for incorporation into the 2016/2017 operations budget.

CONCLUSION

With 64% of respondents indicating their satisfaction with the current opening hours, Darebin Libraries has a good spread of opening hours across the week, which is complemented by the Darebin Libraries website. There is an opportunity, however, to further meet the needs of our community adjusting our current opening hours as outlined below.

1. Open Fairfield Library to 6 pm two nights per week to generally benefit residents and branch customers as well as more specifically commuters and employees of local businesses to access the library during the week, with an evaluation after 12 months of the usage, impact and effectiveness.
2. Open Preston Library at 11 am on Sunday with an evaluation after 12 months of the usage, impact and effectiveness. Preston Library is the busiest and most central branch and is accessible to most in the municipality with car parking and easy access to public transport.
3. Review Northcote Library Sunday opening hours following the evaluation of additional Sunday opening hours at Preston Library.
4. Retain the new spread of hours at the Reservoir Community and Learning Centre and review opening hours after 12 months to assess impact of the new hub on usage by all centre customers.

FUTURE ACTIONS

- If approved, implement limited changed opening hours from week commencing 4 January 2016 and incorporate cost of extended opening hours into 2016/2017 operations budget.
- Review Reservoir Community and Learning Centre opening hours after 12 months of operations to assess impact of the new hub on usage by all centre customers.
- Evaluate changes after 12 months of operations to assess usage, impact and effectiveness.
- Review Northcote Library Sunday opening hours following the evaluation of additional Sunday opening hours at Preston Library.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

- Darebin Libraries Opening Hours Survey 2015
- Darebin Libraries Opening Hours Survey 2015 Results
- Darebin Libraries Strategy 2014–2019 Survey Results

8.9 EDWARDES LAKE BOATHOUSE**MINUTE NO. 420****AUTHOR: Acting Director Culture, Leisure and Works****REVIEWED BY: Chief Executive****SUMMARY**

Over a number of years, Council has considered opportunities to rejuvenate the Edwardes Lake Boathouse, Reservoir, and consider options for future community or commercial use. The facility is currently dormant, however has the potential to be activated for various uses.

In 2002 and 2005, an Expression of Interest (EOI) processes were undertaken for the development and lease of a restaurant/café at the site. Both attempts were unsuccessful in attracting a suitable business owner. In 2011, a tender process was undertaken and identified potential partners for the use of the facility as a café/restaurant through a commercial lease arrangement. This process remains unresolved.

No current future uses for the building have been decided.

CONSULTATION

- Director Assets and Business Services
- Manager Assets and Properties
- Manager Parks and Vegetation
- Acting Manager Leisure and Public Realm
- Coordinator Public Realm

RECOMMENDATION

THAT Council note this report on the Edwardes Lake Boathouse.

COUNCIL RESOLUTION

MOVED: Cr. T. Laurence

SECONDED: Cr. V. Fontana

THAT Council defer this report to the next Council meeting.

CARRIED UNANIMOUSLY

REPORT**INTRODUCTION AND BACKGROUND**

The Edwardes Lake Boathouse is located on the North West corner of Edwardes Lake, Reservoir. Previously used as a rowing club, the building has been underutilised for some years. During this period the building has stored equipment for various Council departments.

The building is of a solid brick construction, replacing a timber building on the site which was destroyed by fire. In recent years, Council has undertaken a number of attempts to attract community and commercial activity to the site seeking contribution to redevelop the building and operate a food service venue. Each of these processes has been inconclusive for various reasons.

In 2010, Council sought community ideas for the future use of the boathouse, with the majority of responses supporting the use of the site for a café, restaurant, retail or art related use of the site. Council Officers have previously undertaken a review of the past processes and the potential future uses of the site with the prevailing recommendation being that a food service offering would be the most appropriate future use. Council officers have also recently received enquiries from hobby groups from outside of the Darebin municipality who have expressed an interest in hire of the facility.

In August 2011, Council resolved to undertake an Expression of Interest process to identify a suitable proponent to partner with Council in developing the site. A key consideration to any development was the long-term economic investment made by the occupier and the return to the successful proponent. In pursuing this direction it is understood that there would be minimal Council investment.

ISSUES AND DISCUSSION

In 2010, Council sought community ideas for the future use of the boathouse, with the majority of responses supporting the use of the site for a café, restaurant, retail or art related use of the site. In support of this feedback, Council on a number of occasions has undertaken Expression of Interest processes to identify a suitable proponent to partner with Council in developing the site.

It is understood that there is a strong level of community support for the activation of the Edwardes Lake Boathouse rather than continue to use the building for storage. Given its prime location adjacent to a walking path that circumnavigates the lake, the building lends itself to community engagement and activity.

A number of community based arts groups have previously expressed an interest in utilising the building as a rehearsal space as well as a work space to construct art works (costumes, set pieces etc.). Interest in use of the facility by hobby groups has also been expressed, however these groups are not currently based within the municipality.

The Edwardes Lake Park Master Plan was developed in 2000 is due for review and further consideration of incomplete works. Possible future use of the boathouse will be considered during master plan consultation with the community. The master plan review will give high priority to the Boathouse activation, as an integral part of the master plan for the park. If necessary, the Boathouse component of the review will be presented to Council as a separate item before the completion of the full review.

Activities which could be considered around the site (to increase activation of the park) in the interim include food vans, pop-up café and market facilities on weekends. Temporary activities like these create community interest, and may assist to estimate levels of support and allow an assessment of community impact, whilst not being of a permanent nature.

Throughout any time of activation, further consultation will be undertaken with park users, surrounding residents and businesses through surveys, conversations and feedback. This consultation will assist Council in the development of objectives and outcomes sought by the community on the site and as a result assist in articulating a longer-term view for the site.

POLICY IMPLICATIONS

Environmental Sustainability

Any proposed redevelopment of the site will be required to consider ESD elements. The facility contains asbestos which would require removal by a licensed asbestos removal contractor prior to any refurbishment works.

Human Rights, Equity and Inclusion

The Edwardes Lake boathouse is located in a key recreation parkland and lake area and offers passive and structured recreation activities. The opportunity to introduce a facility which is a destination of choice for food and/or a focal meeting point offers rich community outcomes.

Economic Development

The opportunity to develop the Edwardes Lake Boathouse presents an opportunity to rejuvenate the area as a key recreation and economic development opportunity. Previous Expression of Interest processes indicate there is significant interest in the benefits of commercial use of the facility.

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

There are no short term financial impacts, however this will be reviewed in future council reports which make recommendations for commercial or community use of the facility. The revised Edwardes Park Master Plan will require future multi-year capital investment.

CONCLUSION

The opportunity to develop the Edwardes Lake Boathouse is a unique opportunity which will be explored further within the updated Edwardes Park Master Plan. The achievement of the master plan is a multi-year process which will see a project plan presented to Council within the 2015/2016 financial year, with budget submissions undertaken for physical works commencing in 2016/2017 financial year and continuing in future budgets.

FUTURE ACTIONS

- Review of current Edwardes Park Master Plan through 2015
- Update of the master plan, including consultation, through 2015.
- Presentation of the revised master plan and timeline at briefing, and consideration of implementation funding as part of 2016/2017 budget process.

DISCLOSURE OF INTERESTS

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

The Author of the Briefing Paper, having made enquiries with relevant members of staff, reports that no disclosable interests have been raised in relation to this briefing paper.

RELATED DOCUMENTS

- Nil

Darren Rudd, Manager City Development and Yvonne Rust, Town Planner entered the meeting during discussion of the above item – 8.31

Cr. Walsh disclosed an 'interest', not a conflict, in the following item as he lives in the vicinity covered by Amendment C136.

8.10 AMENDMENT C136 – FURTHER INFORMATION AND ADOPTION

MINUTE NO. 421

AUTHOR: Manager City Development

REVIEWED BY: Director Assets and Business Services

SUMMARY

At its meetings on 16 February and 16 March 2015 Council resolved to defer the consideration of planning scheme amendment C136. This report addresses additional questions raised by Council at its meeting on 16 March 2015 and highlights the need to have planning controls adopted by Council for St George's Road to avoid inappropriate development outcomes. On this basis the Amendment package is resubmitted for the Council's consideration and adoption. This report also addresses the Council's resolution of 20 July 2015:

'That council receives a report on the implications of VCAT decisions in the past 5 years in the areas covered by C136 and C137 and our current draft C136 and C137.'

CONSULTATION

- Council Briefings - 8 December 2014, 10 February 2015 and 10 March 2015
- Council Meetings - 16 February 2015, 16 March 2015 and 29 April 2015
- Councillor workshop on 30 March 2015
- Statutory Planning
- Sustainable Transport
- Business Development
- Department of Environment, Land, Water and Planning (DELWP)

RECOMMENDATION

THAT Council:

- (1) Having received a further briefing on the matters raised at its meetings held on 16 February 2015; 16 March 2015 and 29 April 2015 and which are summarised and attached to this report (**Appendix K**);
- (2) Having prepared and exhibited Amendment C136 to the Darebin Planning Scheme under section 19 of the *Planning and Environment Act 1987*;
- (3) Having considered all submissions under section 22 of the *Planning and Environment Act 1987*; and
- (4) Having considered the report of the independent Panel for Amendment C136 under section 27 of the *Planning and Environment Act 1987*;

Resolves to:

- (1) Adopt Amendment C136 to the Darebin Planning Scheme in accordance with section 29 of the *Planning and Environment Act 1987*, without changes to the following Panel Recommendations: 15, 17, 21, 22, 23, 24, 25, 26, 27, 36, 37, 38, 40, 41, 42, 43, 44, 46, 56, and 57 and **Appendices A - N**.
- (2) Adopt Amendment C136 to the Darebin Planning Scheme in accordance with section 29 of the *Planning and Environment Act 1987*, having reviewed the documentation as direction in the following Panel Recommendations: 18, 32, and 33 and **Appendices A - N**.
- (3) Adopt Amendment C136 to the Darebin Planning Scheme in accordance with section 29 of the *Planning and Environment Act 1987*, with changes resulting from the Alternate Proposals to the following Panel Recommendations presented in the body of this report: 34, 35, 47, 55 and 58.
- (4) Note that Panel Recommendations 1 – 14, 19, 20, and 60, were addressed through the adoption of C138.
- (5) Note that the following Panel Recommendations 16, 28, 29, 30, 31, 39, 48, 49, 50, 51, 52, 53, 54, 59 are directly related to C137 and are addressed in a separate report.
- (6) Submit Amendment C136 to the Darebin Planning Scheme, together with the prescribed information, to the Minister for Planning in accordance with section 31 of the *Planning and Environment Act 1987*.
- (7) Advise all submitters to Amendment C136 of Darebin Council's adoption of the amendment.
- (8) Direct that this policy position and Amendment C136 be considered in the assessment of planning permit applications until the Amendment is gazetted.
- (9) Authorise the Manager City Development to make minor editorial adjustments where necessary to the Amendments for the purpose of clarification, or strengthening Council position and in discussion with the Department of Environment, Land, Water and Planning to support approval.

COUNCIL RESOLUTION

MOVED: Cr. T. Laurence
SECONDED: Cr. V. Fontana

THAT Council defer this report to a Special Briefing on 26 August 2015 and then to the next Council meeting on 7 September 2015.

CARRIED UNANIMOUSLY

REPORT

INTRODUCTION AND BACKGROUND

This amendment has been reported to council several times over the past 12 months.

At its meeting on 16 February 2015, Council resolved:

'That Council defers the adoption of C136 and C137 planning scheme amendments for 4 weeks in order to receive a report on lowered mandatory heights in those proposed amendments, particularly in areas adjacent to heritage overlay areas and details of the rationale for the 16 panel recommendations for rejection by the Council as well as the Council proposals not supported by the Panel.'

At its meeting 16 March 2015, in relation to Amendment C136 Council resolved:

'That the item be deferred to allow for the provision of further information as requested by Councillors.'

At this meeting, in response to an update report on the Northland Urban Renewal Precinct, Council also resolved to:

'Receive a briefing on the implementation of the Northland Urban Renewal Precinct Structure Plan and its interactions with the proposed amendments of C136 and C137, particularly in relation to housing supply, social and affordable housing and population and jobs growth.'

The third point of this resolution was addressed through a Councillor Workshop held on 30 March 2015 and subsequent discussions were considered in a report to the April 2015 cycle of meetings. At its meeting 29 April 2015 Council resolved to:

'Write to the Minister for Planning, Mr Richard Wynne MP seeking an update on the Andrews Government's proposed increase in population and the target number of dwellings for Darebin.'

A letter requesting information regarding the population and target number of dwellings for Darebin was sent to the Minister in early May 2015. This letter was acknowledged however no further population or dwelling information has been provided at the time of writing this report. It is important to note that no such public policy exists and there is no documentary evidence to suggest the State Government has population targets for specific municipalities.

The response expected to be received is that the State does undertake population forecasting released under the publication "Victoria In Future" and this is an indication only of development projections and does not represent a targeted population outcome. As demonstrated in the past there is a vast array of market forces which often produce different actual development outcomes to those forecasted.

At its meeting on 20 July 2015, Council resolved:

'That Council receive a report on the implications of VCAT decisions in the past 5 years in the areas covered by C136 and C137 and our current draft C136 and C137. This report may form part of a comprehensive report to council covering other related issues such as C152 (residential zones), related master plans and structure plans such as the Junction Master Plan and other policy documents such as the Darebin Housing Strategy.'

VCAT is obliged to consider the planning scheme as it is currently read and planning scheme amendments are given consideration at a time where there can be certainty on its implementation. Typically this is at adoption stage where there is alignment between Council's position and the recommendations by a Panel on the matter. VCAT decisions do not lead the consideration of a planning scheme amendment but do provide feedback on the performance of intended strategy/policy versus actual outcomes.

Council's position in relation to Amendment C152 is informed by Council's adopted Municipal Strategic Statement and Housing Strategy has been reported to Council and is unrelated to the content of this amendment.

The only relativities between Amendments C152, C136 and C137 is that development pressure is taken away from Darebin's residential neighbourhoods and a consequent better balance provided to Darebin's overall housing capacity is enabled if the corridor amendments are adopted as recommended in this report

Amendment Process and History

A detailed chronology of events and actions conducted as part of the amendment process has been provided in previous Council reports and is attached to this report at **Appendix A**. This report focuses on Amendment C136 relating to the St Georges Road Corridor and explains the implications of the Panel recommendations.

Further work is being undertaken to incorporate the findings of the Panel Report (**Appendix B**) and to ensure alignment across all the amendment components is reflected in the Urban Design Framework. This document will be presented to Council for adoption at a later date.

Amendment C136 St Georges Road Corridor

Amendment C136 seeks to implement the land use and built form directions contained in the Urban Design Framework 2015 St Georges Road and Plenty Road Corridors (UDF 2015). This Amendment C136 proposes to:

- Rezone a number of properties to the Residential Growth Zone 1, General Residential Zone 2, Mixed Use Zone 1 and Commercial 1 Zones.
- Introduce a Design and Development Overlay Schedule 16 to manage built form outcomes along the corridor;
- Apply Development Plan Overlay Schedule 11 to coordinate development of the Oakover Village Precinct; and
- Adjust the local policy framework relating to Neighbourhood Character policy, and the Preston Central Incremental Change Area to support the delivery of the Preferred Future Outcomes identified for the various Precincts in the St Georges Road Corridor Urban Design Frameworks;
- Introduce a new local policy focussing on potentially contaminated land by inserting a new Clause 22.11 Potentially Contaminated Land Policy; and
- Insert the Urban Design Framework 2015 St Georges Road and Plenty Road Corridors (UDF 2015) into the Planning Scheme as a reference document.

This Amendment also seeks to apply the Environmental Audit Overlay to potentially contaminated land along the St Georges Road corridor based on historical activities on those sites and where the zone changes to allow a sensitive use.

Panel Report

The Panel Report dated 31 July 2014 was reported to Council as part of Amendment C138, on 15 September 2014. The Panel considered written and oral presentations during the course of the hearings for the two amendments. All submitters to the Amendments together with those who either appeared or were represented are listed within the Panel Report.

Overall, the Panel supported the broad strategic intent of the Amendment, in particular Council's idea of managing development along public transport corridors, and indicated that the Amendments will 'provide a development control platform that will enable Council to respond to development pressures over many years to come'.

The Panel Report contained sixty recommendations for the three Amendments: C136, 137 and C138, of which 40 apply to C136 and 41 related to C137 together with a number of significant structural changes to the Amendment in relation to the drafting of the Design and Development Overlay provisions.

The Panel considered that the DDOs were too ambitious and covered too broad a range of issues that as an alternative could be dealt with through the local policy framework and the zone schedules of the planning scheme. It suggested a number of changes to simplify the DDO schedule provisions.

Planning and Environment Act 1987

Council has met all its obligations in relation to the receipt and release of the Panel's Report on the three amendments as reported in September 2014. Other obligations under section 27(1) of the *Planning and Environment Act 1987* require that Council must consider the Panel's Report before deciding whether or not to adopt the amendment. In this case it would be the panel recommendations directly relevant to Amendment C136.

It should be noted that the Amendment was due to lapse on 8 August 2015. A letter seeking exemption from this Clause has been sent to the Department of Environment Land, Water and Planning (DELWP). The Department has responded with an extension of time to allow Council to consider this report.

Ministerial Direction No. 15

Due to the complexity of the changes recommended by the Panel, Council officers have written to the Minister for Planning seeking and receiving exemption from the requirement of the Ministerial Direction 15 (usually 40 days to process and respond to the report) to allow Council enough time to review the large number of changes recommended by the Panel pursuant to section 27(3) of the Act.

Allowing for the potential of further changes to the amendment resulting from this report, Officers have also written to the Department seeking a further exemption from the requirement that the amendment must be lodged with the Minister within 10 days of adoption. The Department has also granted an exemption from this requirement and this will enable any additional changes to be made to the amendment documentation and final checking can take place.

ISSUES AND DISCUSSION

Areas for further investigation

During the past 6 months further investigation and analysis of the Panel recommendations and the impact the proposed amendment controls will have on redevelopment has been undertaken. The following is a brief summary of all these investigations and the findings.

Growth capacity along the corridors and NURP

Council requested further analysis be undertaken to determine the potential for additional growth capacity to be accommodated in the Northland Urban Renewal Precinct to relieve the pressure along the corridors. This analysis demonstrated there was potential within the Precinct for additional growth but the lead time for this capacity to become available was at least 5 – 10 years away. Therefore the need for short term capacity to meet demand for higher density residential development fell to the two corridors.

A responsible planning approach in identifying future development capacities will always identify a development capacity well ahead of likely demand. The logic of this approach takes into consideration that not all land will be developed within the planning horizon nor will all parcels be developed to the capacities allowed under the planning controls.

Council in acting in the best interests of its community needs to ensure its land zoning always caters for a situation where the land capacity exceeds projected development demand.

The two Strategic Corridors, St Georges Road and Plenty Road provide substantial capacity for residential intensification near existing public transport and services/employment in the immediate future. Any further constraining of capacity in the Corridors may have unintended consequences from growth pressure impacting established residential areas. The adoption of Amendment C136 will enable Council to better manage the built form outcomes of this proposed residential development and reduce pressure on sensitive residential neighbourhoods.

Lowered mandatory heights

The following is a summary of the associated considerations:

- A basic premise of the mandatory height controls was to put a cap on the additional capacity for apartments to be built. Also that within the proposed built form envelope, there was sufficient flexibility to provide for a range of design responses. In cases where there is scope between existing heights and maximum limits, the proposed controls encourage the bulk and mass of the development be located toward the front of the lot away from the sensitive rear interface. This allows a high yield to be achieved while the impact of the built form at the rear interface is managed. This also assists in reducing expectations that more intense development could spill over into abutting residential streets.

If this flexibility is removed with lower heights then there will be greater pressure to maximise the yield within the restricted envelope. There will be increased pressure to intensify development in a lesser envelope which risks eroding the rear setback provision. Design responses may result in the bulk and mass being closer to the rear of the property and an increase in the number of applications contesting the rear built form setbacks (which are discretionary). The likely fall-back that may be used if contested at VCAT is the scope between the DDO setbacks and the less stringent Rescode requirements. If discretion is exercised to limits of Rescode then the result would potentially be a higher proportion of development constructed on the rear boundary sensitive interface without the 3m buffer and thus undermining the preferred strategy for both corridors.

- Planning Practice Note 59 – Requirements for Mandatory Heights sets out the requirements for justifying the application of mandatory controls. The strategic justification for the exhibited built form heights was presented to the Panel at the Hearings held in March 2014. The Panel noted that it was "...generally satisfied that Council has demonstrated a sufficient level of analysis in relation to building heights to justify mandatory maximum height provisions."

On this basis and Panel Recommendation 34, the built form heights were set as mandatory maximum height limits in the redrafted DDO. The Panel did not support the concept of a built form height range and so the minimum height references have been removed from the DDO. It is unlikely that a 3 storey mandatory building height would be supported by the Department of Environment, Land, Water and Planning given Council's request was previously declined. This notion also undermines the directions already in Council's MSS that direct intensification along the St Georges Road corridor.

- If Council decides to reduce the heights recommended through this report further analysis will be required to assess the impact of a reduced residential density capacity will have on the local areas in the corridors. In many cases the proposed intensification is to support a revitalisation of a centre by facilitating more people to live in proximity to public transport and local shops and businesses.
- In one case a request has been made to increase the allowable height in one area and reduce the height on the adjoining area as a means of balancing out the impact and creating an equitable development potential. Such a change would constitute a changed position from what was originally exhibited by decreasing development expectations in one area and increasing the development potential in another. This action is likely to trigger the need to further notification to the affected properties, the surrounding neighbourhood affected and create further submissions. This will either trigger a significant delay with this planning scheme amendment or cause the need for a separate planning scheme amendment to be prepared

Built Form Height

The height limits that have been mandated in the DDO are not an as-of-right control and are applied on the basis of each application's merits. It is also important to emphasize that sites will redevelop at a range of heights and it is unreasonable to expect that the maximum height will be developed from street block to street block. The granting of a permit for a mandatory maximum height is subject to meeting other requirements in relation to:

- Lot width
- Lot depth
- Side and rear setbacks
- Site access and function; and the
- Ability to accommodate on site car parking capacity among other requirements

There are several locations along the corridor where a reduction in the overall built form height has been supported. In particular the height, along St Georges Road in Precinct 7 has been reduced from 6 to 4 storeys except for the strategic site at the corner of Miller Street and St Georges Road. A height adjustment was also recommended for the north side of Showers Street. (See recommendations 45 and 58).

Positive outcomes from Panel Recommendations

Zone Changes

A number of land use zones along the corridor have changed as a result of accepting the Panel recommendations. The Panel suggested further investigation of the Residential Growth Zone 1 as the preferred tool to the Mixed Use Zone Schedule 2 (MUZ2) to achieve intensification given the schedule to the zone can be used to vary the built form height. Further analysis demonstrated that where the overall intensification intent can be retained the land use zone was been changed from MUZ2 to RGZ1 which has similar built form outcomes without the loss of capacity.

On sites with a specific Heritage Overlay the land use zone has been changed to a General Residential Zone Schedule 2 (GRZ2). This allows some redevelopment potential but gives a clear indication that maximising the yield on these sites is not desirable.

Precinct 7 Oakover Village

In the Oakover Village neighbourhood the Panel Recommendations suggest a number of changes that further supported Council's position presented at the Hearings and have the effect of strengthening the level of amenity protection for adjoining properties.

This Precinct in particular attracted a high level of response from the local community during and after the exhibition period.

The area is currently blighted with former industrial buildings/sites being left idle and there is an ongoing problem with rubbish dumping and feral animals and rodents. While the Heritage Overlay area to the south of Oakover Road is largely intact there is clear evidence of recent renewal and renovation of properties along Stokes, Penola, Stott, Austral and Erin Streets to the north of the core area.

The character of this neighbourhood is already changing. In several cases there are signs of two lot subdivision occurring as well which will further change the nature of the area. If the desire is to keep the surrounding area in tact (it was nominated as NRZ1 and GRZ2 in C144) as single dwellings on a lot then the role of intensification of the former industrial lots for higher density housing is even more important as a pressure release valve. It is important to point out that none of the residential zones restrict development to the extent of limiting an area to single storey detached dwellings. The surrounding NRZ1 and GRZ2 areas subject to an assessment of neighbourhood character enables planning applications to be considered for apartments up to 3 storeys in height. A very detailed Development Plan Overlay Schedule 11 (DPO11) control was proposed over the public housing and former industrial to manage this anticipated redevelopment.

Following a number of community meetings in December 2013, Council Officers proposed a number of improvements to DPO11 controls to provide greater clarity of expectations and certainty of outcomes regarding future redevelopment proposals.

The Panel agreed with the use of the DPO being the correct planning tool to deliver the desired outcomes and further supported the inclusion of these changes. The Panel noted that:

'Ad hoc development of individual sites runs the risk of a piecemeal, fragmented approach to the development process, and would reduce the potential for broader benefits to be secured in terms of integrating new local access networks, or involving the community in the planning and delivery of local services.'

'There is a need to balance a reasonable degree of certainty with the need for flexibility to plan for a possible range of future uses across the precinct. The use of the proposed DPO is the best approach to assist with integrated planning while maintaining appropriate respect for the local context through requirements that have been incorporated into the proposed overlay schedule.'

The area of former industrial lots along Oakover Road is vulnerable while Amendment C136 and the DPO11 remain un-adopted and Council continues to receive strong interest from the development industry for redevelopment in this location.

Having considered all the submissions, the Panel suggested a number of additional changes in relation to further notification of the Development Plan, some additional objectives regarding transition between taller and lower built form and suggested that Showers Street (east side of St Georges Road) be removed from the DPO11 controls.

The proposal to restrict the built form street wall to 3 storeys along all frontages with the taller built form being located to the middle of the block has been accepted and will provide a further transition to the surrounding neighbourhood. These changes go some way towards addressing many of the concerns raised by local residents regarding overlooking and overshadowing issues.

These proposed controls (Appendix C) are over and above what is required by Rescode and will enable Council to more diligently manage the built form outcomes in the Precinct. All of these suggestions have been incorporated into the final amendment documentation attached to this report.

This is considered quite a win for the local community achieving a greater level of backyard amenity protection on the DPO site than is potentially available on their side of the boundary under Rescode and the NRZ1 and GRZ2 areas.

Transition Buffers

The concept of a buffer area where additional consideration is given specifically to the tapering down of a taller built form to the lower surrounding residential area was agreed to by the Panel. The Panel has supported the inclusion of additional generous transitional buffers in the Oakover Village area. The transition buffers are shown on the maps within, and relate to design requirements, in the DPO11.

30 Degree built form envelope

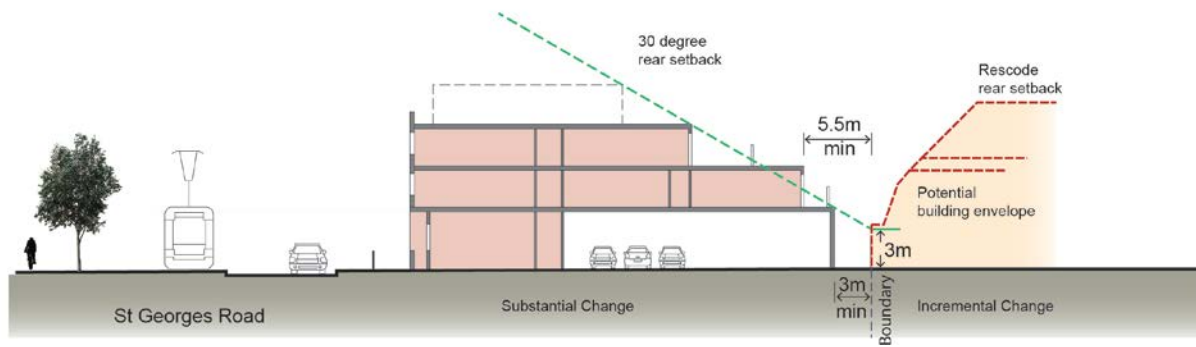
This tool was originally developed for situations where there is an additional sensitivity in the residential area, adjoining the development site that warrants a further constraint on the built form outcome of the rear.

Several submitters argued that this built form envelope was too restrictive and placed an onerous burden on the development to comply. The Panel agreed with this view but supported the intention of creating greater separation and recommended that the use of this envelope be limited to very select site conditions such as steeply sloping sites with adjacent residential development on the lower side.

There are no sites exhibiting this exact characteristic on St Georges Road. The 30 degree setback was reduced to apply to limited locations as per Recommendation 35 f).

Further investigation of areas where this condition may exist and areas with a sensitive interface due to a Heritage Overlay was requested following a Council Briefing. Since the introduction of the new residential zones through Amendment C152, and the Neighbourhood Residential zone and associated schedules in particular, have been applied with the specific intent to protect neighbourhood character and amenity.

Further consideration was given to locations where the application of this tool, which is more onerous than the Rescode requirement, will create situations where the adjoining property has a more liberal envelope and fewer redevelopment controls should it be redeveloped. This is most likely to occur where the adjoining property is zoned General Residential Zone which has a discretionary 9 metre height and Rescode setback requirements.



A detailed site by site analysis (see Appendix Table D) was undertaken to determine the gradient and identify the need for a sensitive interface to be better managed through greater built form separation. This has led to the reinstatement of the 30 degree envelope for a small number of sites along St Georges Road.

The further rationale for this control deals with intentions in Rescode dealing with visual bulk and what is considered an over reliance on screening. The provision of a 30 degree setback offers the benefits of not only a reduced setback from sensitive interfaces but improved internal amenity and reduced visual bulk. This specific issue is expected to be placed under review as part of the Better Apartments Review being undertaken by the State Government. Amendment C136 was appropriate in promoting the 30 degree setback requirement and perhaps is pioneering what is expected to future reform opportunity.

Changes to Panel Recommendations

The investigative nature of recommendations proposed by the Panel has left a level of flexibility in finalising the various aspects of the amendment documentation. As such, there has been scope for Officers to review the amendment material and several options leading to a revised approach in the DDO as part of the final amendment package presented in this report for Council's consideration. This approach was taken for Recommendations: 18, 32, and 33 and is reflected in **Appendices A – N**.

Recommendation 18

Review whether the MUZ2 should replace RGZ if issues related to building height in the RGZ have been clarified.

Discussion

The Amendment proposed to alter various land parcels along the corridor (refer zone maps in **Appendix E**) to include the Residential Growth Zone (RGZ), General Residential Zone (GRZ), Mixed Use 1 and 2 Zones (MUZ1, MUZ2) and Commercial 1 and 2 Zones (C1Z, C2Z).

In considering the appropriateness of the land use zones for various areas, the Panel had regard to the Framework Plans in the Urban Design Framework for the corridors and supported the broad strategic vision for land use.

The Panel supported the rationale used by Council in applying the zones but suggested changing some commercial zoning in areas where it was unclear if the desired future outcome could realistically be achieved.

The Amendment was prepared at a time when there was limited knowledge and in fact confusion over the manner in which height limits could be applied in the RGZ provisions.

The Panel viewed Council's solution to the perceived conflict in the purpose of the RGZ provisions (which refers to a limit to 4 storeys) to be addressed through the use of a MUZ2 as unnecessary. The processing of numerous amendments applying the RGZ since C137 was exhibited has demonstrated there is the ability to vary the height above four storeys.

The Panel suggested that Council apply the RGZ to land intended for solely residential use and include a schedule to the zone to address building height issues.

In light of the advice that a RGZ can also accommodate more than 4 storeys through a variation in the schedule to the zone, some of the areas designated for MUZ2 have been reviewed and where appropriate, a RGZ is proposed to be applied. There are some instances where the better fit for the desired outcome will be the use of the MUZ1. The Panel recommendation for a review of the proposed zones has been undertaken and is reflected in the approach recommended by Officers as identified in **Appendix E**.

Recommendation 32

Review whether the DDO is needed on residentially zoned land or whether the controls can be delivered as a schedule to a residential zone.

Discussion

The Panel generally agreed with the use of the DDO schedule as a tool to manage design issues and built form outcomes. However, the Panel suggested further consideration be given to using other tools, such as zone schedules, in locations where land is intended for residential uses. Those elements relating to heights, setbacks and vary Rescode requirements where a variation to these controls is required to deliver a particular outcome.

The Panel further recommended a review of the DDO structure, in particular how it relates with other policies in the MSS with the view of removing any duplication. The revised DDO16 is attached in **Appendix F** to this report. Aspects of the Panel's recommendations, where some departures are proposed, are discussed below.

As discussed previously, a review of the built form controls has been undertaken and where appropriate, changes have been made to reflect the Panel's recommendations. In regards to the use of zone schedules to deliver some built form outcomes, it is considered that the DDO tool offers the best solution in this instance and better delivers on the clear instructions from Council to raise the design standards of development where the height of development is to be increased.

The DDO currently covers many properties with a range of local conditions, the variety of which would generate multiple zone schedules and these would only partially address the full scope of controls provided in the DDO. Using zone schedules in this instance will lead to unnecessary duplication and more complex planning controls. It is considered that the DDO schedules across different zones be retained as this offers a greater level of consistency and provides clear guidance of the Council's and the community's development expectations for Developers.

This recommendation is supported to the extent that a review of the DDO application in comparison to the use of a zone schedule has been undertaken. It was concluded that in this case the proposed DDO controls would provide a better outcome than the use of multiple zone schedules.

Recommendation 33

Review the interaction between the DDO and built form controls in the zone where a residential zone is applied.

Discussion

This recommendation relates to Clause 54 and Clause 55 controls that are available for use in the zone schedules. These Clauses relate to Rescode provisions in relation to amenity issues such as overlooking, overshadowing, setbacks and height. It is intended that the DDO will override Rescode provisions where it applies or fill the gap where it does not apply. The Panel's recommendation is supported to the extent that a review of benefits of using Clauses 54 and Clause 55 available through the zone schedules have been considered in comparison to the use of the DDO controls. It was concluded that in this case the proposed DDO controls would provide a better outcome than the use of variations to the Clauses 54 and 55 provisions in the zone schedule.

In this case the proposed DDO controls should be retained as they would provide a better outcome than the use of Clauses 54 and 55 in the zone schedule.

Alternate Proposals

There are some recommendations where there was less alignment with Council's strategic goals and these are discussed in the following sections of the report. To address these matters Officers have put forward Alternate Proposals to the Panel's recommendations which follows the consideration of options and where there is sufficient strategic justification. In general these divergences from the Panel recommendations are the result of wanting to achieve a localised response which will lead to a greater consistency of control application within the wider amendment along the corridor.

The Alternate Proposals specifically outlined below address recommendations numbered 34, 35, 47, 50, 55 and 58. The remaining recommendations were either supported or addressed separately through the adoption of Amendment C138 previously.

Recommendation 34

Amend the requirements of the DDOs to make all requirements discretionary except for maximum building heights.

Discussion

This recommendation related to mandatory control for building heights, setbacks, minimum lot widths and ESD measures and whether the DDO should include prescriptive measures or not. The Panel found that in relation to heights, mandatory control was appropriate and should be used along the corridors.

The DDO has been redrafted with the exhibited heights being set as a mandatory control which cannot be varied via a planning scheme permit. The other controls which are prescriptive in nature i.e. using "must", will remain in the DDO but will be applied as discretionary measures which can be varied via a planning permit in the assessment of applications.

Alternate Proposal:

Redraft the DDO with mandatory height controls and all other measures to be applied as discretionary.

Recommendation 35

Redraft the DDOs to:

- c) *Focus content on:*
 - Site width (discretionary)*
 - Building height (mandatory)*
 - Building setback (discretionary)*
 - Site coverage (discretionary)*
 - Walls on boundaries (discretionary)*
 - Street interface (discretionary)*
- d) *Delete provisions from the DDOs that duplicate Clause 22.09 and Clause 22.10*
- g) *Use reference to other policies or ResCode requirements where possible, in particular refer to ResCode to manage overlooking and overshadowing impacts.*
- h) *Remove requirements related to ESD and internal amenity.*
- i) *Avoid or minimise the need for maps in the schedule by showing the precincts on the planning scheme maps, and delete (or simplify) the maps in the DDO schedule by:*
 - Relating Active frontage to zone*
 - Applying a standard set back requirement*

Discussion

In general, Officers have accepted the intent and suggestions of the Panel to redraft the DDO to be more streamlined and clear. The points of Recommendation 35 where there is some divergence are explained below.

The DDO has been redrafted to be more streamlined and simpler to use which was the overall outcome sought by the various Panel recommendations. A redrafted DDO16 is attached at **Appendix F** to show the revised format. The specific content suggested in Recommendation 35 c) is drawn from the headings used in the zone schedule and are included within the body of the DDO. This approach keeps the bulk of the assessment controls in the one planning tool rather than spreading the requirements across multiple tools. See response to Recommendations 32 and 33 for further details regarding this approach.

Recommendation 35 g) directly relates to Recommendation 33 and has resulted in greater clarity being provided in the DDOs where a requirement reverts to an existing ResCode requirement.

Environmentally Sustainable Design (ESD) Requirements

There are a number of design requirements aimed at improving the internal function and amenity of apartments included in the controls for the corridors. The Panel recommended the removal of the ESD measures and internal amenity controls from the DDO on the basis that ESD be included in the revised Clause 22.09 Residential and Mixed Use Development of Less than Four Storeys Policy and Clause 22.10 Residential and Mixed Use Development of Four or More Storeys Policy include some sustainability measure and this should continue to apply. These policies have since been revised and amalgamated into a new city-wide policy as Clause 22.06 forming part of Amendment C147.

The Panel believed that ESD measures should be applied as a municipal-wide approach, not just specific locations. As it was not the Panel's intent to leave a policy vacuum some reference to ESD in the Objectives, Design Requirements and Decision Guidelines in the DDO has been retained.

The Panel also acknowledged that work is currently being undertaken at the State level in regards to a state-wide apartment guideline which will address internal amenity. The timeframe for the introduction of such a provision is unknown. It is considered prudent to include minimum standards to cover internal amenity issues such as borrowed light and cross ventilation in the DDO to address this clear policy gap and to ensure the internal amenity of future apartment buildings are secured.

DDO Maps

Recommendation 35 i) suggested the removal of maps embedded in the DDO. It should be noted that the maps have been retained as a means of specifically identifying where maximum heights are to be applied.

The application of the 30 degree rear building envelope condition has been retained, although in a limited area, on the maps making them easier to read. These simplified maps show the following content:

- DDO boundary
- Maximum heights
- Where the 30 degree rear built form envelope is suggested to be applied.
- Future pedestrian/cycle link
- Strategic Sites
- Active frontages

A fully detailed map will be kept in the UDF for further reference should greater explanation of the strategic context and preferred future outcome for a particular precinct be required.

Alternate proposals:

- Recommendation 35 g) – greater clarity is provided regarding the use of Rescode;
- Recommendation 35 h) – remove some ESD references and retain internal amenity controls in DDOs;
- Recommendation 35 i) – retain simplified maps and delete tables with duplicated information.

Recommendation 45

Amend DDO16 to apply a 4 storeys height limit to Precinct 7 (St Georges Road Precinct 7).

Discussion

This recommendation is supported in part for all land except the two strategic sites on either end of the precinct. These large strategic sites will retain a 6 storey maximum height while the remainder of land in between will have 4 storey height restrictions. This would mean that properties facing St Georges Road between 1 to 19 and 39 to 69 will have a maximum 4 storey height limit applied.

The land on the corner of Miller Street and St Georges Road is 46m deep and has a frontage to St Georges Road of over 95m creating a strategic site approximately 4300m².

This site has been flagged by the Department of Health and Human Services for the future development of minimum 90 bed aged care facility.

The site on the corner of Bell Street and St Georges Road is zoned for commercial uses and is currently occupied by McDonalds and its location on this extremely busy intersection makes it a strategic site. Both of these sites have adequate capacity to support more intense development of greater than 4 storeys and still manage the potential for off-site impacts on the surrounding neighbourhood.

Alternate Proposal:

Retain the 6 storey height limit of the strategic sites at 18a Miller Street corner St Georges Road and at the corner of Bell Street and St Georges Road.

Recommendation 47

Remove the block bounded by St Georges Road, Cramer Street, Edith Street and Bruce Street from the DDO (St Georges Road Precinct 8).

Discussion

The Panel's recommendation is not supported on the basis that these lots are the only ones requested to be removed from the DDO, which appears to be inconsistent with the recommendation in other areas with similar attributes. Given the size of the allotments, the block should be subject to the lot consolidation requirements of the DDO in order to achieve the minimum lot width objective being sought through Amendment C136.

Exclusion of this block would leave these lots without a clear policy direction and minimal built form controls and this ambiguity could lead to unrealistic development expectations that Council would be left to manage on an ad hoc basis.

Alternate Proposal:

Retain the block bounded by St Georges Road, Cramer Street, Edith Street and Bruce Street within the DDO16 controls.

Development Plan Overlay Schedule 11

Recommendation 55

h) Remove the east-west pedestrian link east of St Georges Road.

Discussion

This recommendation is supported in part by the relocation of where pedestrian connections are shown in the DPO11. The overall principle of providing pedestrian connections on sites with lot dimensions greater than 100m has been supported by the Panel on a number of strategic sites along the corridors. The intent of showing indicative pedestrian connections in the DPO will facilitate further consideration of good and safe connections to be provided at the earliest stages of the redevelopment design and not to be introduced as an afterthought. The Panel's concern with the particular "east-west" link shown on the exhibition documents related to its connection into what is currently a rear lane and the limited potential for this to be redevelopment into a safe space in the short term. This concern is acknowledged and the link has been relocated to show a possible connection further south across the site. A copy of the revised DPO11 is included at **Appendix C** to this report.

Alternate Proposal:

- Provide for a repositioned link showing a possible connection further south across the site as shown on the map in DPO11.

Recommendation 58

Amend the application of the DPO11 to exclude land on the north side of Showers Street east of St Georges Road.

Discussion

This recommendation is supported and extended to include both sides of Showers Street.

This approach will enable consistent development expectations to be provided on both sides of the street. Instead the Panel recommended (#46) that this area is included in the DDO16 controls. The boundary of the DPO11 has been changed accordingly see Appendix C.

Alternate Proposal:

Remove the north side of Showers Street from DPO11 and include both sides of Showers Street in DDO16.

Consultation

Officers have been contacted by several submitters since the release of the Panel Report last July, expressing concern with the content of the Panel Report, specifically that the report does not include all points that submitters made to the Panel.

Amendment Implementation

Based on a past Council resolution the direction set out in the Urban Design Framework and corridor amendments has been given consideration in the assessment of planning permits. It was assumed that the weight given to these Planning Scheme Amendments would increase as the controls progressed through the regulatory process. There are two clear points at which the status of the amendment controls changes; 1) that being the receipt/release of the Independent Panel report and 2) after the amendment is adopted by the Council.

The benefits to Council from taking this approach include the extra influence over the design response in terms of rear setback controls and internal apartment amenity changes that might be delivered.

Since the second deferral of adoption in March there were several planning permit applications being appealed to VCAT. The delayed adoption of the amendment combined with the changes flagged in the Chamber has created a level of uncertainty regarding the Council's intention and the status and direction espoused in the exhibited documents. Already there have been VCAT decisions highlighting the uncertainty and difficulty in seriously considering this amendment in the deliberations on planning applications. This risk for Council is that development may well be approved in VCAT that potentially undermines mandatory heights to be applied through amendment C136.

Without a clear policy position on the corridors there will be additional cases being referred to VCAT for planning permit decisions, with several cases currently under review. VCAT have questioned how genuine Council's commitment is to Amendment C136 with the decision potentially having implications for the St Georges Road corridor.

Council is likely to experience an increase in the number of appeals to VCAT if there is a substantial change from the Panel recommendations and there is confusion over direction set for the corridor.

POLICY IMPLICATIONS

Environmental Sustainability

Nil

Human Rights, Equity and Inclusion

Nil

Economic Development

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

CONCLUSION

This report is the culmination of further analysis undertaken to understand the full impact of the Panel recommendations for Amendment C136.

This further work has provided additional information and has allowed for consideration of the key issues by Council as summarised in this report. The few remaining and relatively minor points of divergence from the original Panel Recommendations have been further considered and explained in this report. These points of divergence are made with the intent of maintaining an overall consistency and alignment with established Council policy and to deliver on Council's strategic goals.

The majority of the controls proposed through Amendment C136 have been supported by the Panel's Report. This concludes a transparent and highly consultative approach with the community who have had the opportunity to express and have their views independently considered by an Independent Planning Panel. The Panel has considered all the submissions lodged during exhibition and those presented at the Hearings and has put forward their recommendations based on a balanced approach. Council now has the benefit of this independent and expert view on submissions to inform its final opinion on this planning scheme amendment.

There is limited scope to make additional changes to the Amendment without a clear strategic justification. By keeping any changes suggested to only a minor departure from the Panel recommendations, Officers have put forward an amendment package that balances growth demand with amenity protection. If sufficient justification is lacking it is likely that the Department of Environment, Land, Water and Planning will revert to the original Panel recommendations. There is a level of risk of poor and inconsistent development outcomes being decided by VCAT if the controls in the amendment package are further fragmented through additional changes or further delay.

The Alternate Proposals have in a few instances ensured that there is a robust and consistent rationale for how the range of planning controls have been applied across the corridor and ensures Council has a strong policy platform going forward.

On the whole Amendment C136 will provide Council with a sound policy base and a suite of tools to direct growth to specific locations and better manage built form outcomes. This amendment package is put before Council for adoption and forwarding to the Minister for Planning for approval.

FUTURE ACTIONS

- Monitor outcomes from Amendments C137, C138, C147, C149 and C152 and assess if there are any further implications for the implementation of Amendment C136.
- Finalise the relevant Urban Design Framework 2015 and bring back to Council for adoption.
- Once the Amendment and Urban Design Framework 2015 have been adopted, Officers will submit the amendment to the Minister for Planning for approval.
- All submitters will be notified of Council's decision in relation to the Amendment C136.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

- Corridor Amendments Chronology updated to Aug 2015 (**Appendix A**)
- Panel Recommendation Report (**Appendix B**)
- C136 Development Plan Overlay Schedule 11 (DPO11) (**Appendix C**)
- C136 Gradient analysis spreadsheets (**Appendix D**)
- C136 Amended Planning Maps (**Appendix E**)
- C136 Design and Development Overlay Schedule 16 (DDO16) (**Appendix F**)
- C136 Revised MSS changes (**Appendix G**)
- C136 Clause 22.02 Neighbourhood Character (**Appendix H**)
- C136 Clause 22.09 Preston Central Incremental Change Policy (**Appendix I**)
- C136 Clause 22.11 Potentially Contaminated Land (**Appendix J**)
- Council Meeting Reports and Minutes – 16 February 2015, 16 March 2015 and 29 April 2015 (**Appendix K**)
- C136 Explanatory Report (**Appendix L**)
- C136 Clause 32.04 Schedule 1 MUZ1 (**Appendix M**)
- C136 Clause 61.03 (**Appendix N**)

8.11 AMENDMENT C137 – FURTHER INFORMATION AND ADOPTION**MINUTE NO. 422****AUTHOR: Manager City Development****REVIEWED BY: Director, Assets and Business Services****SUMMARY**

At its meetings on 16 February and 16 March 2015 Council resolved to defer the consideration of this planning scheme amendment. This report addresses additional questions raised by Council at its meeting on 16 March 2015, and highlights the need to have planning controls adopted by Council for Plenty Road corridor to avoid inappropriate development outcomes. On this basis the Amendment C137 package is resubmitted for Council's consideration and adoption.

CONSULTATION

- Council Briefings - 8 December 2014, 10 February 2015 and 10 March 2015
- Council Meetings - 16 February 2015, 16 March 2015 and 29 April 2015
- Councillor workshop on 30 March 2015
- Statutory Planning
- Sustainable Transport
- Business Development
- Department of Environment, Land, Water and Planning (DELWP)

RECOMMENDATION**THAT** Council:

- (1) Having received a further briefing on the matters raised at its meetings held on 16 February 2015; 16 March 2015 and 29 April 2015 and which are summarised and attached to this report (**Appendix J**);
- (2) Having prepared and exhibited Amendment C137 to the Darebin Planning Scheme under section 19 of the *Planning and Environment Act 1987*;
- (3) Having considered all submissions under section 22 of the *Planning and Environment Act 1987*; and
- (4) Having considered the report of the independent Panel for Amendment C137 under section 27 of the *Planning and Environment Act 1987*;

Resolves to:

- (1) Adopt Amendment C137 to the Darebin Planning Scheme in accordance with section 29 of the *Planning and Environment Act 1987*, without changes to the following Panel Recommendations: 15, 16, 17, 29, 30, 31, 36, 37, 38, 48, 49, 51, 52, 53, and **Appendices A - L**

- (2) Adopt Amendment C137 to the Darebin Planning Scheme in accordance with section 29 of the *Planning and Environment Act 1987*, having reviewed the documentation as suggested in the following Panel Recommendations: 18, 32, and 33 and **Appendices A - L**
- (3) Adopt Amendment C137 to the Darebin Planning Scheme in accordance with section 29 of the *Planning and Environment Act 1987*, with changes resulting from the Alternate Proposals to the following Panel Recommendations presented in the body of this report: 28, 34, 35, 39, 54, 50, and 59 and **Appendices A - L**
- (4) Note that Panel Recommendations 1 – 14, 19, 20, and 60, were addressed through the adoption of C138.
- (5) Note that the following Panel Recommendations 21 - 27, 40 - 47, and 55 - 58 are directly related to C136 and are addressed in a separate report.
- (6) Submit Amendment C137 to the Darebin Planning Scheme, together with the prescribed information, to the Minister for Planning in accordance with section 31 of the *Planning and Environment Act 1987*.
- (7) Advise all submitters to Amendment C137 of Darebin Council's adoption of the amendment.
- (8) Direct that this policy position and Amendment C137 be considered in the assessment of planning permit applications until the Amendment is gazetted.
- (9) Authorise the Manager City Development to make minor editorial adjustments where necessary to the Amendments for the purpose of clarification, or strengthening Council position and in discussion with the Department of Environment, Land, Water and Planning to support approval.

COUNCIL RESOLUTION

MOVED: Cr. A. Villella
SECONDED: Cr. T. Laurence

THAT Council defer this report to a Special Briefing on 26 August 2015 and then to the next Council meeting on 7 September 2015.

CARRIED UNANIMOUSLY

REPORT

INTRODUCTION AND BACKGROUND

This amendment has been reported to council several times over the past 12 months. At its meeting 16 February 2015 Council resolved:

'That Council defers the adoption of C136 and C137 planning scheme amendments for 4 weeks in order to receive a report on lowered mandatory heights in those proposed amendments, particularly in areas adjacent to heritage overlay areas and details of the rationale for the 16 panel recommendations for rejection by the Council as well as the Council proposals not supported by the Panel.'

This recommendation was addressed through the Council Briefing and report put to the March cycle.

At its meeting 16 March 2015, in relation to Amendment C136 Council resolved:

'That the item be deferred to allow for the provision of further information as requested by Councillors.'

At this meeting, in response to an update report on the Northland Urban Renewal Precinct, the Council resolved to:

- (3) *Receive a briefing on the implementation of the Northland Urban Renewal Precinct Structure Plan and its interactions with the proposed amendments of C136 and C137, particularly in relation to housing supply, social and affordable housing and population and jobs growth.*

The third point of this resolution was addressed through a Councillor Workshop held on 30 March 2015 and subsequent discussions were considered in a report to the April 2015 cycle of meetings.

At its meeting 29 April 2015 Council resolved to:

- (2) *Write to the Minister for Planning, Mr Richard Wynne MP seeking an update on the Andrews Government's proposed increase in population and the target number of dwellings for Darebin.*

A letter requesting information regarding the population and target number of dwellings for Darebin was sent to the Minister in early May 2015. This letter was acknowledged by the Minister, however no further population or dwelling information has been provided at the time of writing this report. It is important that Council be aware that no such public policy exists, and there is no documentary evidence to suggest the State Government has population targets for specific municipalities. The response expected to be received is that the State does undertake population forecasting released under the publication "*Victoria In Future*" and this is an indication only of development projections and does not represent a targeted population outcome. As demonstrated in the past, there is a vast array of market forces which often produce different actual development outcomes to those forecasted.

Amendment Process and History

A chronology of events and actions conducted as part of the amendment process has been provided in previous Council reports which are attached to this report at **Appendix A**.

This report focuses on Amendment C137 relating to the Plenty Road Corridor and explains the implications of the Panel recommendations. Further work is being undertaken to incorporate the findings (**Appendix B**) of the Panel Report and to ensure alignment across all the amendment components is reflected in the Urban Design Framework. This document will be presented to Council for adoption at a future meeting.

Amendment C137 Plenty Road Corridor

Amendment C137 seeks to implement the land use and built form directions contained in the Urban Design Framework 2015 St Georges Road and Plenty Road Corridors (UDF 2015). Amendment C137 proposes to:

- Apply the Residential Growth Zone 1, General Residential Zone 2, Mixed Use Zone 1 and Commercial 1 and 2 Zones to land affected by the Amendment;
- Introduce a Design and Development Overlay Schedule 17 along the corridor and replace DDO3 with an updated overlay to manage built form outcomes in the Junction;

- Adjust the local policy framework relating to Neighbourhood Character policy to support the delivery of the Preferred Future Outcomes identified for the various Precincts in the Urban Design Framework 2015 St Georges Road and Plenty Road Corridors (UDF 2015);
- Amend Clause 22.01 - The Junction Local Area Plan to remove The Junction Integrated Development Plan (2001) as a reference document;
- Update the Junction Local Area Plan in relation to the Urban Design Framework 2015 St Georges Road and Plenty Road Corridors (UDF 2015); and
- Insert the Urban Design Framework 2015 St Georges Road and Plenty Road Corridors (UDF 2015); into the Planning Scheme as a reference document.

This Amendment seeks to apply the Environmental Audit Overlay to potentially contaminated land along the Plenty Road corridor based on historical activities on those sites and where the zone changes to a sensitive use.

The Panel Report

The Panel Report dated 31 July 2014 was reported to Council on 15 September 2014 as part of Amendment C138. The Panel considered written and oral presentations during the course of the hearings for the two amendments and all submitters to the Amendments, together with those who either appeared or were represented, are listed within the Panel Report.

Overall, the Panel supported the broad strategic intent of the two Amendments, in particular that of managing development along public transport corridors, and indicated that the Amendments will *'provide a development control platform that will enable Council to respond to development pressures over many years to come'*.

The Panel Report contained sixty recommendations for the three Amendments: C136, 137 and C138, of which 40 apply to C136 and 41 related to C137. The Panel recommendations included a number of significant structural changes to the Amendments in relation to the drafting of the Design and Development Overlay provisions. The Panel considered that the DDOs were too ambitious and tended to cover too broad a range of issues that as an alternative could be dealt with through the local policy framework and the zone schedules of the planning scheme. It suggested a number of changes to simplify the DDO schedule provisions.

Planning and Environment Act 1987

Council has met all its obligations in relation to the receipt and release of the Panel's Report on the three amendments as reported in September 2015. Other obligations under section 27(1) of the *Planning and Environment Act 1987* require that Council must consider the Panel's Report before deciding whether or not to adopt the amendment. In this case it would be the panel recommendations directly relevant to Amendment C137.

However, it should be noted that the Amendment was due to lapse on 8 August 2015. A letter seeking exemption from this Clause has been sent to the Department of Environment Land, Water and Planning (DELWP).

Ministerial Direction No. 15

Due to the complexity of the changes recommended by the Panel, Council officers have written to the Minister for Planning to seeking and receiving exemption from the requirement of the Ministerial Direction 15 (usually 40 days to process and respond to the report) to allow Council enough time to review the large number of changes recommended by the Panel pursuant to section 27(3) of the Act.

Allowing for the potential of further changes to the amendment resulting from this report, Officers have also written to the Department seeking a further exemption from the requirement that the amendment must be lodged with the Minister within 10 days of adoption. This will enable any additional changes to be made to the amendment documentation and final checking can take place.

ISSUES AND DISCUSSION***Areas for further investigation***

During the past 6 month further investigation and analysis of the Panel recommendations and the impact the proposed amendment controls will have on redevelopment have been undertaken. The following is a brief summary of all these investigations and the findings.

Growth capacity along the corridors and NURP

Council requested further analysis be undertaken to determine the potential for additional growth capacity to be accommodated in the Northland Urban Renewal Precinct to relieve the pressure along the corridors. This analysis demonstrated there was potential within the Precinct for additional growth but the lead time for this capacity to become available was at least 5 – 10 years away. Therefore the need for short term capacity to meet demand for higher density residential development fell to the two corridors.

Assertions made at the Council meeting of 29 April 2015 that the Council's growth strategies within the adopted Municipal Strategic Statement are potentially leading to a situation of oversupply requires clarification. These assertions are misunderstood and fail to take into account fundamental principles of urban planning. A responsible planning approach in identifying future development capacities will always identify a development capacity well ahead of likely demand. The logic of this approach takes into practical consideration that not all land will be developed within the planning horizon or will all parcels be developed to the capacities allowed under the planning controls. Council in acting responsibly and in the best interests of its community needs to ensure its land zoning always caters for a situation where the land capacity exceeds projected development demand.

To do otherwise places Council in conflict with its stated strategic principles of acting in the interest of housing affordability, environmental sustainability and social inclusion.

The two Strategic Corridors, St Georges Road and Plenty Road provide substantial capacity for residential intensification near existing public transport and services/jobs in the immediate future. Any further constraining of capacity in the Corridors may have unintended consequences from growth pressure impacting established residential areas. The adoption of Amendment C137 will enable Council to better manage the built form outcomes of this proposed residential development and reduce pressure on sensitive residential neighbourhoods.

Lowered mandatory heights

This issue was raised at the Council Meeting 16 February 2015 and discussed in the Council Briefing 10 March 2015. The following is a summary of the associated considerations:

- A basic premise of the mandatory height controls was to put a cap on the additional capacity for apartments to be built. Also that within the proposed built form envelope, there was sufficient flexibility to provide for a range of design responses. In cases where there is scope between existing heights and maximum limits, the proposed controls encourage the bulk and mass of the development be located toward the front of the lot away from the sensitive rear interface. This allows a high yield to be achieved while the impact of the built form at the rear interface is managed. This also assists in reducing expectations that more intense development could spill over into abutting residential streets.
- If this flexibility is removed with lower heights then there will be greater pressure to maximise the yield within the restricted envelope. There will be increased pressure to intensify development in a lesser envelope which risks eroding the rear setback provision. Design responses may result in the bulk and mass being closer to the rear of the property and an increase in the number of applications contesting the rear built form setbacks (which are discretionary). The likely fall-back that may be used if contested at VCAT is the scope between the DDO setbacks and the less stringent Rescode requirements. If discretion is exercised to limits of Rescode then the result would potentially be a higher proportion of development constructed on the rear boundary sensitive interface without the 3m buffer and thus undermining the preferred strategy for both corridors.
- Planning Practice Note 59 – Requirements for Mandatory Heights sets out the requirements for justifying the application of mandatory controls. The strategic justification for the exhibited built form heights was presented to the Panel at the Hearings held in March 2014. The Panel noted that it was "...generally satisfied that Council has demonstrated a sufficient level of analysis in relation to building heights to justify mandatory maximum height provisions." On this basis and Panel Recommendation 34, the built form heights were set as mandatory maximum height limits in the redrafted DDOs (See **Appendices C and D**). The Panel did not support the concept of a built form height range and so the minimum height references have been removed from the DDOs.

It is unlikely that a 3 storey mandatory building height would be supported by the Department of Environment, Land, Water and Planning given Council's request was previously declined. This notion also undermines the directions already in Council's MSS that direct intensification along the Plenty Road corridor.

- If Council decides to reduce the heights recommended through this report further analysis will be required to assess the impact of a reduced residential density capacity will have on the local areas in the corridors. In many cases the proposed intensification is to support a revitalisation of a centre by facilitating more people to live in proximity to public transport and local shops and businesses. This is particularly cases for centres such as Tyler Street which through economic analysis is highly dependent on residential intensification for its rejuvenation.
- At previous briefings the suggestion has been made to further reduce the built form height to a mandatory 3 storeys along a number of sections of the Plenty Road Corridor. Such a change would constitute a significantly changed position from what was originally exhibited and the Panel Recommendation and would have the affect of decreasing development expectations. It is likely that this change would trigger the need to further notification to the affected properties, the surrounding neighbourhood affected and create further submissions.

If these could not be resolved then another panel (with additional fees to be incurred) would need to be formed to consider the submissions and make recommendations. This could extend the time for considering the amendment by at least six months. In addition this change would go against the direction and intent of the Darebin Housing Strategy 2013 (Revised 2015) and the recently adopted MSS (C138).

Built Form Height

The height limits that have been mandated in the DDO are not an as-of-right control and are applied on the basis of each application's merits. It is also important to emphasize that sites will redevelop at a range of heights and it is unreasonable to expect that the maximum height will be developed from street block to street block.

The granting of a permit for a mandatory maximum height is subject to meeting other requirements in relation to:

- Lot width;
- Lot depth;
- Side and rear setbacks;
- Site access and function; and the
- Ability to accommodate on site car parking capacity among other requirements.

There are several locations along the corridor where a reduction in the overall built form height has been supported.

Positive outcomes from Panel Recommendations

Zone Changes

A number of land use zones along the corridors have changed as a result of accepting the Panel recommendations. The Panel suggested further investigation of the Residential Growth Zone 1 as the preferred tool to the Mixed Use Zone Schedule 2 (MUZ2) to achieve intensification given the schedule to the zone can be used to vary the built form height. Further analysis demonstrated that where the overall intensification intent can be retained the land use zone was been changed from MUZ2 to RGZ1 which has similar built form outcomes without the loss of capacity.

On sites with a specific Heritage Overlay (e.g. 572 Plenty Road) the land use zone has been changed to a General Residential Zone Schedule 2 (GRZ2). This allows some redevelopment potential but gives a clear indication that maximising the yield on these sites is not desirable.

The Junction Precinct

This Precinct has long been identified for mixed use and residential intensification. The updating of Design and Development Schedule 3 (DDO3) to provide more direction for the built form outcomes and greater control in relation to building heights, setbacks and the interface with the public realm was supported by the Panel. The Panel noted that:

"...the current strategic direction for the Junction is well established, supports Council's review and refinement of the existing planning controls, and agrees that the proposed strategic direction is broadly appropriate and justified."

“Whilst acknowledging concerns from some local residents in relation to the further intensification of the Junction, the Panel considers the interface issues are well resolved through the Amendment and have provided extensive comment and discussion in relation to these general issues.”

This Precinct has also been nominated to accommodate a taller built form up to 18 Storeys on the key landmark site at 6 – 34 High Street. In relation to this site the Panel noted:

“This is a key location within an identified activity centre. The site is capable of taking a tall structure of up to 18 storeys without undue impact on adjoining sites.”

The other key strategic site in this Precinct is the current Woolworths site on Plenty Road. The potential redevelopment of this site raised considerable concern from residents living to the rear of the site on Roxburgh Street. Council Officers met with these residents in December 2013 and as a result proposed further transitional building height and setback controls as part of DDO3.

These controls were proposed in anticipation of the site being redeveloped and to provide a clear direction of Council’s expectations well in advance of redevelopment being considered. The Panel supported this position and commented that:

“The Panel agrees with the approach to acknowledge the strategic potential of this site by allowing additional height and accepts the site is large enough to accommodate 12 storey buildings to the Plenty Road frontage.”

On the basis of this support the Panel’s suggested changes have been incorporated into the updated DDO3 (**Appendix C**) and the relevant final amendment documentation attached to this report.

Transition Buffers

The concept of a buffer area where additional consideration is given specifically to the tapering down of a taller built form to the lower surrounding residential area was agreed to by the Panel. The Panel has supported the inclusion of additional generous transitional buffers in the Junction and Summerhill areas. These transition buffers are shown on the maps within, and relate to design requirements, in the relevant DDOs.

30 Degree built form envelope

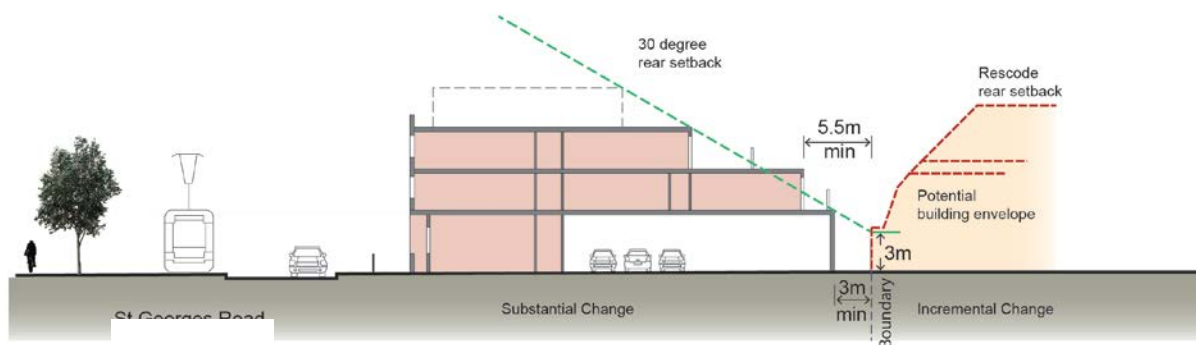
This tool was developed for situations where there is an additional sensitivity in the residential area adjoining the development site that warrants a further constraint on the built form outcome are the rear.

Several submitters argued that this built form envelope was too restrictive and placed an onerous burden on the development to comply. The Panel agreed and recommended that the use of this envelope be limited to very select site conditions such as steeply sloping sites with adjacent residential development on the lower side. There are a limited number of sites exhibiting this characteristic on the Plenty Road corridor.

There is a clear case for the application of this envelop along the southern boundary of the Summerhill Village and only a small section between Rene Street and Kinkora Road, south side of Plenty Road. The 30 degree rear envelope was also suggested as an appropriate response where there is a direct interface with public open space, i.e. Bundoora Park during the exhibition stage.

Further investigation of areas where this condition may exist and areas with a sensitive interface due to a Heritage Overlay was requested following a Council Briefing. Since the introduction of the new residential zones through Amendment C152, and the Neighbourhood Residential zone and associated schedules in particular, have been applied with the specific intent to protect neighbourhood character and amenity.

Further consideration was given to locations where the application of this tool, which is more onerous than the Rescode requirements, will create situations where the adjoining property has a more liberal envelope and fewer redevelopment controls should it be redeveloped. This is most likely to occur where the adjoining property is zoned General Residential Zone which has a discretionary 9 metre height and Rescode setback requirements.



A detailed site by site analysis (see **Appendix E**) was undertaken to determine the gradient and identify the need for a sensitive interface to be better managed through greater built form separation. This has led to the reinstatement of the 30 degree envelope for a small number of sites along Plenty Road. The further rationale for this control deals with intentions in Rescode dealing with visual bulk and what is considered an over reliance on screening. The provision of a 30 degree setback offers the benefits of not only a reduced setback from sensitive interfaces but improved internal amenity and reduced visual bulk. This specific issue is expected to be placed under review as part of the Better Apartments Review being undertaken by the State Government. Amendment C136 was appropriate in promoting the 30 degree setback requirement and perhaps is pioneering what is expected to future reform opportunity.

Changes to Panel Recommendations

The investigative nature of recommendations proposed by the Panel left a level of flexibility in finalising the various aspects of the amendment documentation. As such, there has been scope for Officers to review the amendment material and several options leading to a revised approach in the DDO as part of the final amendment package presented in this report for Council's consideration. This approach was taken for Recommendations: 18, 32, and 33 and a reflected in **Appendices A – L**.

Recommendation 18

Review whether the MUZ2 should replace RGZ if issues related to building height in the RGZ have been clarified.

The Amendment proposed to alter various land parcels along the corridor (refer zone maps in Appendix F) to include the Residential Growth Zone (RGZ), General Residential Zone (GRZ), Mixed Use 1 and 2 Zones (MUZ1, MUZ2) and Commercial 1 and 2 Zones (C1Z, C2Z).

In considering the appropriateness of the land use zones for various areas, the Panel had regard to the Framework Plans in the Urban Design Framework for the corridors and supported the broad strategic vision for land use. The Panel supported the rationale used by Council in applying the zones but suggested changing some commercial zoning in areas where it was unclear if the desired future outcome could be achieved.

The Amendment was prepared at a time when there was limited knowledge and in fact confusion over the height limits that could be applied in the RGZ provisions. The Panel viewed Council's solution to the perceived conflict in the purpose of the RGZ provisions (which refers to a limit to 4 storeys) to be addressed through the use of a MUZ2 as unnecessary. The processing of numerous amendments applying the RGZ since C137 was exhibited has demonstrated there is the ability to vary the height from the four storeys. The Panel suggested that Council apply the RGZ to land intended for solely residential use and include a schedule to the zone to address building height issues.

In light of the advice that a RGZ can also accommodate more than 4 storeys through a variation in the schedule to the zone, some of the areas designated for MUZ2 have been reviewed and where appropriate, a RGZ is proposed to be applied. There are some instances where the better fit for the desired outcome will be the use of the MUZ1. The Panel recommendation for a review of the proposed zones has been undertaken and is reflected in the approach recommended by Officers as identified in Appendix F.

Recommendation 32

Review whether the DDO is needed on residentially zoned land or whether the controls can be delivered as a schedule to a residential zone.

Discussion

The Panel generally agreed with the use of the DDO schedule as a tool to manage design issues and built form outcomes. However, the Panel suggested further consideration be given to using other tools, such as zone schedules, in locations where land is intended for residential uses. Those elements relating to heights, setbacks and vary Rescode requirements where a variation to these controls is required to deliver a particular outcome. The Panel further recommended a review of the DDO structure, in particular how it relates with other policies in the MSS with the view of removing any duplication. The revised DDOs 3 and 17 are attached in **Appendices C and D** to this report.

As discussed previously, a review of the built form controls has been undertaken and where appropriate, changes have been made to reflect the Panel's recommendations. In regards to the use of zone schedules to deliver some built form outcomes, it is considered that the DDO tool offers the best solution in this instance and better delivers on the clear instructions from Council to raise the design standards of development where the height of development is to be increased.

The DDO currently covers many properties with a range of local conditions, the variety of which would generate multiple zone schedules and these would only partially address the full scope of controls provided in the DDO. Using zone schedules in this instance will lead to unnecessary duplication and more complex planning controls. It is considered that the DDO schedules across different zones be retained as this offers a greater level of consistency and provides clear guidance of the Council's and the community's development expectations for Developers.

This recommendation is supported to the extent that a review of the DDO application in comparison to the use of a zone schedule has been undertaken. It was concluded that in this case the proposed DDO controls would provide a better outcome than the use of multiple zone schedules.

Recommendation 33

Review the interaction between the DDO and built form controls in the zone where a residential zone is applied.

Discussion

This recommendation relates to Clause 54 and Clause 55 controls that are available for use in the zone schedules.

These Clauses relate to Rescode provisions in relation to amenity issues such as overlooking, overshadowing, setbacks and height. It is intended that DDO will override Rescode provisions where it applies or fill the gap where it does not apply. The Panel's recommendation is supported to the extent that a review of benefits of using Clauses 54 and Clause 55 available through the zone schedules have been considered in comparison to the use of the DDO controls. It was concluded that in this case the proposed DDO controls would provide a better outcome than the use of variations to the Clauses 54 and 55 provisions in the zone schedule.

In this case the proposed DDO controls should be retained as they would provide a better outcome than the use of Clauses 54 and 55 in the zone schedule.

Alternate Proposals

However, there are some recommendations where there was less alignment with Council's strategic goals and these are discussed in the following sections of the report. To address these matters Officers have put forward Alternate Proposals to the Panel's recommendations which follows the consideration of options and where there is sufficient strategic justification. In general these divergences from the Panel recommendations are the result of wanting to achieve a localised response which will lead to a greater consistency of control application with the wider amendment along the corridor. Aspects of the Panel's recommendations, where some departures are proposed, are discussed below.

The Alternate Proposals specifically outlined below address recommendations numbered 28, 34, 35, 39, 50, 54, and 59. The remaining recommendations were either supported or addressed separately through the adoption of Amendments C138 or C136 previously.

Recommendation 28

Amend the proposed zoning of residential properties to commercial on the east side of Plenty Road from C1Z to RGZ (Plenty Road Precinct 2).

Discussion

This recommendation is directly related to Amendment C137 and affects three distinct blocks on the eastern side of Plenty Road, which were proposed to change to a commercial zone, specifically land between:

1. Wood Street and Malpas Street, which is currently in the IN3Z, except 600 Plenty Rd, which is currently R1Z;
2. Madeline Street and Rene Street which is R1Z; and

3. Tyler Street and Kinkora Road which is R1Z.

The Tyler Street activity centre has the Tyler Street/Plenty Road intersection at its core radiating out from for a distance of some 200m in either direction. The Darebin Economic Land Use Strategy 2014 (DELUS), which was adopted through Amendment C138, identified this local centre to be in a business zone to support existing businesses. The Plenty Road Integrated Land use and Transport Study May 2012 suggested:

Retail activities are consolidated at the Tyler Street Activity Centre and limited to locations on Plenty Road from Shakespeare Avenue to Robb Street;

Review existing land use zonings to ensure provisions are consistent with the strategic directions.

The Panel did not agree with the use of the C1Z to consolidate the core area of this local centre, suggesting that residential uses can sit comfortably within the centre at ground floor level. While this view is understandable, the Panel accepted the same rationale for the C1Z in a number of other similar locations along the two corridors. For instance, the Panel recommended (#25) changes to the land use zone proposed for 375 – 377 St Georges Road corner Normanby Road, on the basis of the existing uses and that the C1Z will relate to other land uses at the intersection.

The 2014 Darebin Economic Land Use Study does not recognise this intersection as a local centre although with the high volume of passing traffic combined with local residential intensification, it does have the potential to evolve into an activity centre. It is also noted that the Panel raised no concern in relation to the C1Z zoning for the properties on the eastern side of the intersection either. These properties are currently within residential zone and have been accepted by the Panel to be rezoned for commercial.

The Panel's Recommendation 28 is not supported for all three locations and instead a MUZ1 or retaining the blocks in C1Z is proposed for the following reasons:

1. The block between Wood Street and Malpas Street should remain in the C1Z as it is currently used for a large yard-based commercial use with few other opportunities for this type of use to relocate in the municipality. It is suggested that as the site at the southern corner of this block (600 Plenty Rd) contains HO243 it should be rezoned to GRZ2 to be consistent with Council's approach to other heritage overlay sites. However, it should also be noted that there is an existing planning permit for an integrated 5 storey apartment building on this site as well. The specific site Heritage Overlay notes its significance use as a former "State Savings Bank of Victoria" and that the building while architecturally distinct, has had some recent additions made to the exterior. The citation does not mention the need for any particular curtilage (retaining the setting of the building in space) to be protected around the core building therefore the integrated proposal was considered appropriate.

This zone combination was intended to direct growth to the larger strategic site which is able to achieve an active frontage condition necessary to support the local centre while facilitating residential intensification at the upper levels and manage the off-site amenity impacts. Nevertheless this integrated development proposal demonstrates that not all Heritage Overlay sites should be excluded from the consideration of further redevelopment if the design is suitably responsive to the local context.

2. The block between Madeline Street and Rene Street is proposed to be rezoned from C1Z to MUZ1 to support consolidation of business uses at ground floor level in the core part of the centre and improve the pedestrian environment by providing an active frontage to new development.

3. The block between Tyler Street and Kinkora Road is proposed to be rezoned to MUZ1 to support consolidation of business uses at ground floor level in the core part of the centre and improve the pedestrian environment by providing an active frontage to new development.

It is noted that the Panel also recommended a maximum height of 4 storeys for the eastern part of Plenty Road which is discussed in greater detail as part of the response to Recommendation 50 later in this report.

Alternate proposal:

Retain C1Z on the block between Wood Street and Malpas Street, apply MUZ1 to the block between Madeline Street and Rene Street and apply MUZ1 to the block between Tyler Street and Kinkora Road.

Recommendation 34

Amend the requirements of the DDOs to make all requirements discretionary except for maximum building heights.

Discussion

This recommendation related to mandatory control for building heights, setbacks, minimum lot widths and ESD measures and whether the DDO should include prescriptive measures or not. The Panel found that in relation to heights, mandatory control was appropriate and should be used along the corridors.

The DDO has been redrafted with the exhibited heights being set as a mandatory control which cannot be varied via a planning scheme permit. The other controls which are prescriptive in nature i.e. using "must", will remain in the DDO but will be applied as discretionary measures which can be varied via a planning permit in the assessment of applications.

Alternate Proposal:

Redraft the DDO with mandatory height controls and all other measures to be applied as discretionary.

Recommendation 35

Redraft the DDOs to:

- c) *Focus content on:*

Site width (discretionary)

Building height (mandatory)

Building setback (discretionary)

Site coverage (discretionary)

Walls on boundaries (discretionary)

Street interface (discretionary)

- d) *Delete provisions from the DDOs that duplicate Clause 22.09 and Clause 22.10*

- g) *Use reference to other policies or ResCode requirements where possible, in particular refer to ResCode to manage overlooking and overshadowing impacts.*

- h) *Remove requirements related to ESD and internal amenity.*
- i) *Avoid or minimise the need for maps in the schedule by showing the precincts on the planning scheme maps, and delete (or simplify) the maps in the DDO schedule by:
Relating Active frontage to zone
Applying a standard set back requirement*

Discussion

In general, Officers have accepted the intent and suggestions of the Panel to redraft the DDOs to be more streamlined and clear. The points of Recommendation 35 where there is some divergence are explained below.

The DDO has been redrafted to be more streamlined and simpler to use which was the overall outcome sought by the various Panel recommendations. The redrafted DDOs 3 and 17 are attached at **Appendix C and D** to show the revised format. The specific content suggested in Recommendation 35 c) is drawn from the headings used in the zone schedule and are included within the body of the DDOs. This approach keeps the bulk of the assessment controls in the one planning tool rather than spreading the requirements across multiple tools. See response to Recommendations 32 and 33 for further details regarding this approach.

Recommendation 35 g) directly relates to Recommendation 33 and has resulted in greater clarity being provided in the DDOs where a requirement reverts to an existing ResCode requirement.

Environmentally Sustainable Design (ESD) Requirements

There are a number of design requirements aimed at improving the internal function and amenity of apartments included in the controls for the corridors. The Panel recommended the removal of the ESD measures and internal amenity controls from the DDO on the basis that ESD be included in the revised Clause 22.09 Residential and Mixed Use Development of Less than Four Storeys Policy and Clause 22.10 Residential and Mixed Use Development of Four or More Storeys Policy include some sustainability measure and this should continue to apply. These policies have since been revised and amalgamated into a new city-wide policy as Clause 22.06 forming part of Amendment C147. The Panel believed that ESD measures should be applied as a municipal-wide approach, not just specific locations. As it was not the Panel's intent to leave a policy vacuum some reference to ESD in the Objectives, Design Requirements and Decision Guidelines in the DDO has been retained.

The Panel also acknowledged that work is currently being undertaken at the State level in regards to a state-wide apartment guideline which will address internal amenity. The timeframe for the introduction of such a provision is unknown. It is considered prudent to include minimum standards to cover internal amenity issues such as borrowed light and cross ventilation in the DDOs to address this clear policy gap and to ensure the internal amenity of future apartment buildings are secured.

Design and Development Overlay Maps

Recommendation 35 i) suggested the removal of maps embedded in the DDOs. It should be noted that the maps have been retained as a means of specifically identifying where maximum heights are to be applied. However, the rear building envelope condition has been removed from the maps making them easier to read.

These simplified maps show the following content:

- DDO boundary
- Maximum heights
- Future pedestrian/cycle links
- Strategic Sites
- Active frontages

A fully detailed map will be kept in the UDF for further reference should greater explanation of the strategic context and preferred future outcome for a particular precinct be required.

Alternate proposals:

- Recommendation 35 g) – greater clarity is provided regarding the use of Rescode;
- Recommendation 35 h) – remove some ESD references and retain internal amenity controls in DDOs;
- Recommendation 35 i) – retain simplified maps and delete tables with duplicated information.

Recommendation 39

Amend DDO3 to:

- c) *Remove the requirement for landscaped setbacks at ground level front property boundaries*

Discussion

This recommendation is not supported and this provision is proposed to be retained in DDO3. This recommendation relates to the Junction Precinct where the existing 3m landscape setback on High Street is proposed to be extended further north to Warrs Avenue. This concept was first established and supported through the original Junction Local Area Plan in 2002 with additional pedestrian spaces being suggested on the corners of Raglan Street. The revised DDO3 identified further setback requirements along small sections of High Street in front of properties between 53 and 81 High Street.

This would allow adequate space for the planting of canopy trees and the creation of a green respite in what is becoming a compact urban environment. A second stretch along Plenty Road in front of the existing Woolworths car park is proposed to provide additional space at ground floor level near the busy Plenty Road intersection and adjacent to a tram stop.

In both of these locations redevelopment is yet to occur and the potential to integrate these spaces in the early stages of the redevelopment design process is still possible. This additional space allocation is further supported by the Junction Urban Master Plan which has identified “*Greening the Junction*” as a key goal that was adopted by Council in June 2014.

Alternate Proposal:

Retain the urban landscape treatment with canopy trees setback requirement in DDO3.

Recommendation 50

Amend DDO17 Precinct 2 to show a building height of 4 storeys for the east side of Plenty Road, except for the strategic site located on the south east corner of Tyler Street and Plenty Road (Plenty Road Precinct 2).

Discussion

This recommendation relating to DDO 17 (Appendix D) is supported in part and the reasons for the divergence are explained below:

- As previously discussed in comments regarding Recommendation 28 above, this Precinct forms the core area of the Tyler Street activity centre. The eastern side of Plenty Road contains several blocks with strategic sites apart from the one on the south east corner of Tyler Street and Plenty Road.
- Implementation of this recommendation for all strategic sites other than the one identified would create a disproportional development expectation on large sites. The ability for strategic sites to better manage the off-site amenity impact has been acknowledged by the Panel in numerous locations along both corridors.
- Retaining the 6 storey height exhibited between Wood Street and Malpas Street (608-616 Plenty Road) is justified as there are a number of lots in a single ownership creating a large strategic site of sufficient size and dimension that is able to manage this 6 storey height and reduce the amenity impact on the surrounding residential area. Further guidance regarding transition of built form height should be provided for this site which has a sensitive interface with a HO property to the south.
- Lots fronting Plenty Road between Malpas Street and Rene Street are proposed to be retained at a maximum 6 storey height as exhibited. This is to facilitate the consolidation of local businesses at ground floor level into the centre and allow residential intensification to occur at the upper levels.
- Lots fronting Plenty Road between Rene Street and Robb Street are proposed to be reduced to a 4 storey height limit except the strategic site on the corner of Tyler Street and Plenty Road as per the Panel's recommendation. This reduced height is in recognition of the greater potential for impact of the steep gradient generally from north to south on this site giving further consideration to the impact of the bulk of new development above 4 storeys being too great on the surrounding lower residential neighbourhood.

Alternate Proposal:

- Retain 6 storey height exhibited between Wood Street and Malpas Street (608-616 Plenty Road);
- Retain 6 storey height exhibited between Malpas Street and Rene Street;
- Reduce to 4 storeys the built form height between Rene Street and Robb Street except the strategic site on the corner of Tyler Street and Plenty Road as per the Panel's recommendation.

Recommendation 54

Amend DDO17 to remove the nominated pedestrian links shown on the Precinct 4 Map 2 for 1091 Plenty Road (Plenty Road Precinct 4).

Discussion

The Panel viewed the inclusion of pedestrian links as shown on the Map 2 for Precinct 4 as inappropriate given the plan is high level and not 'strategically targeted'.

The Panel considered that the DDO should not mandate location of pedestrian links but could be provided as a negotiated outcome through the development application process. The Panel recommended the inclusion of a broader objective of providing pedestrian links in the schedule where block lengths exceeds 100m.

For Precinct 3, the Panel supported nominating pedestrian links on the map based on the arguments that the connections are shown as indicative, logical and achievable including a design objective for blocks lengths exceeding 100m. It is unclear from the Panel report why Precinct 4 pedestrian link has been treated differently. The site has a frontage of over 100m, aligns with the cadastral boundaries between the block and Plenty Road and will provide improve connections with the public park. This recommendation is not supported but with an added notation included in the provisions states that the nominated alignment is indicative and that the final position will be determined at the development planning stage to provide the necessary flexibility.

This recommendation has been considered and is not supported. It is proposed that Council retain the pedestrian links on the map 2 for Precinct 4 to ensure a consistent approach across the whole amendment towards pedestrian connections.

Alternate Proposal:

Retain the pedestrian links on the map 2 for Precinct 4 to ensure a consistent approach across the whole amendment towards pedestrian connections.

Recommendation 59

Apply a Road Closure Overlay to facilitate the closure of redundant roads on 800 Plenty Road.

Discussion

The original submission for 800 Plenty Road raised issues in relation to the proposed built form outcomes for the site. Discussion during the Panel Hearings was also directed towards obtaining changes to the overall built form potential of the site. It was during this discussion that the issue of a road closure was raised by the developer and in-principle support was sought from Council Officers. At this time Officers were unaware that a separate process to formally discontinue the roads within the site had already commenced with Council's Asset and Properties Unit.

The addition of a Road Closure Overlay would create another layer in the Planning Scheme which is unnecessary for this site. This Panel recommendation is not supported on the basis that this issue was not raised in the original submission and that this issue is being addressed through a separate process via the Local Government Act 1989. Inclusion of this recommendation in the planning scheme amendment would be prejudicial to Council's interests and undermine other processes that are under way.

Alternate Proposal:

- Do not apply the Road Closure Overlay to the site at 800 Plenty Road.

Consultation

Officers have been contacted by several submitters since the release of the Panel Report last July, expressing concern with the content of the Panel Report, specifically that the report does not include all points that submitters made to the Panel.

Amendment Implementation

Based on a past Council resolution the direction set out in the Urban Design Framework and corridor amendments has been given consideration in the assessment of planning permits. It was assumed that the weight given to these Planning Scheme Amendments would increase as the controls progressed through the regulatory process. There are two clear points at which the status of the amendment controls changes; 1) that being the receipt/release of the Independent Panel report and 2) after the amendment is adopted by the Council.

The benefits to Council from taking this approach include the extra influence over the design response in terms of rear setback controls and internal apartment amenity changes that might be delivered.

At the time this report was written there were several planning permit applications being appealed to VCAT. Without a clear and seriously entertained policy position on the corridor there will be additional cases being referred to VCAT for planning permit decisions, with several cases currently under review. The deferral of the amendment has already had repercussions on a review case that was heard on 2 and 3 March 2015 at 629 Plenty Road, Preston (west side, north Hawker Avenue).

This involved a Council decision to refuse a planning application for a 6 storey mixed use development. On the basis of the 16 February 2015 deferral motion, VCAT have seriously questioned the status of the whole of Amendment C137 and in particular the ambiguity over potential building heights and the final form of the controls.

Since the second deferral of adoption in March there were several planning permit applications being appealed to VCAT. The delayed adoption of the amendment combined with the changes flagged in the Chamber has created a level of uncertainty regarding the Council's intention and the status and direction espoused in the exhibited documents. Already there have been VCAT decisions highlighting the uncertainty and difficulty in seriously considering this amendment in the deliberations on planning applications. This risk for Council is that development may well be approved in VCAT that potentially undermines mandatory heights to be applied through Amendments C137 and C136.

Without a clear and seriously entertained policy position on the corridors there will be additional cases being referred to VCAT for planning permit decisions, with several cases currently under review. VCAT have questioned how genuine Council's commitment is to Amendment C137 with the decision potentially having implications for the St Georges Road corridor as well.

Council is likely to experience an increase in the number of appeals to VCAT if there is a substantial change from the Panel recommendations and there is confusion over direction set for the corridor.

POLICY IMPLICATIONS**Environmental Sustainability**

Nil

Human Rights, Equity and Inclusion

Nil

Economic Development

Nil

Other

Nil

FINANCIAL AND RESOURCE IMPLICATIONS

Nil

CONCLUSION

This report is the culmination of further analysis undertaken to understand the full impact of the Panel recommendations for Amendment C137.

This further work has provided additional information and has allowed for consideration of the key issues by Council as summarised in this report. The few remaining and relatively minor points of divergence from the original Panel Recommendations have been further considered and explained in this report. These points of divergence are made with the intent of maintaining an overall consistency and alignment with established Council policy and to deliver on Council's strategic goals.

The majority of the controls proposed through Amendment C137 have been supported by the Panel's Report. This concludes a transparent and highly consultative approach with the community who have had the opportunity to express and have their views independently considered by an Independent Planning Panel. The Panel has considered all the submissions lodged during exhibition and those presented at the Hearings and has put forward their recommendations based on a balanced approach. Council now has the benefit of this independent and expert view on submissions to inform its final opinion on this planning scheme amendment.

There is limited scope to make additional changes to the Amendment without a clear strategic justification. By keeping any changes suggested to only a minor departure from the Panel recommendations, Officers have put forward an amendment package that balances growth demand with amenity protection. If sufficient justification is lacking it is likely that the Department of Environment, Land, Water and Planning will revert to the original Panel recommendations.

There is a level of risk of poor and inconsistent development outcomes being decided by VCAT if the controls in the amendment package are further fragmented through additional changes or further delay. The Alternate Proposals have in a few instances ensured that there is a robust and consistent rationale for how the range of planning controls have been applied across the corridor and ensures Council has a strong policy platform going forward.

On the whole Amendment C137 will provide Council with a sound policy base and a suite of tools to direct growth to specific locations and better manage built form outcomes. This amendment package is put before Council for adoption and forwarding to the Minister for Planning for approval.

FUTURE ACTIONS

- Monitor outcomes from Amendments C136, C138, C147 and C149 and assess if there are any further implications for the implementation of Amendment C137.
- Finalise the relevant Urban Design Framework 2015 and bring back to Council for adoption.
- Once the Amendment and Urban Design Framework have been adopted, Officers will submit the amendment to the Minister for Planning for approval.
- All submitters will be notified of Council's decision in relation to the Amendment.

DISCLOSURE OF INTERESTS

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

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

RELATED DOCUMENTS

- Corridor Amendments Chronology updated to Aug 2015 (**Appendix A**)
- Panel Recommendation Report (**Appendix B**)
- C137 Design and Development Overlay Schedule 3 (DDO3) (**Appendix C**)
- C137 Design and Development Overlay Schedule 17 (DDO17) (**Appendix D**)
- C137 Gradient analysis spread sheets (**Appendix E**)
- C137 Amended Planning Maps (**Appendix F**)
- C137 Revised MSS changes (**Appendix G**)
- C137 Clause 22.01 The Junction Local Area Plan (**Appendix H**)
- C137 Clause 22.02 Neighbourhood Character (**Appendix I**)
- Council Meeting Reports and Minutes – 16 February 2015, 16 March 2015 and 29 April 2015 (**Appendix J**)
- C137 Explanatory Report (**Appendix K**)
- C137 Clause 61.03 (**Appendix L**)

9. NOTICES OF MOTION

9.1 POKIES IN DAREBIN

MINUTE NO. 423

NOTICE OF MOTION NO.

211

CR. BO LI

Take notice that at the Ordinary meeting to be held on 17 August 2015, it is my intention to move:

THAT Council:

(1) Notes the following:

- a) The loss of \$84 million in pokies last year by residents of Darebin.
- b) The estimated damage caused by gambling harm is \$16 billion per annum, compared with the estimated \$7 billion caused by illicit drugs.
- c) Three quarters of problem gamblers admitted they have addiction to pokies.
- d) 93% of all pokies applications are successful at the Victorian Commission for Gambling and Liquor Regulation (VCGLR).

(2) Continues to work to reduce the harm caused by pokies in Darebin and Australia wide by signing up as supporters of National Alliance on Gambling Reform at no cost to the council.

(3) Receives a report on initiatives council can undertake with key stakeholders such as other councils, clubs and other agencies to reduce the harm caused by pokies including any projects for referral to the 2016/17 budget process.

Notice Received: 11 August 2015

Notice Given to Councillors: 13 August 2015

Date of Meeting: 17 August 2015

COUNCIL RESOLUTION

MOVED: Cr. B. Li

SECONDED: Cr. A. Villella

THAT Council:

(1) Notes the following:

- a) The loss of \$84 million in pokies last year by residents of Darebin.
- b) The estimated damage caused by gambling harm is \$16 billion per annum, compared with the estimated \$7 billion caused by illicit drugs.
- c) Three quarters of problem gamblers admitted they have addiction to pokies.
- d) 93% of all pokies applications are successful at the Victorian Commission for Gambling and Liquor Regulation (VCGLR).

- (2) Continues to work to reduce the harm caused by pokies in Darebin and Australia wide by signing up as supporters of National Alliance on Gambling Reform at no cost to the council.
- (3) Receives a report on initiatives council can undertake with key stakeholders such as other councils, clubs and other agencies to reduce the harm caused by pokies including any projects for referral to the 2016/17 budget process.

CARRIED

9.2 JUNCTION URBAN MASTER PLAN

MINUTE NO. 424

NOTICE OF MOTION NO.

212

CR. BO LI

Take notice that at the Ordinary meeting to be held on 17 August 2015, it is my intention to move:

THAT Council:

- (1) *Writes to residents, businesses and other stakeholder involved in the consultation phase of the Junction Urban Master Plan (JUMP) thanking them for their input and also provides them with an outline of the possible projects contained in the 2015/2016 budget.*
- (2) *Invites expressions of interest from interested residents, businesses and stakeholders to establish a community project reference group or similar for the implantation of JUMP.*
- (3) *Receives a report on the establishment of a JUMP community reference group or similar with appropriate terms of reference as soon as practicable.*

Notice Received:

11 August 2015

Notice Given to Councillors:

13 August 2015

Date of Meeting:

17 August 2015

COUNCIL RESOLUTION

MOVED: Cr. B. Li

SECONDED: Cr. V. Fontana

THAT Council:

- (1) Writes to residents, businesses and other stakeholder involved in the consultation phase of the Junction Urban Master Plan (JUMP) thanking them for their input and also provides them with an outline of the possible projects contained in the 2015/2016 budget.
- (2) Invites expressions of interest from interested residents, businesses and stakeholders to establish a community project reference group or similar for the implantation of JUMP.
- (3) Receives a report on the establishment of a JUMP community reference group or similar with appropriate terms of reference as soon as practicable.

CARRIED UNANIMOUSLY

9.3 REVOCATION OF COUNCIL RESOLUTIONS**MINUTE NO. 425****NOTICE OF MOTION NO.****213****CR. TIM LAURENCE**

Take notice that at the Ordinary meeting to be held on 17 August 2015, it is my intention to move:

THAT Council note to maintain the integrity of the process as outlined in the probity advice dated 22 July 2015, that Council resolves to the revoke of the following Council Resolutions:

- a) **Permanent Protection of Green Open Spaces, Parks and Ovals in Darebin**, Council Meeting Minutes of 6 July 2015, Notice of Motion Minute No. 358.
- b) **Multi Sports Stadium**, Council Meeting Minutes of 6 July 2015, General Business Minute No. 365.

*Furthermore that Council seek legal advice on the motion titled **Permanent Protection of Green Open Spaces, Parks and Ovals in Darebin**, Council Meeting Minutes of 6 July 2015, Notice of Motion Minute No. 358 and the General Business item **Multi Sports Stadium**, Council Meeting Minutes of 6 July 2015, General Business Minute No. 365 to determine if Council breached its own community consultation policy on the 6 July 2015.*

Notice Received: 12 August 2015

Notice Given to Councillors: 13 August 2015

Date of Meeting: 17 August 2015

COUNCIL RESOLUTION

MOVED: Cr. T. Laurence

SECONDED: Cr. V. Fontana

THAT Council note to maintain the integrity of the process as outlined in the probity advice dated 22 July 2015, that Council resolves to the revoke of the following Council Resolutions:

- a) **Permanent Protection of Green Open Spaces, Parks and Ovals in Darebin**, Council Meeting Minutes of 6 July 2015, Notice of Motion Minute No. 358.
- b) **Multi Sports Stadium**, Council Meeting Minutes of 6 July 2015, General Business Minute No. 365.

Furthermore that Council seek legal advice on the motion titled **Permanent Protection of Green Open Spaces, Parks and Ovals in Darebin**, Council Meeting Minutes of 6 July 2015, Notice of Motion Minute No. 358 and the General Business item **Multi Sports Stadium**, Council Meeting Minutes of 6 July 2015, General Business Minute No. 365 to determine if Council breached its own community consultation policy on the 6 July 2015.

CARRIED

Cr. McCarthy called for a Division

<u>For</u>	<u>Against</u>
Cr. Tim Laurence	Cr. Bo Li
Cr. Oliver Walsh	Cr. Trent McCarthy
Cr. Steven Tsitas	Cr. Angela Villella
Cr. Vince Fontana	
Cr. Julie Williams	

The Chairperson, Cr. Tsitas, declared the motion to be carried.

Cr. Laurence disclosed a conflict of interest in the following item describing the conflict as an indirect interest by close association as a family member lives within 400 metres of Mayer Park.

Cr. Laurence left the meeting prior to discussion of the item – 9.11 pm.

9.4 REVOCATION OF COUNCIL RESOLUTION

MINUTE NO. 426

NOTICE OF MOTION NO.

214

CR. TIM LAURENCE

Take notice that at the Ordinary meeting to be held on 17 August 2015, it is my intention to move:

THAT Council note to maintain the integrity of the process as outlined in the probity advice dated 22 July 2015, that Council resolves to the revoke of the following Council Resolution:

- **Appropriate Locations for Multi-Sports Stadium**, Council Meeting Minutes of 15 June 2015, Notice of Motion Minute No. 318.

Furthermore that Council seek legal advice on the motion titled **Appropriate Locations for Multi-Sports Stadium**, Council Meeting Minutes of 15 June 2015, Notice of Motion Minute No. 318 to determine if Council breached its own community consultation policy on the 15 June 2015.

Notice Received: 12 August 2015

Notice Given to Councillors: 13 August 2015

Date of Meeting: 17 August 2015

MOTION

MOVED: Cr. V. Fontana

SECONDED: Cr. J. Williams

THAT Council note to maintain the integrity of the process as outlined in the probity advice dated 22 July 2015, that Council resolves to the revoke of the following Council Resolution:

- **Appropriate Locations for Multi-Sports Stadium**, Council Meeting Minutes of 15 June 2015, Notice of Motion Minute No. 318.

Furthermore that Council seek legal advice on the motion titled **Appropriate Locations for Multi-Sports Stadium**, Council Meeting Minutes of 15 June 2015, Notice of Motion Minute No. 318 to determine if Council breached its own community consultation policy on the 15 June 2015.

Cr. Walsh proposed to the mover and seconder that the motion be amended as follows. This was not accepted by Cr. Fontana and Cr. Williams.

THAT the item be deferred to the next Council meeting.

AMENDMENT

MOVED: Cr. O. Walsh
SECONDED: Cr. B. Li

THAT the item be deferred to the next Council meeting.

THE AMENDMENT WAS PUT AND CARRIED

THE AMENDMENT BECAME THE MOTION

THE MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

COUNCIL RESOLUTION

MOVED: Cr. O. Walsh
SECONDED: Cr. B. Li

THAT the item be deferred to the next Council meeting.

CARRIED

Cr. McCarthy called for a Division:

<u>For</u>	<u>Against</u>
Cr. Oliver Walsh	Cr. Steven Tsitas
Cr. Angela Villella	Cr. Vince Fontana
Cr. Bo Li	Cr. Julie Williams
Cr. Trent McCarthy	

The Chairperson, Cr. Tsitas, declared the motion to be carried.

Cr. Walsh temporarily left the meeting during discussion of the above item at 9.15 pm and returned at 9.17 pm.

ADJOURNMENT – 9.25 PM

The Chairperson, Cr. Tsitas adjourned the meeting for a 5 minute break.

Cr. Laurence returned to the meeting before the meeting resumed – 9.28 pm.

The meeting resumed at 9.30 pm

9.5 PETITION DATA

MINUTE NO. 427

NOTICE OF MOTION NO.

215

CR. BO LI

Take notice that at the Ordinary meeting to be held on 17 August 2015, it is my intention to move:

THAT:

- (1) *In the spirit of transparency and open governance, the council notes:*
 - a) *The significant amount of financial investment by the council towards the multisport stadium*
 - b) *The intense community interest in the location of the multisport stadium*
- (2) *The council hereby resolves to present de-identified data on the 500 petitioners who support the multisport stadium be built on TW Blake Reserve. In particular, the data should show*
 - a) *Number and percentage of petitioners who live within 500 meters of TW Blake Reserve (as per the Darebin Open Space Policy).*
 - b) *Number and percentage of petitioners who live in Preston*
 - c) *Number and percentage of petitioners who live in Darebin*

Notice Received:**12 August 2015****Notice Given to Councillors:****13 August 2015****Date of Meeting:****17 August 2015**

With leave of the Chairperson, Cr. Tsitias, Cr. Li amended his Notice of Motion as follows:

MOTION

MOVED: Cr. B. Li
SECONDED: Cr. T. McCarthy

THAT:

- (1) In the spirit of transparency and open governance, the council notes:
 - a) The significant amount of financial investment by the council towards the multisport stadium.
 - b) The intense community interest in the location of the multisport stadium.
- (2) The council hereby resolves to **include in the meeting minutes** de-identified data on the **556** petitioners who support the multisport stadium be built on TW Blake Reserve **as circulated to Councillors on 12 August 2015**. In particular, the **following** data should be **included**:
 - a) Number and percentage of petitioners who live within 500 meters of TW Blake Reserve (as per the Darebin Open Space Policy).
 - b) Number and percentage of petitioners who live in Preston

- c) Number and percentage of petitioners who live in Darebin
 - d) **Any other relevant data pertaining to the petition.**
- (3) **Council also resolves to include in the minute wording of the petition as per the requirements of the Darebin Local Law.**
- (4) **Councillors be provided with a copy of the petition so as to fully inform and assist them in their decision making process in relation to the multisports stadium in the community interest.**

With leave of the Chairperson, Cr. Tsitas, Cr. Li proposed that point (3) the motion be amended as follows.

- (3) Council also resolves to include in the minute wording of the petition **in the spirit** of the **Governance** Local Law.

Cr. Laurence proposed to the mover and seconder that point (2) the motion be amended as follows. This was accepted by Cr. Li and Cr. McCarthy.

- (2) The council hereby resolves to include in the meeting minutes de-identified data on the 556 petitioners who support the multisport stadium be built on TW Blake Reserve as circulated to Councillors on **10 August 2015 and any other petitions in relation to the multisport stadium**. In particular, the following data should be included:

Cr. Villella further proposed to the mover and seconder that point (4) the motion be amended as follows. This was accepted by Cr. Li and Cr. McCarthy.

- (4) Councillors be provided with a copy of the petition **at the briefing on 26 August 2015** so as to fully inform and assist them in their decision making process in relation to the multisport stadium in the community interest.

THE AMENDED MOTION THEN READ AS FOLLOWS:

AMENDED MOTION

MOVED: Cr. B. Li
SECONDED: Cr. T. McCarthy

THAT:

- (1) In the spirit of transparency and open governance, the council notes
- a) The significant amount of financial investment by the council towards the multisport stadium.
 - b) The intense community interest in the location of the multisport stadium.
- (2) The Council hereby resolves to include in the meeting minutes de-identified data on the 556 petitioners who support the multisport stadium be built on TW Blake Reserve as circulated to Councillors on 10 August 2015 and any other petitions in relation to the multisport stadium. In particular, the following data should be included:
- a) Number and percentage of petitioners who live within 500 meters of TW Blake Reserve (as per the Darebin Open Space Policy).
 - b) Number and percentage of petitioners who live in Preston

- c) Number and percentage of petitioners who live in Darebin
 - d) Any other relevant data pertaining to the petition.
- (3) Council also resolves to include in the minute wording of the petition in the spirit of the Governance Local Law.
- (4) Councillors be provided with a copy of the petition at the briefing on 26 August 2015 so as to fully inform and assist them in their decision making process in relation to the multisport stadium in the community interest.

Cr. Laurence proposed to the mover and seconder that points (1)(d), (2) and (3) of the motion be deleted as follows. This was not accepted by Cr. Li and Cr. McCarthy.

THAT:

- (1) In the spirit of transparency and open governance, the council notes
- a) The significant amount of financial investment by the council towards the multisport stadium
 - b) The intense community interest in the location of the multisport stadium
- (2) The Council hereby resolves to include in the meeting minutes de-identified data on the 556 petitioners who support the multisport stadium be built on TW Blake Reserve as circulated to Councillors on 10 August 2015 and any other petitions in relation to the multisport stadium. In particular, the following data should be included:
- a) Number and percentage of petitioners who live within 500 meters of TW Blake Reserve (as per the Darebin Open Space Policy).
 - b) Number and percentage of petitioners who live in Preston
 - c) Number and percentage of petitioners who live in Darebin
 - d) ~~Any other relevant data pertaining to the petition.~~
- ~~(3) Council also resolves to include in the minute wording of the petition in the spirit of the Governance Local Law.~~
- ~~(4) Councillors be provided with a copy of the petition at the briefing on 26 August 2015 so as to fully inform and assist them in their decision making process in relation to the multisport stadium in the community interest.~~

AMENDMENT

MOVED: Cr. T. Laurence
SECONDED: Cr. V. Fontana

THAT:

- (1) In the spirit of transparency and open governance, the council notes
 - a) The significant amount of financial investment by the council towards the multisport stadium
 - b) The intense community interest in the location of the multisport stadium
- (2) The Council hereby resolves to include in the meeting minutes de-identified data on the 556 petitioners who support the multisport stadium be built on TW Blake Reserve as circulated to Councillors on 10 August 2015 and any other petitions in relation to the multisport stadium. In particular, the following data should be included:
 - a) Number and percentage of petitioners who live within 500 meters of TW Blake Reserve (as per the Darebin Open Space Policy).
 - b) Number and percentage of petitioners who live in Preston
 - c) Number and percentage of petitioners who live in Darebin

EXTENSION OF TIME – 9.59 PM**COUNCIL RESOLUTION**

MOVED: Cr. T. McCarthy
SECONDED: Cr. A. Villella

THAT the Council meeting continue after 10.00 pm for 30 minutes.

CARRIED

Cr. Laurence requested that it be noted in the minutes that he voted against the Extension of Time.

THE AMENDMENT WAS PUT AND LOST.

THE MOTION BEFORE THE CHAIR IS AS FOLLOWS:

MOTION

MOVED: Cr. B. Li
SECONDED: Cr. T. McCarthy

THAT:

- (1) In the spirit of transparency and open governance, the council notes:

- a) The significant amount of financial investment by the council towards the multisport stadium.
 - b) The intense community interest in the location of the multisport stadium.
- (2) The Council hereby resolves to include in the meeting minutes de-identified data on the 556 petitioners who support the multisport stadium be built on TW Blake Reserve as circulated to Councillors on 10 August 2015 and any other petitions in relation to the multisport stadium. In particular, the following data should be included:
- a) Number and percentage of petitioners who live within 500 meters of TW Blake Reserve (as per the Darebin Open Space Policy).
 - b) Number and percentage of petitioners who live in Preston
 - c) Number and percentage of petitioners who live in Darebin
 - d) Any other relevant data pertaining to the petition.
- (3) Council also resolves to include in the minute wording of the petition in the spirit of the Governance Local Law.
- (4) Councillors be provided with a copy of the petition at the briefing on 26 August 2015 so as to fully inform and assist them in their decision making process in relation to the multisport stadium in the community interest.

THE MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

COUNCIL RESOLUTION

MOVED: Cr. B. Li
SECONDED: Cr. T. McCarthy

THAT:

- (1) In the spirit of transparency and open governance, the council notes
 - a) The significant amount of financial investment by the council towards the multisport stadium
 - b) The intense community interest in the location of the multisport stadium
- (2) The Council hereby resolves to include in the meeting minutes de-identified data on the 556 petitioners who support the multisport stadium be built on TW Blake Reserve as circulated to Councillors on 10 August 2015 and any other petitions in relation to the multisport stadium. In particular, the following data should be included:
 - a) Number and percentage of petitioners who live within 500 meters of TW Blake Reserve (as per the Darebin Open Space Policy).
 - b) Number and percentage of petitioners who live in Preston
 - c) Number and percentage of petitioners who live in Darebin
 - d) Any other relevant data pertaining to the petition.

- (3) Council also resolves to include in the minute wording of the petition in the spirit of the Governance Local Law.
- (4) Councillors be provided with a copy of the petition at the briefing on 26 August 2015 so as to fully inform and assist them in their decision making process in relation to the multisport stadium in the community interest.

CARRIED

Cr. Li called for a Division.

<u>For</u>	<u>Against</u>
Cr. Bo Li	Cr. Tim Laurence
Cr. Trent McCarthy	Cr. Julie Williams
Cr. Angela Villella	Cr. Vince Fontana
Cr. Oliver Walsh	
Cr. Steven Tsitas	

9.6 RUTHVEN PRIMARY SCHOOL SITE

MINUTE NO. 428

NOTICE OF MOTION NO. 216 CR. ANGELA VILLELLA

Take notice that at the Ordinary meeting to be held on 17 August 2015, it is my intention to move:

***THAT** as a matter of urgency the Mayor write to the relevant state government ministers to convey Council's position that the former Ruthven primary school site remain in community /public ownership by transferring the land to Darebin City Council. The letter is to request, on behalf of Latrobe ward councillors, an urgent meeting with the relevant state minister and the local member for Preston.*

In the letter the following rationale is to be noted

- i. At a well attended council public meeting on the issue in 2013, the residents overwhelming supported the site remain in public hands for the community to enjoy as open space.*
- ii. Note the community's financial contribution of approximately \$80,000 (through council rates) on developing grounds on the site*
- iii. The area is deficient in open space compared to other areas within the city of Darebin*
- iv. The general principle of justice being that the government does not have the unilateral right to sell off public land without consulting the residents effected by the sale.*

Notice Received: 12 August 2015

Notice Given to Councillors: 13 August 2015

Date of Meeting: 17 August 2015

MOTION

MOVED: Cr. A. Villella
SECONDED: Cr. B. Li

THAT as a matter of urgency the Mayor write to the relevant state government ministers to convey Council's position that the former Ruthven primary school site remain in community /public ownership by transferring the land to Darebin City Council. The letter is to request, on behalf of Latrobe ward councillors, an urgent meeting with the relevant state minister and the local member for Preston.

In the letter the following rationale is to be noted

- i. At a well attended council public meeting on the issue in 2013, the residents overwhelming supported the site remain in public hands for the community to enjoy as open space.
- ii. Note the community's financial contribution of approximately \$80,000 (through council rates) on developing grounds on the site
- iii. The area is deficient in open space compared to other areas within the city of Darebin
- iv. The general principle of justice being that the government does not have the unilateral right to sell off public land without consulting the residents effected by the sale.

Cr. Laurence proposed to the mover and seconder that the point ii. of the motion be amended as follows. This was accepted by the Cr. Villella and Cr. Li.

- ii. Note the community's financial contribution of approximately **\$360,000** (through council rates) on developing grounds on the **site plus maintenance throughout the life of the previous agreement.**

THE AMENDED MOTION THEN READ AS FOLLOWS:

AMENDED MOTION

MOVED: Cr. A. Villella
SECONDED: Cr. B. Li

THAT as a matter of urgency the Mayor write to the relevant state government ministers to convey Council's position that the former Ruthven primary school site remain in community /public ownership by transferring the land to Darebin City Council. The letter is to request, on behalf of Latrobe ward councillors, an urgent meeting with the relevant state minister and the local member for Preston.

In the letter the following rationale is to be noted

- i. At a well attended council public meeting on the issue in 2013, the residents overwhelming supported the site remain in public hands for the community to enjoy as open space.
- ii. Note the community's financial contribution of approximately \$360,000 (through council rates) on developing grounds on the site plus maintenance throughout the life of the previous agreement.

- iii. The area is deficient in open space compared to other areas within the city of Darebin
- iv. The general principle of justice being that the government does not have the unilateral right to sell off public land without consulting the residents effected by the sale.

THE AMENDED MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

COUNCIL RESOLUTION

MOVED: Cr. A. Villella

SECONDED: Cr. B. Li

THAT as a matter of urgency the Mayor write to the relevant state government ministers to convey Council's position that the former Ruthven primary school site remain in community /public ownership by transferring the land to Darebin City Council. The letter is to request, on behalf of Latrobe ward councillors, an urgent meeting with the relevant state minister and the local member for Preston.

In the letter the following rationale is to be noted

- i. At a well attended council public meeting on the issue in 2013, the residents overwhelming supported the site remain in public hands for the community to enjoy as open space.
- ii. Note the community's financial contribution of approximately \$360,000 (through council rates) on developing grounds on the site plus maintenance throughout the life of the previous agreement.
- iii. The area is deficient in open space compared to other areas within the city of Darebin
- iv. The general principle of justice being that the government does not have the unilateral right to sell off public land without consulting the residents effected by the sale.

CARRIED UNANIMOUSLY

9.7 RESERVOIR LEISURE SIGN

MINUTE NO. 429

NOTICE OF MOTION NO. 217

CR. ANGELA VILLELLA

Take notice that at the Ordinary meeting to be held on 17 August 2015, it is my intention to move:

***THAT** a new sign replace the current faded and dilapidated Reservoir leisure sign on Broadway, Reservoir.*

The new sign is to be installed as soon as practicable.

Notice Received: 12 August 2015

Notice Given to Councillors: 13 August 2015

Date of Meeting: 17 August 2015

COUNCIL RESOLUTION

MOVED: Cr. A. Villella
SECONDED: Cr. T. Laurence

THAT a new sign replace the current faded and dilapidated Reservoir leisure sign on Broadway, Reservoir.

The new sign is to be installed as soon as practicable.

CARRIED UNANIMOUSLY

9.8 TRUCK TRAFFIC COUNTS ON DAREBIN ROADS

MINUTE NO. 430

NOTICE OF MOTION NO. 218 CR. TRENT MCCARTHY

Take notice that at the Ordinary meeting to be held on 17 August 2015, it is my intention to move:

***THAT** as a matter of urgency, Council writes to the Minister for Roads requesting that VicRoads undertakes counts of truck traffic on relevant Darebin roads before and after the implementation of the Banyule night time truck ban scheduled for late August.*

Notice Received: 12 August 2015

Notice Given to Councillors: 13 August 2015

Date of Meeting: 17 August 2015

COUNCIL RESOLUTION

MOVED: Cr. T. McCarthy
SECONDED: Cr. T. Laurence

THAT as a matter of urgency, Council writes to the Minister for Roads requesting that VicRoads undertakes counts of truck traffic on relevant Darebin roads before and after the implementation of the Banyule night time truck ban scheduled for late August.

CARRIED UNANIMOUSLY

10. URGENT BUSINESS

Nil

11. GENERAL BUSINESS**11.1 FUTURE USE OF FORMER RESERVOIR LIBRARY****MINUTE NO. 431****COUNCIL RESOLUTION****MOVED: Cr. A. Villella****SECONDED: Cr. B. Li**

THAT Officers provide a report on options for future use of the former Reservoir Library. The report should cover the following:

- a) Needs of the community
- b) Supply and demand of available room hire/-access for community groups (may need to look at impact of supply and demand in conjunction with impact of new library)
- c) The possibility of a community consultation process that is accessible to diverse group of residents (may include promotion in the local paper and community news)
- d) Financial impact of each recommended option.
- e) The use and management of the site at present and until a decision is made (for safety and efficiency in utilisation consideration)

CARRIED

Cr. Walsh temporarily left the meeting during discussion of the above item at 10.15 pm and returned at 10.16 pm.

11.2 FEASIBILITY OF MERRI CREEK BRIDGE**MINUTE NO. 432****MOTION****MOVED: Cr. O. Walsh****SECONDED: Cr. T. McCarthy****THAT:**

- (1) Council receives a report in November 2015 regarding the feasibility of a Merri Creek footbridge, near the Beavers Road Precinct.

- (2) As part of the consultation officers should consider consulting stakeholders such as:
- City of Moreland
 - CERES
 - Melbourne Water
 - Beavers road businesses
 - Merri Creek Management committee
 - State Government

Cr. McCarthy proposed to the mover that the motion be amended as follows. This was accepted by Cr. Walsh.

- (1) Council receives a report in November 2015 regarding the feasibility **and cost options for external funding, including developer contributions**, of a Merri Creek footbridge, near the Beavers Road Precinct **with a view to consideration in the 2016/2017 budget process**.
- (2) As part of the consultation officers should consider consulting stakeholders such as:
- City of Moreland
 - CERES
 - Melbourne Water
 - Beavers road businesses
 - Merri Creek Management committee
 - State Government
 - **Victoria Walks**
 - **Bicycle Victoria**
 - **Darebin Bicycle Users Group**

THE AMENDED MOTION THEN READ AS FOLLOWS:

AMENDED MOTION

MOVED: Cr. O. Walsh
SECONDED: Cr. T. McCarthy

THAT:

- (1) Council receives a report in November 2015 regarding the feasibility and cost options for external funding, including developer contributions, of a Merri Creek footbridge, near the Beavers Road Precinct with a view to consideration in the 2016/2017 budget process.
- (2) As part of the consultation officers should consider consulting stakeholders such as:
- City of Moreland
 - CERES

- Melbourne Water
- Beavers road businesses
- Merri Creek Management committee
- State Government
- Victoria Walks
- Bicycle Victoria
- Darebin Bicycle Users Group

THE AMENDED MOTION WAS PUT AND CARRIED AND BECAME THE COUNCIL RESOLUTION AS FOLLOWS:

COUNCIL RESOLUTION

MOVED: Cr. O. Walsh
SECONDED: Cr. T. McCarthy

THAT:

- (1) Council receives a report in November 2015 regarding the feasibility and cost options for external funding, including developer contributions, of a Merri Creek footbridge, near the Beavers Road Precinct with a view to consideration in the 2016/2017 budget process.
- (2) As part of the consultation officers should consider consulting stakeholders such as:
 - City of Moreland
 - CERES
 - Melbourne Water
 - Beavers road businesses
 - Merri Creek Management committee
 - State Government
 - Victoria Walks
 - Bicycle Victoria
 - Darebin Bicycle Users Group

CARRIED

12. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

Nil

13. CLOSE OF MEETING

The meeting closed at 10.24 pm.