



# **MINUTES OF THE COUNCIL MEETING**

**HELD ON**

**MONDAY, 3 FEBRUARY 2014**

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RELEASED TO THE PUBLIC ON THURSDAY 6 FEBRUARY 2014

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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 3 FEBRUARY 2014**

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**THE MEETING OPENED AT 7:02 PM**

**WELCOME**

The Chairperson, Cr. Greco, in opening the meeting welcomed Mr Peter Lewinsky, Municipal Monitor, to the meeting.

**1. PRESENT**

***Councillors***

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

***Municipal Monitor***

Peter Lewinsky

***Council Officers***

Rasiah Dev – Chief Executive  
Paul Crapper – Director Corporate and Planning Services  
Daniel Freer – Director Culture, Leisure and Works  
Katrina Knox – Director Community Development  
Steve Hamilton – Director Assets and Business Services  
Darren Rudd – Manager City Development  
Libby Hynes – Manager Environment and Natural Resources (8.36 pm)  
Ron Downes – Acting Manager Corporate Governance and Performance  
Maureen Devlin – Senior Communications Advisor  
Katia Croce – Coordinator Council Business  
Jody Brodribb – Governance Officer

**2. APOLOGIES**

Nil

**3. DISCLOSURES OF CONFLICTS OF INTEREST**

The Chairperson, Cr. Greco declared an 'interest' in Item 8.6.

Cr. McCarthy declared an 'interest' in Item 11.3.

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

**COUNCIL RESOLUTION**

**MOVED:** Cr. T. McCarthy

**SECONDED:** Cr. S. Tsitas

**THAT** the Minutes of the Ordinary Meeting of Council held on 16 December 2013 be confirmed as a correct record of business transacted.

**CARRIED**

## 5. REPORTS BY MAYOR AND COUNCILLORS

MINUTE NO. 102

### 5.1 REPORT OF CR. BO LI

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

- Opening of Nepal art exhibition
- Planning Committee meeting
- Christmas Day lunch celebration for Darebin residents
- Darebin Transport Advocacy Committee briefing
- Darebin Transport Advocacy Committee meeting
- Darebin Ethnic Communities Steering Committee meeting
- Australia Day Awards
- Citizenship ceremony
- Planning Committee meeting
- Councillor Briefing session
- Lunar New Year Celebrations organised by Preston Business Advisory Committee
- Lunar New Year Celebrations organised by Darebin Intercultural Centre
- Chinese New Year Celebrations organised by Federation of Chinese Associations.

### 5.2 REPORT OF CR. JULIE WILLIAMS

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

- Council Meeting
- Meeting with Cr. Walsh
- Meetings with Nick Foa (Executive Director, Local Government Victoria), followed by Cr. Villella and Jacinta Stevens
- Planning Committee meeting
- Councillors meeting
- Staff Christmas Break up
- Christmas Day Lunch Celebrations
- Meeting with Preston Business Advisory Committee members
- Meeting with YMCA
- Attended residents issues on damage to community assets, dumped rubbish, laneway access, planning concerns and parking issues.

### 5.3 REPORT OF CR. VINCE FONTANA

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

- Darebin Enterprise Centre Ltd December 2013 meeting
- Planning Committee meeting – 9 December 2013
- Northland Structure Plan steering committee meeting – 10 December 2013
- Participated in the Website Workshop for Councillors session
- End of year activity for the Preston Business Advisory Committee function.
- Australia Day Awards Presentation Night
- Planning Committee meeting – 28 January 2014
- Council briefing session held – 28 January 2014
- PBAC Lunar New Year celebration in Roseberry Avenue
- Lunar New Celebration held at the Darebin Intercultural Centre
- Guest of the Northcote Cricket Club at the Pink Ribbon Charity Day at Bill Lawry Oval.

Cr Fontana also publicly thanked Anita Broers, the former manager of the Preston Market who has moved to another centre and welcomed the new manager, Anne Mundy.

### 5.4 REPORT OF CR. OLIVER WALSH

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

- Planning Committee meeting
- Christmas Day Lunch Celebrations
- Meeting with VicTrack and residents regarding Alphington Station
- Staff Christmas Break up
- Met with Poul Bottern, CEO, Inner Northern Group Training
- Council meeting at the City of Hermosa Beach, California.

### 5.5 REPORT OF CR. STEVEN TSITAS

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

- Councillor Briefing session
- Constituent matters.

### 5.6 REPORT OF CR. TIM LAURENCE

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

- Planning Committee meeting – 23 December 2013
- Staff Christmas Break up
- Christmas Day Lunch Celebrations at the Preston City Hall

- Meeting with Preston and Reservoir residents in relation to planning issues
- Attended John Hall Reserve with sporting club representatives to inspect maintenance issues
- Meeting with Yarra Councillor
- Memorial ceremony for local business person in Thornbury
- Meeting with Broadway traders in Reservoir
- Met with members of Darebin Appropriate Development Association to discuss planning issues
- Planning Committee meeting – 28 January 2014
- Assisted a Darebin resident who was viciously assaulted at Birrarung Marr on 29 December 2013.

### **5.7 REPORT OF CR. ANGELA VILLELLA**

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

- Pre Planning Committee meeting
- Planning Committee meeting
- Councillor Briefing session
- Meeting with Melbourne Water
- Darebin Community and Kite Festival Reference Group
- Lunar New Year celebrations at the Darebin Intercultural Centre
- Meeting with president of Keon Park Football Club to discuss recruitment strategy for girls football teams.

### **5.8 REPORT OF CR. TRENT MCCARTHY**

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

- Launch – Community Engagement Framework
- Darebin Bicycle Advisory Committee
- Meeting with Victoria Walles
- Planning Committee meeting
- Visit to NEST Co-Working, Thornbury
- Darebin Transport Advocacy Committee
- MC – Australia Day Awards

Cr McCarthy thanked Judy Bush for her contribution as Executive Officer of Northern Alliance for Greenhouse Action and also welcomed Dr Andrew Hollows as the new Chief Executive Officer of the Victorian Local Government Association.



## 5.9 REPORT OF THE CHAIRPERSON, CR. GAETANO GRECO

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

- Planning Committee – December 2013
- Council Briefing Session – December 2013
- Council Meeting
- Nur Shkempi, Islamic Museum of Victoria's Art Director
- Launch – Community Engagement Framework
- DECC End of Year Celebration
- Metropolitan Planning Authority Stakeholder Event with Minister for Planning
- North West Reservoir Italian Pensioner Christmas Lunch
- Meeting with Submitters – Planning Scheme Amendments C136, 137 & 138
- Meeting with Nick Foa, Executive Director, Local Government Victoria
- Darebin Intercultural Centre Christmas Day Lunch
- Meeting with Kate Carr, Executive Director of Gaming Liquor and Racing
- Midsumma Carnival
- Citizenship Ceremony – Australia Day
- Darebin's Interfaith Council – Baha'i Members
- Melbourne Water – Partnership Opportunities for Cheddar Road
- Darebin Neighbourhood Watch
- William Ruthven Secondary College – Presentation of Australia Day Award to Student
- Darebin Community and Kite Festival Reference Group
- Opening of Fitzroy Community School
- Lunar New Year Celebration
- Launch of Cycling to Grandma's House
- Pride March
- Darebin Disability Advisory Committee and pre Briefing
- Council Briefing Session – January 2014
- Planning Committee – January 2014
- Meeting with Peter Lewinski, Municipal Monitor
- Catch Up Meeting – CEO
- E-Pathway Training
- Meeting with Governance Officer
- Councillor Meeting with Peter Lewinsky, Municipal Monitor
- Meeting with Media Client regarding Culturally and Linguistically Diverse Communications

## 6. PUBLIC QUESTION TIME

### MINUTE NO. 103

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

The following question was submitted:

- Keith Coffey of Reservoir asked a question regarding dumped rubbish and a fallen tree branch in Reservoir. The question was responded to by the Director Culture Leisure and Works, Daniel Freer who took the question on notice to respond in writing.

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. 104

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:

- Councillors Briefing Session – 9 December 2013
- Darebin Environmental Reference Group – 11 December 2014
- Active and Healthy Aging Community Advisory Board – 12 December 2013
- Joint Advisory Committee Even – 12 December 2013
- Darebin Bicycle Advisory Committee – 17 December 2013
- Governance Briefing Session – 23 December 2013

### COUNCIL RESOLUTION

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

**THAT** the record of the Assembly of Councillors held on 9, 11, 12, 17 and 23 December 2013 be noted and incorporated in the minutes of this meeting.

**CARRIED UNANIMOUSLY**



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b> Councillor Briefing Session  <b>Date:</b> Monday 9 December 2013  <b>Location:</b> Function Room, Darebin Civic Centre
<b>PRESENT:</b>	<b>Councillors:</b> Cr Gaetano Greco (Mayor), Cr Oliver Walsh, Cr Steven Tsitas, Cr Trent McCarthy, Cr Bo Li, Cr Julie Williams, Cr Angela Villella, Cr Tim Laurence  <b>Council Staff:</b> Rasiah Dev, Daniel Freer, Paul Crapper, Katrina Knox, Jacinta Stevens Eddy Boscarol – 6.30 to 9.30 pm Wendy Dinning - 6.30 to 7.15 pm Chris Meulblok – 8.00 to 9.15 pm Nathan Moresi – 6.30 to 8.00 pm Maureen Devlin – 8.00 to 8.45 pm Darren Rudd – 8.00 to 9.30 pm Emily Hillebrand – 8.00 to 9.30 pm  <b>Other:</b> Scott Hamilton (Arapiles Consulting) – 6.30 to 7.15 pm James Renkin & Simon Evans – Salta, Stuart McGurn – ERM Planning, Ben Putty – NH Architecture, Oliver Mayger – SJB Architecture, Peter Dredge – NH Architecture 8:00 to 8:45 pm
<b>APOLOGIES:</b>	Cr Vince Fontana

The Assembly commenced at 6.30 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
<b>PRESENTATIONS</b>		
<b>1</b>	Opportunities for Darebin's Economy (Arapalies Consulting)	No disclosures were made.
<b>2</b>	Grade Separation Update	No disclosures were made. Cr Walsh – 7.45 to 8.00 pm
<b>3</b>	Governance Issues	No disclosures were made.
<b>4</b>	Preston Market Redevelopment (Salta)	8.00 pm to 8.45 pm <ul style="list-style-type: none"> <li>• James Renkin &amp; Simon Evans – Salta</li> </ul>

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
		<ul style="list-style-type: none"> <li>• Stuart McGurn – ERM Planning</li> <li>• Ben Putty – NH Architecture</li> <li>• Oliver Mayger – SJB Architecture</li> <li>• Peter Dredge – NH Architecture</li> </ul> Cr Walsh – interest – family association
5	Northland Structure Plan	No disclosures were made.
6	Surplus State Government Land – Reservoir	No disclosures were made. Cr Laurence left at 8.45 pm
CLARIFICATION REPORTS		
7	Mediation in Planning Processes	No disclosures were made.
FOR INFORMATION ONLY		
8	Dogs off Leads Parks	No disclosures were made.
9	Domestic Violence & Men's Behaviour Change Programs	No disclosures were made.
10	Polaris Development Plan Amendment POD12007B	No disclosures were made.
11	Impacts of Development	No disclosures were made.

The Assembly concluded at 9.57 pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Daniel Freer
	<b>Officer Title:</b>	Director, Culture Leisure & Works



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Darebin Environment Reference Group
	<b>Date:</b>	Wednesday 11 December 2013
	<b>Location:</b>	Maharaja Tandoori Cuisine, 560 High St, Preston
<b>PRESENT:</b>	<b>Councillors:</b>	Cr Trent McCarthy.
	<b>Council Staff:</b>	Gavin Mountjoy.
	<b>Other:</b>	Members of the Darebin Environmental Reference Group
<b>APOLOGIES:</b>		Cr Angela Villella

The Assembly commenced at 7:15 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Welcome and apologies	No disclosures were made.
2	Minutes and matters arising.	No disclosures were made.
3	DERG Membership renewal.	No disclosures were made.
4	The Year in Review.	No disclosures were made.
5	General issues and project updates.	No disclosures were made.
6	Next meeting and Meeting Dates for 2014.	No disclosures were made.

The Assembly concluded at 9:16 pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Gavin Mountjoy
	<b>Officer Title:</b>	Environmental Strategy Coordinator



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b> Active & Healthy Ageing Community Advisory Board  <b>Date:</b> Thursday 12 December 2013  <b>Location:</b> Conference Room, Darebin Civic Centre
<b>PRESENT:</b>	<b>Councillors:</b> Cr. Gaetano Greco (Mayor), Cr. Angela Villella  <b>Council Staff:</b> Michelle Marinelli, Nicola Johnson  <b>Other:</b> Representatives from: Darebin University of the Third Age, Lincoln Institute La Trobe University, and active residents.
<b>APOLOGIES:</b>	Cr. Steven Tsitas

The Assembly commenced at 5.45 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
<b>1</b>	Welcome, Agenda Overview  Note: Mr Nicholau called from Hospital after being in an accident and will be an apology for a few months. Michelle to forward well wishes from the Board for his recovery.	No disclosures were made.  Apologies recorded:  Council Officers: Katrina Knox, Bridget Monro-Hobbs, Ronald Spykens;  Resident Participants: Marika Bozinova, Nick Nicholau, Lynne Austin.
<b>2</b>	Term of Board  Michelle clarified membership on Board is minimum of 2 years with vacancies being filled as they occur. Group agreed to continue scoping for nominations onto the Board through our networks. Enquiries through to Michelle, nominations to be completed and reviewed by the Board.	No Disclosures were made.  Barbara Parker from Lincoln Institute is stepping down from the Board and will not return in 2014. Cr Greco thanked Barbara for her support in providing research materials, sharing expertise and sector involvement in Aged Care Reforms.

## ASSEMBLY OF COUNCILLORS – PUBLIC RECORD (CONT)

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
3	<p>Review of Voice Forum</p> <p>Evaluation data distributed and discussed. The forum was a great success with key directions for this Board to emerge. Forum papers currently being drafted including key actions emerging from the Forum. The work group will now work to hand over 2014 forum to Maroondah, Knox and Yarra Ranges, as well as monitoring key actions from 2013. Board members thanked Cr Greco for his attendance and opening speech on the day.</p>	No disclosures were made.
4	<p>Review Board Work Plan 2013</p> <p>All key initiatives identified for 2013 were complete by the Board.</p>	<p>No disclosures were made.</p> <p>Cr Greco and Cr Villella thanked the Board for their work throughout the year and acknowledged their level of participation and contribution.</p>
5	<p>Setting Directions for 2014</p> <p>General Directions for 2014:</p> <ul style="list-style-type: none"> <li>• Workshop Active &amp; Healthy Ageing Strategy Themes to ensure we are aligning and progressing the strategy.</li> <li>• Maintain theme – Intergenerational Initiatives;</li> <li>• Include emerging initiatives from VOICE Forum;</li> <li>• Active role in Aged Friendly Precinct Project (Reservoir Shopping Precinct) and through this project look at – increasing opportunities to work with local Senior Citizen Clubs; Intergenerational Activities; Arts Activities – such as True North Festival; Darebin Seniors Festival Opportunities;</li> <li>• Maintain focus – Older Mens Social Health initiatives;</li> <li>• Participate in Community Chef/Meals Review Panel;</li> <li>• Maintain role in Aged Care Reforms work;</li> </ul>	No disclosures were made.



MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
	<ul style="list-style-type: none"> <li>Maintain role in reviewing Darebin Heatwave Strategy;</li> <li>Focus Human Rights Theme towards championing Darebin Older Persons Charter of Rights.</li> </ul>	
6	<p>General Business</p> <p>One Board Member expressed they have now joined as an individual to the Fair Go For Pensioners Lobby Group and will keep an eye out for opportunities both ways, for example the group are looking at ways to gather health and demographic data from Councils.</p>	<p>No Disclosures were made.</p> <p>Member directed to Council website as Census data and health data are available for public use.</p>
7	<p>Thank you and meeting closed</p>	<p>No Disclosures were made</p> <p>All members were again acknowledged for their high participation rates throughout the year and the level of work completed.</p>

The Assembly concluded at 7.30 pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Michelle Marinelli
	<b>Officer Title:</b>	Co-ordinator Ageing Communities Unit



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Joint Advisory Committee Event
	<b>Date:</b>	12 December 2013
	<b>Location:</b>	Darebin Intercultural Centre
<b>PRESENT:</b>	<b>Councillors:</b>	Cr Bo Li, Cr Gaetano Greco, Cr Julie Williams, Cr Angela Villella
	<b>Council Staff:</b>	Jess Fraser, Community Wellbeing Team Leader, Tennille Summers, PVAW officer, Patrick Buchanan, Community safety, Russell Higgins and Bhensri Naemiratch healthy Moves, Karin Linden Community planning and Customer Service, Clinton Fullgrabe, Stephanie Preston.
	<b>Other:</b>	Representatives from Darebin Community health, North East PCP, Victoria Police, DOJ and residents from various advisory committees.
<b>APOLOGIES:</b>		N/A

The Assembly commenced at 3.30 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	No formal matters discussed, informal event to thank advisory committee members for their participation.	No disclosures were made

The Assembly concluded at 6.15 pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Jess Fraser
	<b>Officer Title:</b>	Community Wellbeing Team Leader



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Darebin Bicycle Advisory Committee
	<b>Date:</b>	Tuesday 17 December 2013
	<b>Location:</b>	The Thornbury Local, 635 High Street, Thornbury
<b>PRESENT:</b>	<b>Councillors:</b>	Cr Trent McCarthy, Cr Bo Li, Cr Angela Villella.
	<b>Council Staff:</b>	Che Sutherland, Anna Haygreen.
	<b>Other:</b>	Representatives of the Darebin Bicycle User Group, and members of the public
<b>APOLOGIES:</b>		

The Assembly commenced at 6:30pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
<b>1</b>	Review of minutes of previous meeting	No disclosures were made
<b>2</b>	Overview of DBAC achievements in 2014	No disclosures were made
<b>3</b>	Discussion about possible DBAC activities in 2014	No disclosures were made
<b>4</b>	Draft plans for bike facilities	No disclosures were made
<b>5</b>	Research project on economic benefits of bikes in Darebin	No disclosures were made
<b>6</b>	Reservoir Station to La Trobe Wayfinding	No disclosures were made
<b>7</b>	Shimmy routes	No disclosures were made
<b>8</b>	School projects	No disclosures were made
<b>9</b>	Bike Parking at the Preston Market	No disclosures were made
<b>10</b>	Preston Parkiteer	No disclosures were made

The Assembly concluded at 8.00 pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Anna Haygreen
	<b>Officer Title:</b>	Sustainable Transport Officer



## ASSEMBLY OF COUNCILLORS PUBLIC RECORD

<b>ASSEMBLY DETAILS:</b>	<b>Title:</b>	Councillor Governance Briefing Session
	<b>Date:</b>	Monday 23 December 2013
	<b>Location:</b>	Council Chambers, 350 High Street Preston
<b>PRESENT:</b>	<b>Councillors:</b>	Cr Gaetano Greco (Mayor), Cr Julie Williams (Deputy Mayor), Cr Tim Laurence, Cr Bo Li, Cr Oliver Walsh
	<b>Council Staff:</b>	Jacinta Stevens
	<b>Other:</b>	Nil
<b>APOLOGIES:</b>		Cr Trent McCarthy, Cr Steven Tsitas, Cr Vince Fontana (leave of absence), Cr Angela Vilella (leave of absence)

The Assembly commenced at 7.40 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Governance matter relating to actions requested by the Minister for Local Government.	No disclosures were made

The Assembly concluded at 8.15 pm

<b>RECORD COMPLETED BY:</b>	<b>Officer Name:</b>	Jacinta Stevens
	<b>Officer Title:</b>	Manager Corporate Governance and Performance

## 8. CONSIDERATION OF REPORTS

### 8.1 CAR SHARE – INCORPORATION INTO THE PLANNING SCHEME

MINUTE NO. 105

**AUTHOR:** Acting Manager Projects, Engineering and Transportation

**REVIEWED BY:** Director Assets and Business Services

#### SUMMARY:

At the 16 September 2013 Council Meeting, it was resolved that:

*“A report be presented to Council regarding the feasibility of incorporating car sharing schemes into the Darebin Planning Scheme, particularly for medium to high density developments.”*

This report considers the mechanisms and feasibility of incorporating car sharing into the Planning Scheme and provides a recommendation on how best to encourage car share schemes in Darebin.

#### CONSULTATION:

- Coordinator Transport Management
- Team Leader Transport Strategy
- Transport Planner
- Coordinator Strategic Planning
- Coordinator Statutory Planning

### RECOMMENDATION

#### THAT:

- (1) Council do not incorporate car share into the planning scheme, as it will not necessarily provide significantly improved results for sustainable travel, initiatives or programs.
- (2) Council should instead undertake car share promotion and encouragement in a similar way to other metropolitan councils in Melbourne by:
  - Developing a formal car share policy;
  - Promoting car share on Council’s website;
  - Implementing further car share spaces throughout the municipality (within the public domain);
  - Promoting car share to developers through the development process; and
  - Encouraging liaisons with car share companies through the planning process.

**MOTION**

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

**THAT:**

- (1) Council do not incorporate car share into the planning scheme, as it will not necessarily provide significantly improved results for sustainable travel, initiatives or programs.
- (2) Council should instead undertake car share promotion and encouragement in a similar way to other metropolitan councils in Melbourne by:
  - Developing a formal car share policy;
  - Promoting car share on Council's website;
  - Implementing further car share spaces throughout the municipality (within the public domain);
  - Promoting car share to developers through the development process; and
  - Encouraging liaisons with car share companies through the planning process.

*Cr. Fontana proposed to the mover, Cr. Li and the seconder of the Motion, Cr. McCarthy that item (3) be added as follows. This was accepted by Cr. Li and Cr. McCarthy.*

- (3) Council officers report back in 12 months time of any foreseeable changes for a possible implementation of car sharing guidelines in the planning scheme.

THE AMENDED MOTION THEN READ AS FOLLOWS:

**AMENDED MOTION**

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

**THAT:**

- (1) Council do not incorporate car share into the planning scheme, as it will not necessarily provide significantly improved results for sustainable travel, initiatives or programs.
- (2) Council should instead undertake car share promotion and encouragement in a similar way to other metropolitan councils in Melbourne by:
  - Developing a formal car share policy;
  - Promoting car share on Council's website;
  - Implementing further car share spaces throughout the municipality (within the public domain);

- Promoting car share to developers through the development process; and
  - Encouraging liaisons with car share companies through the planning process.
- (3) Council officers report back in 12 months time of any foreseeable changes for a possible implementation of car sharing guidelines in the planning scheme.

*Cr. McCarthy proposed to the mover, Cr. Li and the seconder of the Motion, Cr. McCarthy that item (3) be amended as follows. This was accepted by Cr. Li and Cr. McCarthy.*

- (3) Council officers report back in 12 months time of any foreseeable changes for a possible implementation of car sharing guidelines in the State and Darebin planning schemes.

THE FURTHER AMENDED MOTION THEN READ AS FOLLOWS:

**FURTHER AMENDED MOTION**

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

**THAT:**

- (1) Council do not incorporate car share into the planning scheme, as it will not necessarily provide significantly improved results for sustainable travel, initiatives or programs.
- (2) Council should instead undertake car share promotion and encouragement in a similar way to other metropolitan councils in Melbourne by:
- Developing a formal car share policy;
  - Promoting car share on Council's website;
  - Implementing further car share spaces throughout the municipality (within the public domain);
  - Promoting car share to developers through the development process; and
  - Encouraging liaisons with car share companies through the planning process.
- (3) Council officers report back in 12 months time of any foreseeable changes for a possible implementation of car sharing guidelines in the State and Darebin planning schemes.

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

### COUNCIL RESOLUTION

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

**THAT:**

- (1) Council do not incorporate car share into the planning scheme, as it will not necessarily provide significantly improved results for sustainable travel, initiatives or programs.
- (2) Council should instead undertake car share promotion and encouragement in a similar way to other metropolitan councils in Melbourne by:
  - Developing a formal car share policy;
  - Promoting car share on Council's website;
  - Implementing further car share spaces throughout the municipality (within the public domain);
  - Promoting car share to developers through the development process; and
  - Encouraging liaisons with car share companies through the planning process.
- (3) Council officers report back in 12 months time of any foreseeable changes for a possible implementation of car sharing guidelines in the State and Darebin planning schemes.

**CARRIED UNANIMOUSLY**

### REPORT

#### INTRODUCTION AND BACKGROUND

##### Car Share Operation

Car share is a membership based pay as you go car service. For those who don't use a car on a daily basis it provides the benefits of car mobility when needed, without the need to own a car. Unlike traditional car-rental companies, car-share users pay an annual membership fee and can check online for available cars in their area. A swipe card gives members access to the cars and their account is billed by the hour and kilometres travelled.

This is a paradigm shift as it breaks the habitual use of a car and results in the choice of more sustainable transport modes more often. Car share works well where local amenities are within walkable distances and where communities are served well by public transport.

Car share companies have been operating in Australia for over ten years, with the first car share bay installed in Darebin in 2004. Other municipalities in metropolitan Melbourne such as Melbourne, Port Phillip, Stonnington, Moreland and Yarra have fostered the roll out of car sharing as a means to reduce car dependency, assist parking management and limit traffic congestion, something which Darebin is working towards with the current development of a Car Share Policy.



Since 2004 Darebin has allocated ten on street parking spaces for conversion into car share bays. Council is currently developing a Car Share Policy to formalise the relationship between Darebin City Council and companies operating Car Share cars from Darebin. The policy will also provide clarity for the community with regards to responsibilities around expansion of the network.

### **Car Share Benefits**

Car share offers a range of benefits which include:

- Reducing household expenditures, resulting in more affordable living.
- A fleet of cars accessible to business, particularly adjacent to enterprise and activity centres.
- Real transport choices that benefit the environment and the health of the community.
- Reduced land requirements for parking and potentially more community space.
- Greater mobility for those who do not own a car.

Car share companies and their respective government partners have collated compelling evidence throughout a high number of cities. This has clearly demonstrated the impact to travel behaviour of car share through user surveys. For example, in the City of Melbourne, a single car share removes 7.8 private vehicles from circulation. In the City of Sydney this is marginally higher, with up to 14 private cars removed from circulation at isolated car share locations.

In Washington DC, car share members increased their use of public transport by 46%, cycling by 10% and walking by 25% (Millard-Ball, A. Murray, G. Schuire, J. Fox, C. 2005, Car-sharing: Where and How it Succeeds, Transportation Research Board, Washington). There is persuasive evidence that car share brings a variety of benefits to communities, the environment and the economy.

## **ISSUES AND DISCUSSION**

### **Implementation Mechanisms**

Council has explored the potential mechanisms that exist to incorporate car share into the Darebin Planning Scheme. In this regard, it is considered that there are three potential mechanisms for doing so, which are described as follows.

#### **1. Incorporation via the Municipal Strategic Statement (MSS)**

This would provide a strong position that Darebin Council supports car share within its Municipality. However, it would not attach any specific requirement to provide it as part of future development projects. It would assist with delivering a stronger platform for introducing on-street car share spaces and may provide support in the advocacy of car share spaces within new development. The disadvantage of this mechanism is that it would not provide any statutory power in relation to car share spaces within non-Council assets.

2. Introducing into a Municipal wide Car Parking Overlay

This would create a statutory mechanism that could require all developments of a certain size to incorporate car share spaces into the development regardless of their location within the Municipality. This proposal would result in a one-size fits all approach and could be problematic for some developments given that car share companies would not be obliged to provide vehicles. As car share companies are private entities, their decision to provide vehicles is based on a nexus of demand and need; therefore there may be issues with securing vehicles to occupy provided spaces, particularly as they would be provided on-site, in the northern parts of the municipality where the demand might not be present.

3. Introducing into a Local Car Parking Overlay

This mechanism would require new developments in a discrete precinct to provide car share spaces on-site, rather than all developments in the municipality. Whilst a localised policy may see car share companies take up the option of providing vehicles within private development, they would still not be obliged to do so. Their decision to provide vehicles is based on a nexus of demand and need; therefore, if the area is already saturated by car share vehicles, it may result in a number of car parking spaces that were dedicated for car share use remaining vacant. This would increase the cost of development within Darebin with the potential for no significant benefit.

### **Other Victorian Councils**

At present, no Victorian municipality incorporates car share into their Planning Scheme. Further investigation indicates that those municipalities that currently provide support for car sharing companies (City of Stonnington, City of Moreland, City of Melbourne, City of Port Phillip and City of Yarra) do so via a number of other measures including:

Provide on-street parking spaces for use by car share companies – This process is to be formalised through Darebin's car share policy (currently being developed) and involves Council allocating public car parking spaces for the use of car share companies for a small fee.

Through the granting of Planning Permits – This involves considering the merits of a development application on a case by case basis and where appropriate incorporate the use of car sharing in order to grant parking waivers. The main challenge is to ensure that the developer guarantees access to the car share vehicles to the public at all times so the underlying concept of car sharing remains. That being said, increasingly across Australia car share is being introduced as a component of new developments that also receive car parking dispensation.

Some examples of developments in Melbourne with car share pods that are suitably served with local amenity including good public transport include:

- Victoria Street, Abbotsford - 410 Residential Units - 272 Car Parks - 2 Car Share Pods
- High Street, Prahran - 330 Residential Units - 292 Car Parks - 3 Car Share Pods
- Bank Street, South Melbourne - 126 Residential Units - 86 Car parks - 1 Car Share Pod

Providing information on Council Websites – At present, each of the Council's that provide car parking for car sharing within their Municipalities also supplement this support with further information on their public websites. The information provided outlines the variety of benefits that car sharing provides along with providing links to the various car share companies that exist. Darebin does not currently do this.

### **National Examples**

In 2012 the City of Sydney Council introduced rules requiring one car-share space for every 50 apartments in new developments (Section 3 - General Provisions, Sydney Development Control Plan, 2012). It is understood that this is the only example of an Australian Council incorporating car sharing into their Planning Scheme (or equivalent). It is however noted that City of Sydney applies a maximum car parking rate to residential developments that are significantly lower than the minimum car parking requirements required in the Darebin Planning Scheme which would further support the utilisation of on-site car share vehicles.

### **Overview**

Car sharing is definitely becoming more popular as providers and users realise its potential and it is evident through research that car sharing brings a number of benefits. However as highlighted above, given that car sharing companies are privately owned and operated, it is impossible to mandate that they operate out of specific locations. As such, it will be difficult to incorporate any such requirement into the Darebin Planning Scheme that would put such an impost onto a development.

Notwithstanding, car share companies have demonstrated to date that they are willing to enter into agreements with developers to operate car share spaces out of private car parks where there is sufficient nexus to maintain a viable vehicle. This nexus is best identified at the time a developer is seeking a Planning Permit and will rely on Darebin's Statutory Planning Department advocating for the introduction of a car share space and for the developer to seek a commitment from a car share company that they would operate out of the subject site. In order to advocate for a car share spaces successfully, Council may need to consider a potential reduction in the proposed parking provision. It is noted that a major issue for car share implementation through planning is that car share is a commercial arrangement and these can begin and end without Council having any control whatsoever. Thus, to rely on them to support a reduction in car parking has an associated risk.

Whilst it is possible to incorporate car share into the Planning Scheme or to encourage spaces to be provided through the planning process, provision of on-street car share spaces should continue to be the preferred outcome as Council can have the greatest influence over them if they are in the public realm. It also enables the cars/spaces to be perceived as publicly accessible (not for the sole use by a development).

Lastly, the provision of car parking demand is a complex issue which is not one that can be tied to the provision of car share provision. There is also the potential to associate this with car parking waivers; however uncertainty about the feasibility of this has led to a cautious approach to date.

## POLICY IMPLICATIONS

### Environmental Sustainability

Support of car sharing is in line with Darebin Community Climate Change Action Plan 2009–2015 aiming to reduce the number of kilometres travelled by car in Darebin by reducing the need to own a vehicle and instead sharing vehicles. Based on evidence and research, car share schemes have the potential to reduce Greenhouse Gas Emissions, pollution and particulate matter levels in Darebin as well as effectively work with other forms of sustainable transport such as walking and cycling and complement the public transport network. Incorporating car sharing into the planning scheme would encourage environmental sustainability through new developments and in communities.

### Human Rights, Equity and Inclusion

This report deals with preliminary information to Council with regards to an emerging transport and environmental initiative. The car share policy (currently being prepared) is intended to have universal application. Although, at this stage no detailed Equity and Inclusion considerations have been taken into account, initial analysis identified that car share schemes facilitate the access to vehicles for occasional use for those that cannot afford or choose not to own a car. Car share users also are more likely to use other sustainable modes and have overall positive impacts on the whole community. In order to ensure appropriate and accessible operational protocols for the promotion and use of any future Car Share Scheme, a draft of the policy will be distributed to all Council Advisory Committees to gauge interest and seek comment and feedback.

### Other

In addition to the policies and strategies mentioned in previous sections, car sharing has other policy implications: The Council Plan 2013-2017, in particular, goals:

1. Vibrant City and Innovative Economy: Promote an innovative, vibrant and thriving economy with physical infrastructure that is both well-maintained and appropriately regulated.
2. Healthy and connected community: Develop a strong physical, social and economic environment that supports and enhances the health and well-being of all Darebin residents.
3. Sustainable and Resilient Neighbourhoods: Lead and work with our community and partners to achieve a rapid transition to an environmentally sustainable city.
4. The Darebin Transport Strategy 2007-2027 (DTS) which sets Council's long term vision where transport plays a positive role in connecting residents, visitors and employers so that its social networks are strong, local and metropolitan opportunities are accessed easily and the local economy prospers.
5. Darebin's Business Development and Employment Strategy 2012-2015 aims to create more environmentally sustainable business in Darebin. By encouraging the uptake of car sharing in Darebin and in particular activity centres, there is an opportunity to increase the levels of foot traffic in these areas while successfully managing car parking demand.

## FINANCIAL AND RESOURCE IMPLICATIONS

Incorporating car sharing into the planning scheme would require significant additional resources as it would require the preparation of sufficient evidence and documentation to support a Planning Scheme Amendment. To date, no detailed estimate has been prepared in relation to the likely cost of the Amendment documentation however based on previous experience, the process is likely to cost well over \$100,000 and require significant Council officer input. There may be additional cost implications dependent upon which implementation mechanism is chosen.

No allowance has been made for the incorporation of car share into the Darebin Planning Scheme in the current or forecast budget periods.

## CONCLUSION

To conclude, on investigation of the potential mechanisms for incorporating car share into the planning scheme, it is clear that the most pragmatic means of encouraging car share is through promotion and encouragement, rather than mandating it. Council's preferred solution is to undertake this in a similar way to other metropolitan councils in Melbourne by:

1. Developing a formal car share policy;
2. Promoting car share on Council's website;
3. Implementing further car share spaces throughout the municipality (within the public domain);
4. Promoting car share and its benefits to developers through the development process; and
5. Encouraging liaison with car share companies through the planning process.

Council believes this approach will achieve similar results to that of incorporating car share into the planning scheme.

## FUTURE ACTIONS

- Finalisation of the Car Share Policy.
- Incorporating a specific car share section on Council's website to promote the mode.
- Continue to implement car share spaces throughout the municipality, where practical.
- Promote car share to developers through the development process.
- Promote and encourage liaisons with car share companies.
- Council will continue to monitor the effectiveness of car sharing across Melbourne and whether any other Council make the decision to incorporate car sharing into their planning scheme.
- Council will monitor the City of Sydney's decision to incorporate car share schemes into the planning process and review relevant case studies.

**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 September 2013
- Darebin Council – Car Share Policy (draft)
- City of Melbourne - Car Share Website
- City of Yarra - Car Share Website
- Moreland City Council - Car Share Website
- City of Stonnington - Car Share Website
- City of Port Phillip - Car Share Website

## 8.2 NEW RESIDENTIAL ZONES – OPTIONS FOR IMPLEMENTATION AND FURTHER WORK

MINUTE NO. 106

**AUTHOR:** Manager City Development

**REVIEWED BY:** Director Corporate and Planning Services

### SUMMARY:

The purpose of this report is to present a strategy and anticipated budget requirements for the implementation of the new residential zones into Darebin. The implementation of the three new residential zones is a State Government requirement. The recently released metropolitan Strategy, *Plan Melbourne*, articulates the State Government's expectation that over time, Councils will utilise the full suite of residential zones.

The intention for the new zones is to provide greater clarity about the type of development that can be expected in any residential area by providing greater articulation of the scale of housing change and growth envisaged in different locations, expressed through the application of the three new zones. Council can seek to vary standard ResCode provisions and can create multiple zone schedules, subject to having a strong strategic basis for doing so. It is not mandatory to create numerous schedules to the zones, only to apply the main zoning provisions.

A number of possible Planning Scheme Amendment process options to undertake this work were explored in the development of this Report. The variation between these options relates primarily to the degree of community engagement and associated time requirements and the method of Planning Scheme Amendment implementation.

A recommended option (Option 4) is proposed in this Report in further detail in the *Issues and Discussion* section. Option 4 responds to Council feedback and seeks to balance the need to deliver timely implementation with further necessary detailed analysis. Notably this option includes fast track translation of 23% of the municipality into the Neighbourhood Residential Zone based on the designation of *Minimal Change Areas* detailed in the Darebin Housing Strategy. This is followed by detailed consideration of the remainder of the residential areas in the municipality. **Appendix A** contains the alternative Options 1, 2 and 3.

This is an important piece of work and will guide how future decisions will be made on development in Darebin's residential areas. The scale and significance of the work to be undertaken warrants detailed consideration and budget allocation for the financial years 2014/2015 and 2015/2016. No resources are available in the current 2013/2014 budget of the Strategic Planning Unit to commence any detailed work towards the implementation of the new zones and there are no additional resources or funding provided by the State Government for this work.

### CONSULTATION:

- Statutory Planning Unit, City Development
- Department of Transport, Planning and Local Infrastructure
- City of Moreland

- City of Yarra
- City of Moonee Valley
- Whittlesea City Council
- Banyule City Council

### RECOMMENDATION

**THAT** Council:

- (1) Note the requirement by the State Government to apply the new residential zones across Darebin;
- (2) Resolve to support Option 4 for Stages 2 and 3 of the implementation of new residential zones, as recommended in this Report;
- (3) Refer allocation of the funding identified for Option 4 in financial years 2014/2015 and 2015/2016 for consideration in the forthcoming budget development process.

### MOTION

**MOVED:** Cr. S. Tsitas  
**SECONDED:** Cr. A. Villella

**THAT** Council:

- (1) Note the requirement by the State Government to apply the new residential zones across Darebin;
- (2) Resolve to support Option 4 for Stages 2 and 3 of the implementation of new residential zones, as recommended in this Report;
- (3) Refer allocation of the funding identified for Option 4 in financial years 2014/2015 and 2015/2016 for consideration in the forthcoming budget development process.

*Cr. Laurence proposed to the mover, Cr. Tsitas and the seconder of the Motion, Cr. Villella that item (4) be added as follows. This was accepted by Cr. Tsitas and Cr. Villella.*

- (4) Receive a further report looking at strategies to address any spike in applications in non-GRZ zones between December 2014 and May 2015.



THE AMENDED MOTION THEN READ AS FOLLOWS:

**AMENDED MOTION**

**MOVED:** Cr. S. Tsitas  
**SECONDED:** Cr. A. Villella

**THAT** Council:

- (1) Note the requirement by the State Government to apply the new residential zones across Darebin;
- (2) Resolve to support Option 4 for Stages 2 and 3 of the implementation of new residential zones, as recommended in this Report;
- (3) Refer allocation of the funding identified for Option 4 in financial years 2014/2015 and 2015/2016 for consideration in the forthcoming budget development process.
- (4) Receive a further report looking at strategies to address any spike in applications in non-GRZ zones between December 2014 and May 2015.

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

**COUNCIL RESOLUTION**

**MOVED:** Cr. S. Tsitas  
**SECONDED:** Cr. A. Villella

**THAT** Council:

- (1) Note the requirement by the State Government to apply the new residential zones across Darebin;
- (2) Resolve to support Option 4 for Stages 2 and 3 of the implementation of new residential zones, as recommended in this Report;
- (3) Refer allocation of the funding identified for Option 4 in financial years 2014/2015 and 2015/2016 for consideration in the forthcoming budget development process.
- (4) Receive a further report looking at strategies to address any spike in applications in non-GRZ zones between December 2014 and May 2015

**CARRIED UNANIMOUSLY**

**REPORT****INTRODUCTION AND BACKGROUND**

The implementation of new residential zones is a State Government requirement. The new zones - Neighbourhood Residential Zone (NRZ), General Residential Zone (GRZ), and the Residential Growth Zone (RGZ) - will be formally introduced into the Victoria Planning Provisions (VPPs) on 1 July 2014. At this time, the existing Residential 1 Zone will be removed from the VPPs.

There is an expectation that over time Councils will utilise the full suite of zones. The new zones will allow Council to identify different areas that have varying capacity to accommodate further housing growth requirements. Council has the discretion to tailor the schedules to the zones for different areas to reflect varying local conditions and outcomes. To achieve this outcome requires a strong evidence based approach and clear analysis of distinctive local neighbourhood characteristics.

If all three zones cannot be introduced by 1 July 2014 then a two phase approach to implementation has been recommended by the State Government.

- The first phase involves direct translation of the existing Residential 1 Zone (R1Z) to the General Residential Zone (GRZ) which the State has advised will automatically take place on 1 July 2014. This automatic translation into the GRZ represents a 'business as usual' scenario regarding planning requirements negating the need for public notification of the Planning Scheme Amendment;
- The second phase for the new zones implementation would commence in the 2014/2015 financial year, subject to budget allocation, and would involve further analysis and the preparation of further strategic work to tailor implementation of all three new residential zones and the preparation of associated schedules to the zones, where considered appropriate.

The recommended option for implementation of the new zones presented in this Report relates to the second phase and associated resource implications only.

**Existing Work towards the new zones - Amendment C138**

*Amendment C138 (Local Planning Policy Framework)* has recently been publicly exhibited for 2 months. This period involved extensive community engagement activities as was outlined to Council at its meeting on 18 November 2013. The Amendment includes a revised Municipal Strategic Statement which establishes clear direction for addressing Darebin's changing demographic and housing needs and is supported by recently completed strategies, including the draft Darebin Housing Strategy 2013 (DHS). The primary role of the draft DHS in regards to the new residential zones is to establish the strategic rationale for the broad criteria that are used to identify 'Housing Change Areas'. The 'Housing Change Areas' mirror the new zones and provides a guiding framework for how the new zones might be applied. The DHS anticipates and identifies further work that is necessary to bring the Zones into effect.

Following this exhibition period, Officers are now working on addressing submissions in preparation for the Panel Hearing in February 2014. The submissions to the DHS component of Amendment C138 recognised the importance of the work undertaken to date and the comprehensive nature of the Strategy. Specific submission issues, however, ranged from requests for site specific changes through to broader questioning of the criteria developed for each residential zone. Interests were expressed by developers, community groups and individual landholders and residents.

Broad themes which emerged from the submissions include:

- A general uncertainty with new residential zones and their ability to adequately protect valued features;
- The design of new developments and how they relate to existing character;
- The threats to neighbourhood, heritage and landscape character from unsympathetic and overdevelopment, even in incremental and minimal change areas;
- The need for Council to advocate for the provision of public infrastructure for the growing population.

Suggestions for changes to the Housing Framework Plan in relation to individual sites, precincts or suburbs will be considered in the responses to submissions and in advance of the Planning Panel in 2014. The new zones have been applied to any residential zoned land along the St Georges Road and Plenty Road corridors via the amendments C136 and C137 which were simultaneously exhibited. Matters pertaining to these amendments and the new zones would not form part of the broader zones implementation. It is likely that these two amendments will be finalised mid-2014.

### **Further Required Work**

The diversity of development patterns and character settings across Darebin warrants the introduction of multiple zone schedules in some parts of Darebin. Moreover, the Darebin Housing Strategy (draft) 2013 identifies issues with Council's existing Neighbourhood Character Study (2007) and associated Local Policy (Clause 22.04). The Neighbourhood Character Guidelines seek to manage housing change according to preferred future character statements for different precincts. This reinforces existing development patterns and scales, with no regard to the strategic attributes of an area such as access to the Principal Public Transport Network, jobs and services and public open space that might make it suitable for residential intensification. It's weakness and reason for under-performing as a policy mechanism, as viewed by VCAT, was attributed to the unrealistic assumption that existing characters should prevail. This sentiment contradicts the State Planning Policy and resulted in the work being regularly dismissed by VCAT.

The implications of this are that it limits the opportunities for intensification of appropriate residential areas which benefit from superior access to services and facilities and is inconsistent with principles embedded in the draft Darebin Housing Strategy (2013) and revised Municipal Strategic Statement (Amendment C138). This reinforces the need for a review of the Neighbourhood Character Study and its Guidelines, and the associated Local Policy to ensure Council's ability to manage development appropriately is not compromised. This review must happen to inform the rollout of the zones and must include physical precinct inspections.

To appropriately address this opportunity and mitigate risk to the community and Council, Council Officers will need to undertake further, detailed work, as follows:

- Develop a methodology for analysing urban form conditions and confirming the spatial determinants that will warrant variations to the new residential zone schedules. This would be done in consideration of the established strategic principles and other planning scheme policies for an area;
- Precinct and site inspections to determine the validity and accuracy of existing character guidelines - including recommended Neighbourhood Character Overlay areas - and make any consequential revisions to preferred future character statements and guidelines;

- Based on the above findings, confirm and verify Housing Change Framework (HCF) boundaries in the Darebin Housing Strategy and make any necessary revisions to HCF boundaries;
- Based on the above findings and precinct observations, where warranted, develop schedules to the new zones including measures that can be varied for each zones (height, site coverage, setbacks etc.) for different neighbourhoods; and
- Prepare Amendment documentation, including zone schedules, zoning maps, and any consequential changes to the Municipal Strategic Statement (Clause 21) and Local Policies (Clause 22), explanatory report and strategic justification assessment.

## ISSUES AND DISCUSSION

The scale and significance of the work to be undertaken warrants detailed analysis and budget allocation consideration over the next 2 years.

### Staffing and expertise requirements to implement the new zones

The implementation of the new residential zones is a complex project requiring multidisciplinary support with expertise in:

- Project management;
- Land use planning;
- Urban Design; and
- GIS analysis and mapping.

Aside from Project Management and Land Use Planning, Council will have to purchase the other skills from external contractors because Darebin does not have the capacity in-house to service these needs. There is a further series of external skills that are likely to be required including copywriting, desktop publishing and graphic design which will be required to support the Planning Scheme Amendment process and help convey proposed changes in a clear manner and support community awareness in the project.

### Recommended Option 4:

#### **Fast-track implementation of NRZ in identified areas via a Ministerial Amendment followed by further detailed analysis for remaining areas and a Section 19 Planning Scheme Amendment process**

A number of options to undertake this work were explored in the development of this Report and are available at **Appendix A**. Feedback received from earlier Council reporting on the new zones has informed the development of the recommended option proposed below. An outline of the preferred option for Stage 2 of the work is provided below, including details of the anticipated level of community involvement, costs and timing.

*Steps:*

1. *Fast tracked implementation of candidate NRZ areas.*
  - In July 2014, commence a Ministerial Amendment to translate minimal housing change areas identified in the Housing Change Framework Plan in the Darebin Housing Strategy, to the Neighbourhood Residential Zone. Notably this includes fast track translation of 23% of the municipality into the Neighbourhood Residential Zone based on the designation of *Minimal Change Areas* detailed in the Darebin Housing Strategy. This would provide the highest level of protection to areas that Council is confident that stand out as having low scale and predominant intact single dwelling character. The State Government has indicated that the Planning Scheme Amendment could be implemented via a Ministerial Amendment under Section 20 Part (4) where there is no requirement for public notification. This work would commence following the outcomes of the Panel Process for Amendment C138 in July/August 2014.
  - Council does have the option of pausing at this point and then taking a 'wait and see' approach on how the new zoning arrangements work in practice.
  - This is not recommended as it would only result in two of the three zones being applied and potentially place unwanted development pressure within some sections of the General Residential Zone. It is optional for Council to create schedules for the zones it applies. The extent of the schedules needs to have a strategic basis, because the schedules seek to vary the provisions of ResCode.
  
2. *Further detail analysis and Neighbourhood Character Review to inform zone application and potential for ResCode variations via schedules:*
  - This work will commence in the 2014/15 financial year and is likely to take 8-12 months. It will provide the additional evidence base to ensure a robust and defensible implementation of the remaining zones and tailor the schedules to suite varying local conditions. This work will be urban design led and will include the following:
    - develop a methodology for analysing urban form conditions and confirming the spatial determinants that will warrant variations to the new residential zone schedules
    - undertake desktop analysis and fieldwork to assess the urban form criteria and status of existing character precincts
    - use observations to finalise zone boundaries and to, confirm and verify Housing Change Framework (HCF) boundaries in the Darebin Housing Strategy and make any necessary revisions to HCF boundaries; and
    - based on the above findings and precinct observations, where warranted, prepare schedules to the new zones including considering measures that can be varied in the schedules for each zones (height, site coverage, setbacks etc.) for different neighbourhoods.
  
3. *Planning Scheme Amendment*
  - This work will incorporate the findings of the detailed analysis in Step 2 into Amendment documentation, including zone schedules, zoning maps, and any consequential changes to the Municipal Strategic Statement (Clause 21) and Local Policies (Clause 22), explanatory report and strategic justification assessment.

- This work will commence following the completion of Step 2 and will take roughly 9-10 months. The final approval date upon which time the zones will be introduced is up to the Minister for Planning and is out of Council's control.
- This process will involve a direct mail out to all residents as part of the exhibition process and no further consultation outside the statutory minimums.

### Recommended Option – Costs Summary

No costs are anticipated for Stage 1 of the work this financial year as the State Government will undertake an automatic translation of the R1Z to the GRZ by 1 July 2014. The costs outlined are estimates for the work outlined in the preferred approach above for Stages 2 and 3.

	2013/2014	2014/2015	2015/2016	Total budget estimate
<b>Recommended Option</b>	<b>\$NIL</b>	<b>\$300,000</b>	<b>\$320,000</b>	<b>\$610,000</b>

The breakdown of costs per year comprises the following:

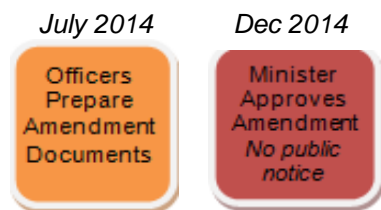
Costs	2014/2015	2015/2016
Staff costs – project manager, land use planner, urban designer*	\$220,000	\$134,000
Staff costs – communications officer*	n/a	\$16,000
External technical support	\$80,000	\$10,000
Public exhibition (to meet statutory requirements)	n/a	\$50,000
Planning Scheme Amendment & Panel Costs	n/a	\$100,000

\* denotes estimated costs for staff skillsets which need to be a considered part of the budget for running the project

The public exhibition process proposed is to meet the minimum statutory requirements. This is to address the expeditious timing being sought by Council and to manage the costs of the process. The public exhibition process costs include a direct mailout to all affected property owners with notices in the community newspapers as per the statutory requirements. It is intended to address the CALD community engagement through provision of the public notices in the main non-English language newspapers. There will also be telephone translation services available for enquiries and where requested translation of information will be provided.

**Option 4 – Timing and Task Summary**

**Step 1: Fast tracked implementation of candidate NRZ areas**

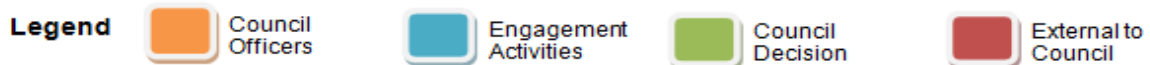
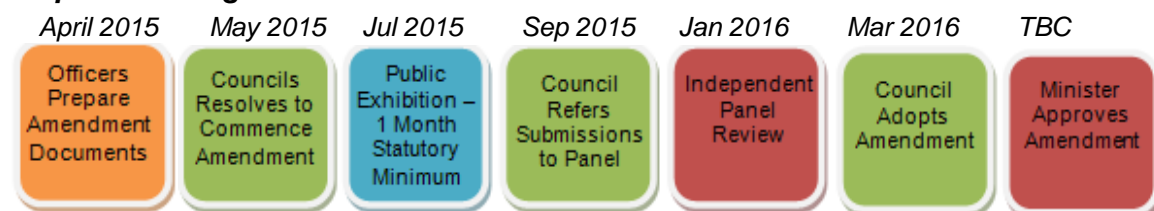


**Step 2: Further detailed analysis and Neighbourhood Character Review work**

Aug 2014 - Mar 2015



**Step 3: Planning Scheme Amendment**



**Risks**

There are risks associated with every option canvassed in this paper, including those at [Appendix A](#). These risks fall into the following broad categories:

- **Reputational risk:** The risk is associated with selecting an option that does not provide an opportunity for further meaningful community engagement that may subsequently entrench adversarial relationships with the community on planning matters. However, it should be noted that this risk is endemic to planning and therefore there are always likely to be community members who feel that consultation has been inadequate, despite the approach undertaken.
- **Cost:** This risk is associated with selecting an option that results in potential scope changes emanating from community feedback, changes in process after the project commences or other unforeseen additional costs.

It should be noted that Option 4 will not provide for further engagement outside of the statutory processes and as a result, may result in higher than anticipated Planning Panel costs due to a higher volume of submissions. As shown in the other options presented in [Appendix A](#) to this report, the direct costs effectively double if additional consultation and community engagement is added to the process. In following the statutory process the Council can argue validly that it undertook extensive community engagement as part of the Housing Strategy and through the processes associated with the revised MSS through Amendment C138 to the Darebin Planning Scheme.

## POLICY IMPLICATIONS

### Environmental Sustainability

The work being undertaken to introduce the new zones will have positive environmental effects through:

- Ensuring development maximises use of existing infrastructure, facilities and services by better leveraging the housing potential of land closest to public transport, employment, services and facilities;
- Facilitating compact built form which brings a range of urban efficiency features that improve our overall sustainability;
- Facilitation of uses and developments that are more compatible with adjoining and nearby residential uses and minimise unreasonable amenity impacts on residential use in the vicinity;
- New mixed use developments that are located within a walkable catchment to the PPTN, and Activities Areas to promote more sustainable forms of transportation including walking, cycling and using public transport; and
- Ensuring the ongoing protection of sensitive environmental areas by reducing potential development intensification in proximity to these features.

### Human Rights, Equity and Inclusion

Darebin is recognised as having a very diverse and inclusive community which is reflected in the range of land uses and built form in the Municipality. The work being undertaken to introduce the new zones will increase the potential for diversity of housing stock in new development. Housing stress, housing affordability and rental affordability are serious issues in Darebin. Choice should be offered in location, the type and size of residential dwellings in which people live and access to local services. Taller built form and higher density developments in selected locations have a greater potential to offer affordable accommodation than low density development where the land value per dwelling is relatively high. The Darebin Housing Strategy and Amendment C138 were publicly exhibited and consultation activities took into account the requirements of the *Darebin Community Engagement Framework* and *Equity and Inclusion Planning Audit Tool*. The proposed planning scheme amendment to be undertaken in Stage 3 will include statutory minimum public notification process under Section 19 of the Planning and Environment Act. The *Darebin Community Engagement Framework* and *Equity and Inclusion Planning Audit Tool* will be applied as appropriate to the statutory public notification process.

### Other

The work being undertaken to introduce the new zones is consistent with the following Council policies:

- *Going Places – Darebin Transport Strategy 2007 – 2027*;
- *Darebin City Council Climate Change Action Plan (2007 – 2009)*;
- *Darebin Community Climate Change Action Plan*; and
- *Green Business Attraction Strategy 2012*.



## FINANCIAL AND RESOURCE IMPLICATIONS

The new zones were introduced after the budget for this financial year was set and consequently, funds are not available at present to undertake the extent of work that is required. There is insufficient budget or staffing resources available in the current financial year to undertake the necessary further work to apply the new zones and prepare zone schedules. Following Council Resolution on a preferred approach, Officers will refer the matter for consideration in the 2014/2015 financial year.

## CONCLUSION

The implementation of new residential zones is a State government requirement. The implementation of these zones will be the most influential piece of work to guide how future decisions will be made on development in Darebin's residential areas. The scale and significance of the work to be undertaken warrants detailed consideration and budget allocation for the financial year 2014/2015 and 2015/2016.

A recommended approach is outlined that responds to Council feedback and seeks to balance the need to deliver timely implementation with further necessary detailed analysis to meet the requirements of the State government.

## FUTURE ACTIONS

- Complete the submissions analysis and preparations for the Planning Panel for Planning Scheme Amendment C138 –January 2014.
- Develop a budget submission for 2014/2015 budget consideration process for the further work required to implement the new zones.

## 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

- *Summary Options for Implementation of the New Residential Zones – Appendix A*
- *Draft Darebin Housing Strategy 2013*
- *Municipal Strategic Statement (as exhibited in Amendment C138)*

**8.3 PROPOSED RIGHT-OF-WAY (ROAD) DISCONTINUANCE  
ADJOINING 203 WESTGARTH STREET AND 5 VICTORIA  
ROAD NORTHCOTE**

**MINUTE NO. 107**

**AUTHOR: Manager Assets and Property**

**DIRECTOR: Director Assets and Business Services**

**SUMMARY:**

This report recommends that Council commence the statutory procedures for the discontinuance and sale of the 3.66m wide right-of-way (road) adjoining the rear of 203 Westgarth Street and the side of 5 Victoria Road, Northcote.

**CONSULTATION:**

- Macquarie Local Government Lawyers
- Owners of adjoining properties and their legal advisors
- Statutory Authorities
- Council Departments

**COUNCIL RESOLUTION**

**MOVED: Cr. T. McCarthy**

**SECONDED: Cr. V. Fontana**

**THAT** Council:

- (1) Commence the statutory procedures under section 206 and clause 3 of Schedule 10 to the *Local Government Act 1989* (the Act) to discontinue the 3.66m wide road adjoining the rear of 203 Westgarth Street and the side of 5 Victoria Road, Northcote, shown hatched on **Appendix A**.
- (2) Give public notice under Sections 207A and 82A and 223 of the Act of the proposed discontinuance in the appropriate newspapers and on Council's website and such notice state that if discontinued, Council proposes to sell the land from the road to the owner of 203 Westgarth Street, Northcote, by private treaty.

**CARRIED UNANIMOUSLY**

**REPORT**

**INTRODUCTION AND BACKGROUND**

Council received an application from the owner of 203 Westgarth Street, Northcote for the discontinuance and sale of the road located at the rear of his property which is shown hatched in **Appendices A and C** and the site plan (attached as **Appendix B**).

Council officers commenced investigations and commissioned, Macquarie Lawyers to undertake the process to facilitate the possible discontinuance and sale of the 3.66m wide section of right of way (Road).

The Road is not listed on Council's Register of Public Roads, is not constructed and the section proposed to be discontinued has been enclosed within the rear of 203 Westgarth Street for in excess of 30 years according to the owner's legal advisor.

The owner of 203 Westgarth Street uses the remainder of the road, which is open to the public, for access to Victoria Road.

The occupation of the Road is not inhibiting access to the rear of any of the adjoining properties as there is provision for access from other rights-of-way.

### **Consultation with adjoining property owners**

The owner of 203 Westgarth Street currently accesses the rear of the property from the Victoria Road right-of-way and is in occupation of that part of the right-of-way directly at the rear of the site. This is the only point of access to the rear of the property.

Early correspondence and discussions with the owner confirmed his interest in acquiring the land at current market value as well as meeting all of the reasonable costs associated with Council discontinuing the Road.

The adjoining owners at 5 Victoria Road have also been consulted regarding the proposal and have also expressed interest in acquiring the land. Although it is standard practice to facilitate equal division of land between adjoining properties, this would prevent vehicular access to the property at 203 Westgarth Street. The proposed discontinuance and sale of the full area of the Road to the owner of 203 Westgarth Street would not inhibit any access to any adjacent property. No objections to the proposed discontinuance have been received.

### **Service Authorities and Council departments**

All related Council Departments and Service Authorities have been consulted in respect to the proposal and there are no assets located in the Road.

No objections have been received from any of the Council Departments and Service Authorities regarding the proposal.

### **Implementation**

In accordance with the statutory procedures prescribe in the *Local Government Act 1989*, Council is required to give public notice of its intention to close and sell the road and invite submissions. 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 this, a report will be presented to Council for a decision whether to discontinue the road, part of the road or not to discontinue the road.

## **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 will extend this by giving public notice of the proposal.

### **Other**

This report has been prepared having regard to Council's "Right of way and Road Closure Policy".

## **FINANCIAL AND RESOURCE IMPLICATIONS**

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

## **CONCLUSION**

All initial consultation has indicated support of the proposed discontinuance and sale of the Road. Although it is standard practice for equal distribution of former right-of-way land, it is not practical on this occasion as it would inhibit the access to the rear of 203 Westgarth Street. For the proposal to be viable, all of the land from the proposed discontinued right-of-way would have to be allocated to the owner of the property at 203 Westgarth Street, Northcote.

On that basis, it would be practicable for Council to commence the statutory procedures to potentially discontinue the Road and sell the land to the owners of 203 Westgarth Street, Northcote.

## **FUTURE ACTIONS**

Arrange for the statutory procedures for the discontinuance and sale of the section of road to be undertaken pursuant to the provisions of section 206 and clause 3 of Schedule 10 and section 223 of the *Local Government Act 1989*.

## **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**

- **Appendix A** showing the aerial photo of the section of the road proposed to be discontinued and sold and the surrounding properties including access and egress points.
- **Appendix B** showing the section of road proposed to be discontinued and sold.
- **Appendix C** being an overall plan of the area.
- *Local Government Act 1989*
- *Road Management Act 2004*
- Council's Right-of-Way and Road Closure Policy

*Darren Rudd, Manager City Development left the meeting at the conclusion of this item – 7.58 pm*

**8.4 PROPOSED PUBLIC HIGHWAY DECLARATION OF LAND ADJOINING 126 TO 150 VICTORIA ROAD, 3 TO 29 BOOTHBY STREET AND 193 TO 199 MITCHELL STREET, NORTHCOTE**

**MINUTE NO. 108**

**AUTHOR: Manager Assets and Property**

**DIRECTOR: Director Corporate and Planning Services**

**SUMMARY:**

Council received an application for a planning permit for the development of 136 Victoria Road, Northcote which seeks to utilize land at the of the property for vehicular access out to Boothby Street. The land at the rear, whilst constructed and used as a right of way (road), is not known as a road on title.

The land between the properties in Victoria Road and Boothby Street comprises a road, reserve (revenge strip) hiatus (gap between titles) and drainage reserve, as shown on the Land Status Plan – **Appendices A and B**.

Part of the land has been enclosed within adjoining properties, as shown cross-hatched on the Physical Status Plan - **Appendix C**

The remainder of the land, as shown hatched on **Appendices C and D**, has been constructed in bluestone and used as a right of way (road) for many years. Whilst this land has the physical characteristics of a road, it is not known as a road on title.

In order to regularise this situation and remove any ambiguity concerning the legal status of the land, it is proposed to declare the land shown hatched on **Appendices C and D** a public highway.

This report accordingly recommends that Council commence the statutory procedures to declare the land a public highway pursuant to the provisions of section 204(1) of the Local Government Act 1989.

**CONSULTATION:**

- Macquarie Local Government Lawyers
- Owners of adjoining properties and their legal advisors
- Statutory Authorities
- Council Departments

**COUNCIL RESOLUTION**

**MOVED:** Cr. T. McCarthy

**SECONDED:** Cr. B. Li

**THAT** Council, acting under section 204(1) of the *Local Government Act 1989*:

- (1) Resolves that the statutory procedures be commenced to declare the land shown hatched on **Appendix D**, to be a public highway for the purposes of the said Act.
- (2) Directs that under section 223 of the Act that public notice of the proposal to declare the land shown hatched on **Appendix D** to be a public highway be given.
- (3) Authorises the Manager of Assets and Properties to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in relation to this proposal.
- (4) Notes that a further report will be provided on the outcome of the public notification process.

**CARRIED UNANIMOUSLY**

**REPORT****INTRODUCTION AND BACKGROUND**

The original subdivisions of the area that created the properties in Boothby Street also created a 3.05m wide road and a 0.30m wide reserve (revenge strip). Similarly, the subdivision that created the properties in Victoria Road created a 4.42m wide drainage reserve. A recent survey of the area has also established the existence of a 0.35m wide hiatus (gap) between the original subdivisional titles. The various parcels of land are shown in the Land Status Plan - **Appendix A**.

The majority of the 3.05m road, 0.30m reserve and a sliver of the drainage reserve (averaging approximately 1.1m in width) at the rear of the Boothby Street properties is enclosed within 3 to 27 Boothby Street. Further, the east/west section of drainage reserve is enclosed within the adjoining Lions Club Village at 148 Victoria Road / 326 Separation Street, Northcote. This occupation has prevailed for a considerable period of time and is shown cross-hatched in the Physical Status Plan - **Appendix C**.

The remaining north/south drainage reserve (measuring approximately 3.32m in width), the two east/west sections of road leading out to Boothby Street and the remaining sections of reserve and hiatus are open, have been constructed in bluestone and contain a central surface drain.

Notwithstanding their differing status on title (road, reserve, drainage reserve and hiatus) the open land has effectively been used as a right of way (road) for many years by property owners in both Boothby Street and Victoria Road. This land is shown hatched on **Appendices C and D**. The photograph attached as **Appendix E** shows the land being used as a road.

Council has recently received an application for a planning permit from the owner of 136 Victoria Road, Northcote which seeks to utilise the land at the rear of the property for access out to Boothby Street.

Although 136 Victoria Road, as with most properties in the area, has used the subject land as a road, the title to 136 Victoria Road does not show the land as a "road". Therefore the property does not enjoy rear legal abuttal to a "road".

In order to regularise this situation, and remove any ambiguity about the status of the land compared with its actual physical use, it is proposed to declare the subject land a Public Highway under section 204(1) of the *Local Government Act 1989*.

## **ISSUES AND DISCUSSION**

Whilst it could reasonably be determined that the land has attained public highway status at common law (through its construction, use and acceptance by the public at large), this is not sufficient to enable a future subdivision at 136 Victoria Road (or any other property) to show a legal abuttal to a road.

Although the road is listed on Council's Register of Public Roads under the Road Management Act 2004 the proposed formal declaration of the road as a public highway will lend further credibility, in a legal sense, to the long term use and acceptance of the land as a "road" by the general public.

To put the issue beyond doubt it is therefore recommended that Council formally declare the land which is currently being used as a "road" to be a public highway under the provisions of section 204(1) of the *Local Government Act 1989*.

As noted above, properties in Boothby Street encroach over the land from the road, reserve, hiatus and drainage reserve. This issue has previously been canvassed with the owners of the adjoining properties and is expected to be the subject of a further report to Council.

### **Implementation**

Council will be required to give public notice of its intention to declare the land a public highway, including the invitation and consideration of any 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.

It is envisaged that all of the adjoining property owners will be advised of the proposal in writing and informed of their right to make a submission. A report will then be presented to Council for a decision whether to proceed with the declaration or not.

## **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 will extend this by giving public notice of the proposal.



**Other**

This report has been prepared having regard to Council's "Right of way and Road Closure Policy".

**FINANCIAL AND RESOURCE IMPLICATIONS**

All costs associated with this exercise will be met by Council.

**CONCLUSION**

Given the current physical use and characteristics of the land it is recommended that Council proceed to commence the statutory procedures in accordance with section 204(1) of the *Local Government Act 1989* to declare the land a public highway.

The statutory process will provide the general public, and particularly any of the adjoining owners, with an opportunity to make a submission in regard to the proposal.

**FUTURE ACTIONS**

- Undertake the statutory procedures to declare the land to be a public highway in accordance with section 204(1) of the *Local Government Act 1989*.
- Schedule a hearing for submissions to be considered, if any submitters request to be heard in support of their written submissions
- Present a further report to Council on the outcome of the public notification process.

**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**

- **Appendix A** showing the legal status of various parcels of land within the area.
- **Appendix B** Showing aerial photo of the land and adjoining properties
- **Appendix C** showing the physical status of the parcels of land.
- **Appendix D** showing the land to be declared a Public Highway by hatching.
- **Appendix E** being a photograph of the drainage reserve land being used as a physical road.
- *Local Government Act 1989*
- *Road Management Act 2004*
- Council's Right-of-Way and Road Closure Policy

**8.5 WALES STREET PRIMARY SCHOOL ACTIVE TRAVEL PROGRAM UPDATE****MINUTE NO. 109****AUTHOR: Acting Manager Major Projects Engineering and Transport****REVIEWED BY: Director Assets and Business Services****SUMMARY:**

At the Council meeting of 16 December 2013, Council resolved:

*“That Council receives a report on the achievements and proposals of the Active Travel program at Wales St Primary”.*

Wales Street Primary School, Thornbury was one of three schools in 2012/2013 that were part of a program where Safe Routes to School Infrastructural Audits were conducted. School Travel Plans were also produced to establish actions that the schools can take to enhance their active travel programs at their schools, and reduce the number of cars on the road at peak pick up and drop off periods.

High volumes of vehicles in the vicinity of schools at these periods result in congestion, and often illegal driving and parking behaviour. To foster safer conditions, stronger communities and healthier children, students and families are encouraged to travel ‘actively’ to school, whether it is by foot, bike, scooter or public transport.

Outcomes to date of the Wales Street Primary School Travel Plan include an Active Travel Committee, infrastructure improvements to enhance walking routes, and upgraded parking options, and Darebin City Council will continue to advocate for Bike Ed at Wales Street Primary for students to strengthen their cycling skills and confidence.

**CONSULTATION:**

- Coordinator Transport Management
- Transport Engineer
- Principal, Wales Street Primary School
- Teachers, Parents and Staff, Wales Street Primary School

**RECOMMENDATION**

**THAT** Council:

- (1) Continue to support Wales Street Primary School to promote active travel to students and parents, including Walking School Bus, Ride2 School Day, and additional bike parking if requested.
- (2) Continue to advocate to Wales Street Primary School to conduct Bike Ed training for students.
- (3) Implement identified infrastructure works to enhance safety for students on key routes to school as part of 2013/2014 and 2014/2015 budgets.

**MOTION**

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

**THAT** Council:

- (1) Continue to support Wales Street Primary School to promote active travel to students and parents, including Walking School Bus, Ride2 School Day, and additional bike parking if requested.
- (2) Continue to advocate to Wales Street Primary School to conduct Bike Ed training for students.
- (3) Implement identified infrastructure works to enhance safety for students on key routes to school as part of 2013/2014 and 2014/2015 budgets.

*Cr. Villella proposed to the mover, Cr. McCarthy and the seconder of the Motion, Cr. Walsh that item (4) be added as follows. This was accepted by Cr. McCarthy and Cr. Walsh.*

- (4) Receive a similar report on the other two schools who were part of the audit with a view to a further report being submitted on costings to expand this program to other Darebin schools.

THE AMENDED MOTION THEN READ AS FOLLOWS:

**AMENDED MOTION**

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

- (1) Continue to support Wales Street Primary School to promote active travel to students and parents, including Walking School Bus, Ride2 School Day, and additional bike parking if requested.
- (2) Continue to advocate to Wales Street Primary School to conduct Bike Ed training for students.
- (3) Implement identified infrastructure works to enhance safety for students on key routes to school as part of 2013/2014 and 2014/2015 budgets.
- (4) Receive a similar report on the other two schools who were part of the audit with a view to a further report being submitted on costings to expand this program to other Darebin schools.

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

**COUNCIL RESOLUTION**

**MOVED:** Cr. T. McCarthy

**SECONDED:** Cr. O. Walsh

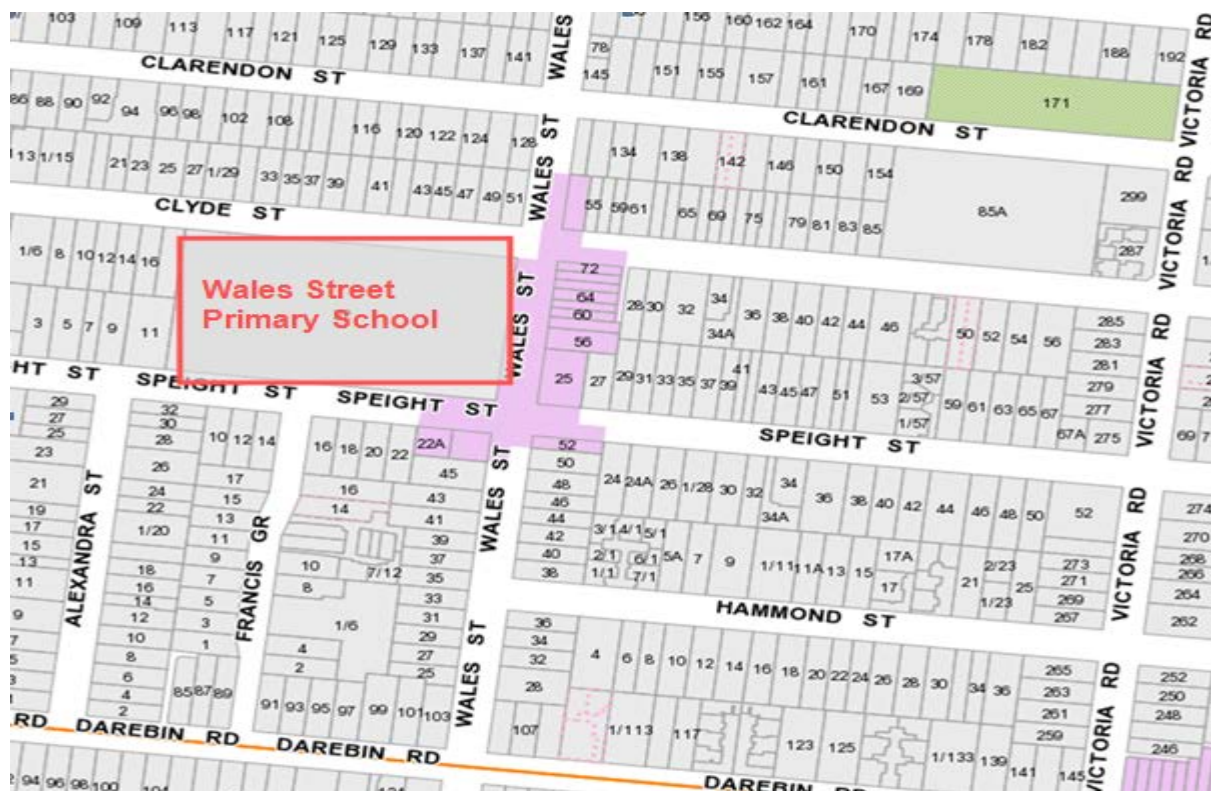
- (1) Continue to support Wales Street Primary School to promote active travel to students and parents, including Walking School Bus, Ride2 School Day, and additional bike parking if requested.
- (2) Continue to advocate to Wales Street Primary School to conduct Bike Ed training for students.
- (3) Implement identified infrastructure works to enhance safety for students on key routes to school as part of 2013/2014 and 2014/2015 budgets.
- (4) Receive a similar report on the other two schools who were part of the audit with a view to a further report being submitted on costings to expand this program to other Darebin schools.

**CARRIED UNANIMOUSLY**

**REPORT**

**INTRODUCTION AND BACKGROUND**

Wales Street Primary School is located in Wales Street, Thornbury and is bordered broadly by Clarendon Street in the north, Victoria Road in the east, and Darebin Road in the south. There is parking available on the streets bordering the school – Clyde Street, Wales Street and Speight Street - as well as in the neighbouring streets.



As part of the Safe Routes to School program, Council has previously undertaken an audit of existing transport infrastructure in the vicinity of the school as well as working with the school to develop a Travel Plan which was adopted by the school in June 2013.

This report documents the subsequent actions, achievements and proposals that have resulted from initial programs and plans.

## ISSUES AND DISCUSSION

In an effort to promote active travel to students, and fulfil the objectives of the *Darebin Safe Travel Strategy 2010-2015* Darebin Council assists primary schools to develop school travel plans that consider the safety and sustainable behaviour of students travelling to school.

### **School Travel Plan**

Wales Street Primary was one of three schools in 2012/2013 that were part of a program where Safe Routes to School Infrastructural Audits were conducted. School Travel Plans were also produced to establish actions that the schools can take to enhance their active travel programs at their schools, and reduce the number of cars on the road at peak pick up and drop off periods.

Through this process, it was found that the majority of students that attend Wales Street are from local neighbourhoods within two kilometres of the school. While the proportion of students at Wales Street that choose walking, riding or scooting to school is about 40 per cent compared to the Victorian average of 27 per cent<sup>1</sup> there are transport and access issues around the school, including local area congestion in the mornings and afternoons. Addressing these issues can help the school to build on its already strong base of walking and cycling and support a healthy and active school community.

The Audit and School Travel Plan (STP) were finalised in May 2013, following workshops with the schools involved to outline the findings of the Audit and to ensure that school-specific recommendations were included in the STP.

Darebin Council's Safe Travel Officer and a Transport Engineer met with the newly-formed Wales Street Primary Active Travel Committee in August 2013 to discuss possible action items for the school to carry out, as well as what Council can do to address recommended items from the Audit.

### **Outcomes of School Travel Planning at Wales Street Primary**

As a result of the School Travel Planning at Wales Street Primary School, the following actions are currently being undertaken or are planned in the near future:

#### *Current Projects*

- Designs for three splitter islands at key crossing locations are currently being drafted and it is planned that the splitter islands will be delivered across the 2013/2014 and 2014/2015 budgets.

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<sup>1</sup> *Active Transport: Children and Young People. An Overview of Recent Evidence*, Dr Jan Garrard, 2009, <http://www.vichealth.vic.gov.au>

Parking around the school has been assessed and No Parking signage has been installed on Clyde Street, and is scheduled to be installed on Speight Street prior to the commencement of Term 1 2014. This creates a 'Drop Off Zone' as parents can stop to drop off or collect their children, but cannot leave the car unattended. Effectively, this should create an increase in the parking turnover around the school.

- Wales Street Primary has formed an Active Travel Committee and appointed a teacher as the school's Active Travel Coordinator. A casual Walking School Bus is expected to commence in Term 1 2014. Council has provided high visibility vests for the children involved, at the request of the parents.
- Council has offered to fully fund Bike Ed training and Casual Relief Teacher cover two teachers at Wales Street Primary School in order for the school to be able to offer Bike Ed training to students. This offer has been declined by the school's Principal.
- Wales Street Primary participate in the annual Ride2School Day and recently offered their school grounds to host four successful Cycle Skill Courses for Parents, which were well attended and received excellent feedback. It is clear that there is a passion for cycling in the school community.
- Wales Street Primary will be launching their active travel promotion at an assembly early in Term 1 2014.

#### *Planned Projects*

- A school crossing on Clyde Street has been identified for delivery in the 2014/2015 Capital Budget process as the site meets the warranted number of pedestrians for a crossing, and for a school crossing supervisor. An additional school crossing would significantly increase the safety at this key student crossing point. Funding for the additional school crossing supervisor will be considered as part of 2014/2015 budgets.
- The upgrade of a parking bay for people with a disability that services the school on Wales Street has also been identified for consideration in the 2014/2015 Capital Budget.

Council will continue to implement the above works and work with the School to encourage a greater take up of active travel and identify opportunities for students to travel safely to school.

## **POLICY IMPLICATIONS**

### **Environmental Sustainability**

Improving the safety of the street and promoting environmentally friendly modes of transport will encourage a reduction in car use. Motorised transport is a significant contributor to greenhouse gasses and other emissions that are detrimental to air quality and our climate.

### **Human Rights, Equity and Inclusion**

The development of the *Darebin Safe Travel Strategy* provides the opportunity to strengthen Darebin's ability to address safe travel issues related to diversity and social inclusion. The *Strategy's* actions will be the most beneficial to the socially disadvantaged who may not be able to afford or have access to a car.

## Other

This report has considered the *Darebin Transport Strategy 2007-2027* (DTS), and the *Darebin Safe Travel Strategy 2010-2015*.

## FINANCIAL AND RESOURCE IMPLICATIONS

Assisting Wales Street Primary School will be delivered within the scope of the 2013/2014 and 2014/2015 budgets. Additionally, in 2013/2014 external funding of \$1,650 from the Victorian Community Road Safety Partnerships Program has been provided to cover Bike Ed training for teachers.

## CONCLUSION

Darebin Council will be delivering infrastructure upgrades on key active travel routes around Wales Street Primary in the 2013/2014 and 2014/2015 budgets.

Council will continue to provide support to Wales Street Primary to promote and support active travel, as part of our broader program of working with schools in Darebin.

Darebin Council will continue to advocate for Bike Ed at Wales Street Primary in order to provide accredited training to up skill and educate students about safe cycling in an environment where bike riding is continuing to grow as a preferred mode of transport.

## FUTURE ACTIONS

- Implement infrastructure works to enhance safety for students on key routes to school as part of 2013/2014 and 2014/2015 budgets.
- Continue to advocate to Wales Street Primary School to conduct Bike Ed training for students.
- Continue to support Wales Street Primary School to promote active travel to students and parents, including Walking School Bus, Ride2 School Day, and additional bike parking if requested.

## 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 Safe Travel Strategy 2010-2015
- Travel to School Audit – Report 2 – Wales Street Primary School
- School Travel Plan – Wales Street Primary School
- Council Meeting Minutes – 16 December 2013

The Chairperson, Cr. Greco declared an 'interest' in the following item on the basis that he is employed by the Australian Tax Office.

**8.6 GOVERNANCE FRAMEWORK – COUNCILLORS INTERESTS**

**MINUTE NO. 110**

**AUTHOR: Manager Corporate Governance and Performance**

**REVIEWED BY: Director Corporate and Planning Services**

**SUMMARY**

At its Ordinary meeting on 18 November 2013, Council resolved:

*That Council officers report back to the next Council meeting on 2 December 2013 on how Council can further strengthen our local governance framework to include the public reporting of Councillors interest in relation to uncles, aunties, cousins, nieces and nephews in planning and other Council matters to ensure the perception of impartiality of the Council is protected.*

*The report should identify if the higher level of family relationship disclosure can be incorporated into our code of conduct and governance charter and consider other relevant examples like the Australian Tax Office.*

**CONSULTATION**

- Chief Executive
- Maddocks Lawyers

**RECOMMENDATION**

**THAT** Council note the advice received outlined within this report and that no change is proposed to the Councillor Code of Conduct or the Local Governance Framework.

**COUNCIL RESOLUTION**

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

**THAT** Council note the advice received and outlined within this report and refer the potential change to the Local Governance Framework to the next Councillor Briefing session.

**CARRIED**



## REPORT

### INTRODUCTION AND BACKGROUND

Section 77A of the *Local Government Act 1989* (the Act) provides that Councillors must declare direct and indirect interests in particular matters. Section 81 of the Act also provides the circumstances under which Councillors, members of special committees or nominated officers must submit primary returns and the types of information that must be disclosed.

### ISSUES AND DISCUSSION

Section 76C(5) of the Act provides that a Councillor Code of Conduct (Code) must not be inconsistent with any other Act or regulation.

In deciding whether an interest (either direct or indirect) exists in relation to a close association, the definitions of family as included in the Act should be considered.

Advice was sought from Maddocks Lawyers to ascertain if amending the Code to include a broader range of relatives to be declared would result in it being inconsistent with the *Local Government Act 1989*, given that it was proposed to amend the Code to include a broader range of relatives.

Maddocks have provided advice as follows:

*“The ‘higher lever’ disclosure is probably inconsistent with the Act and, therefore, according to section 76C(5) of the Act, can not be incorporated into the Council’s Councillor Code of Conduct.”*

In relation to amending the governance charter, Maddocks advise:

*“while Council could amend its local governance framework (Framework) to include reference to Councillors reporting of interests such as those described in the resolution, we have reservations about whether such an approach would be appropriate because:*

- *The Framework is a policy document and is therefore not binding on, or enforceable against, Councillors; and*
- *It effectively expands the comprehensive interest and disclosure regime established by the Act.*

Maddocks further advised that incorporating changes into the Framework may be counter-productive in that it gives the public the impression that Councillors should be disclosing such interests, even though there is no legislative requirement to do so. If Councillors chose not to do so, there may be a public perception that they are acting improperly.

### POLICY IMPLICATIONS

#### Environmental Sustainability

Nil

**Human Rights, Equity and Inclusion**

Nil

**Other**

Nil

**FINANCIAL AND RESOURCE IMPLICATIONS**

Nil

**CONCLUSION**

**THAT** Council note the advice received outlined within this report and that no change is proposed to the Councillor Code of Conduct or the Local Governance Framework based on the legal advice received.

**FUTURE ACTIONS**

Nil

**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**

- *Local Government Act 1989*
- City of Darebin Councillor Code of Conduct (Amended November 2013)
- Local Governance Framework
- Council Meeting Minutes – 18 November 2013

**8.7 ANNUAL ADJUSTMENT - MAYORAL AND COUNCILLOR ALLOWANCES**

MINUTE NO. 111

**AUTHOR:** Manager Corporate Governance and Performance**REVIEWED BY:** Director Corporate and Planning Services**SUMMARY:**

The Minister for Local Government, the Hon. Jeanette Powell MP, has reviewed current Mayoral and Councillor Allowances and has determined under section 73B of the *Local Government Act* 1989 that these allowances be increased by 2.5% from 24 December 2013.

**CONSULTATION:**

Chief Executive

**COUNCIL RESOLUTION****MOVED:** Cr. S. Tsitas  
**SECONDED:** Cr. V. Fontana

**THAT** this report regarding the annual adjustment of Mayoral and Councillor allowances by the Minister for Local Government involving a 2.5% increase from 24 December 2013 be received and noted.

**CARRIED UNANIMOUSLY****REPORT****INTRODUCTION AND BACKGROUND**

Section 74(1) of the *Local Government Act* 1989 provides for each Council to review and determine Mayoral and Councillor allowances within six months after each general election or by the next 30 June, whichever is later. The allowances fixed become payable for the next four financial years, subject to any variations or adjustments made by the Minister for Local Government.

At its meeting on 6 May 2013, after considering a report on the matter (see **Appendix A**), Council resolved to give public notice of its intention to set the Mayoral allowance at \$85,741 and Councillor allowances at \$26,843 plus an amount equivalent to the superannuation guarantee contribution for the four-year term of office.

Statutory procedures under the Act were completed and there were no submissions received.

Accordingly, at its meeting on 17 June 2013 (see **Appendix B**), Council resolved to:

- (1)
  - Set the Mayoral allowance at \$85,741 plus an amount equivalent to the superannuation guarantee contribution (currently 9%) for the 2012/2013, 2013/2014, 2014/2015 and 2015/2016 financial years.
  - Set Councillor allowances at \$26,843 plus an amount equivalent to the superannuation guarantee contribution (currently 9%) for the 2012/2013, 2013/2014, 2014/2015 and 2015/2016 financial years.
- (2) Note that the allowances set by the Council will be subject to any variations or adjustments made by the Minister for Local Government during the four-year period.

## ISSUES AND DISCUSSION

The Minister for Local Government, the Hon. Jeanette Powell MP, has reviewed current Mayoral and Councillor Allowances and has determined under section 73B of the *Local Government Act 1989* that these allowances be increased by 2.5% from 24 December 2013 (see **Appendix C**).

In effect therefore, the Mayoral allowance has increased to \$87,884 per annum (from \$85,741 per annum) and the Councillor allowance has increased to \$27,514 per annum (from \$26,843 per annum).

An amount equivalent to the superannuation guarantee under Commonwealth legislation (currently 9.25%) is payable in addition to these amounts. The superannuation guarantee amount will increase to 9.5% from 1 July 2014.

The payment of allowances may not exceed more than one month in advance.

## POLICY IMPLICATIONS

### Environmental Sustainability

Nil

### Human Rights, Equity and Inclusion

Nil

### Other

Nil

## FINANCIAL AND RESOURCE IMPLICATIONS

Nil

**CONCLUSION**

It is recommended that this report regarding the annual adjustment of Mayoral and Councillor allowances by the Minister for Local Government involving a 2.5% increase from 24 December 2013 be received and noted.

**FUTURE ACTIONS**

Nil

**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 Minutes - 6 May 2013 and 17 June 2013
- Local Government Victoria Circular 32/2013

**8.8 MAYORAL EVENT POLICY 2014**

MINUTE NO. 112

**AUTHOR:** Manager Corporate Governance and Performance**REVIEWED BY:** Director Corporate and Planning Services**SUMMARY:**

At its Ordinary meeting on 4 March 2013, Council resolved:

*“That Council receives and notes the recommendations regarding future annual Mayoral events and endorses their implementation, and that any fundraising activities proposed for Mayoral events be approved by the Council.”*

At its Ordinary meeting on 2 December 2013, Council adopted the amended *Councillor Code of Conduct* which included, among other things, the addition of the requirements for approving and conducting the Mayoral Event, to conform with Action 6 of the letter from the Minister for Local Government, dated 17 September 2013.

The *Mayoral Event Policy 2014* has now been developed. In addition to the Policy, the *Councillor Code of Conduct* has had a minor amendment at item 10.3, to include reference to the Policy.

**CONSULTATION:**

- Chief Executive
- Manager Communication and Marketing

**COUNCIL RESOLUTION****MOVED:** Cr. T. McCarthy**SECONDED:** Cr. A. Villella**THAT** Council:

- (1) Adopt the *City of Darebin Mayoral Event Policy 2014* as attached at **Appendix A** to this report.
- (2) Note the change to the *City of Darebin Councillor Code of Conduct 2013* (amended February 2014) as attached at **Appendix B** to this report, to reflect the adoption of the *Mayoral Event Policy 2014*.

**CARRIED**

## REPORT

### INTRODUCTION AND BACKGROUND

Darebin City Council hosts an annual Mayoral event at the end of each Mayoral term. While various guidelines have been developed to guide the management of the events, the nature of each event has been largely driven by the incumbent Mayor's preferences.

At its Ordinary meeting on 4 March 2013, Council resolved:

*"That Council receives and notes the recommendations regarding future annual Mayoral events and endorses their implementation, and that any fundraising activities proposed for Mayoral events be approved by the Council."*

To conform with Action 6 as outlined in the letter from the Minister Local Government dated 17 September 2013, the requirements for conducting a Mayoral Event have also been incorporated into the City of Darebin *Councillor Code of Conduct*.

### ISSUES AND DISCUSSION

The *Mayoral Event Policy 2014* (the Policy) has been developed to provide guidelines and solidify the process for holding the annual Mayoral Event. The Policy sets parameters in relation to the style of the event, venue, guest list, budget, etc.

The Policy also removes the focus of the event from a large fundraising event requiring sponsorship, to a more modest event with an allocated budget (currently \$15,000) at which guests will be invited to make a gold coin donation to support a local charity or community organisation for a cause that has a direct benefit on the residents of Darebin.

A minor amendment has also been made to section 10.3 of the City of Darebin *Councillor Code of Conduct* to include reference the Policy.

### POLICY IMPLICATIONS

#### Environmental Sustainability

There are no environmental sustainability policy implications arising from this report.

#### Human Rights, Equity and Inclusion

There are no social inclusion and diversity policy implications arising from this report.

#### Other

Nil

### FINANCIAL AND RESOURCE IMPLICATIONS

The annual allocated budget for Mayoral events is \$15,000 (subject to CPI increases).

## CONCLUSION

It is recommended that Council:

- (1) Adopt the City of Darebin *Mayoral Event Policy 2014* as attached at **Appendix A** to this report.
- (2) Note the change to the City of Darebin *Councillor Code of Conduct 2013 (amended February 2014)* as attached at **Appendix B** to this report, to reflect the adoption of the *Mayoral Event Policy 2014*.

## FUTURE ACTIONS

Nil

## 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

- *Local Government Act 1989*
- **Appendix A** – *City of Darebin Mayoral Event Policy 2014*
- **Appendix B** – *City of Darebin Councillor Code of Conduct 2013 (Amended February 2014)*
- Council Meeting Minutes 4 March 2013, 6 May 2013, 7 October 2013 and 2 December 2013



**8.9 STATUS REPORT ON REPORTS AND 'GENERAL BUSINESS' ITEMS OUTSTANDING****MINUTE NO. 113****AUTHOR: Manager Corporate Governance and Performance****REVIEWED BY: Director Corporate and Planning Services****SUMMARY:**

This report provides a summary of the status of reports and 'General Business' items outstanding as at December 2013.

**COUNCIL RESOLUTION****MOVED: Cr. S. Tsitas**  
**SECONDED: Cr. V. Fontana**

**THAT** the status report on Reports and 'General Business' items outstanding as at December 2013, attached as **Appendix A** to this report, be received and noted.

**CARRIED UNANIMOUSLY****REPORT****INTRODUCTION AND BACKGROUND**

The status of outstanding reports and actions requested by Council resolution is reported to Council monthly.

**ISSUES AND DISCUSSION**

A schedule of the reports and actions outstanding as at December 2013 is attached as **Appendix A**.

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

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

**POLICY IMPLICATIONS****Environmental Sustainability**

Nil

**Human Rights, Equity and Inclusion**

Nil

**Other**

Nil

**FINANCIAL AND RESOURCE IMPLICATIONS**

Nil

**CONCLUSION**

It is recommended that this status report on Reports and 'General Business' items outstanding as at December 2013 be received and noted.

**FUTURE ACTIONS**

The next status report will be submitted to Council at its meeting on 3 March 2014.

**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**

Minutes of previous meetings of the Council.

## 9. NOTICES OF MOTION

### 9.1 PROPOSAL TO APPOINT INDEPENDENT EXPERTS TO PLANNING COMMITTEE

MINUTE NO. 114

NOTICE OF MOTION NO. 113

CR. TIM LAURENCE

Take notice that at the Ordinary meeting to be held on 3 February 2014, it is my intention to move:

*THAT in the interests of open and transparent governance that Darebin Council resolves in principle to expand the planning committee to include two independent experts in town planning including an independent chair for the planning committee.*

*Furthermore, that council officers report back to the next council meeting with timelines, budget estimates and potential assessment options for the recruitment and inclusion of two external expert members including an independent chair to join the Darebin Planning Committee.*

Notice Received: 10 January 2014

Notice Given to Councillors: 10 January 2014

Date of Meeting: 3 February 2014

#### MOTION

**MOVED:** Cr. T. Laurence

**SECONDED:** Cr. V. Fontana

**THAT** in the interests of open and transparent governance that Darebin Council resolves in principle to expand the planning committee to include two independent experts in town planning including an independent chair for the planning committee.

Furthermore, that council officers report back to the next council meeting with timelines, budget estimates and potential assessment options for the recruitment and inclusion of two external expert members including an independent chair to join the Darebin Planning Committee.

THE MOTION WAS PUT AND LOST

*Libby Hynes, Manager Environment and Natural Resources entered the meeting during discussion of this item – 8.36 pm*

**9.2 AMENDMENT TO PLANNING COMMITTEE DELEGATIONS****MINUTE NO. 115****NOTICE OF MOTION NO. 114****CR. TIM LAURENCE**

Take notice that at the Ordinary meeting to be held on 3 February 2014, it is my intention to move:

*THAT Council officers report back to the next Council meeting with options to allow the amendment of current Council delegations relating to planning assessments to allow Council planning officers to make decisions of refusal under delegation, where such assessments reflect local Darebin planning policy, without the need to refer these decisions of refusals to the Planning Committee or Council.*

**Notice Received: 10 January 2014**

**Notice Given to Councillors: 10 January 2014**

**Date of Meeting: 3 February 2014**

**COUNCIL RESOLUTION**

**MOVED: Cr. T. Laurence**

**SECONDED: Cr. T. McCarthy**

**THAT** Council officers report back to the next Council meeting with options to allow the amendment of current Council delegations relating to planning assessments to allow Council planning officers to make decisions of refusal under delegation, where such assessments reflect local Darebin planning policy, without the need to refer these decisions of refusals to the Planning Committee or Council.

**CARRIED UNANIMOUSLY**

**9.3 LOCAL ANIMAL SHELTER****MINUTE NO. 116****NOTICE OF MOTION NO.****115****CR. TRENT MCCARTHY**

Take notice that at the Ordinary meeting to be held on 3 February 2014, it is my intention to move:

***THAT** Council considers commissioning a feasibility study / business case to set up a local animal shelter, possibly in partnership with neighbouring councils and animal rescue organisations, as part of the 2014/2015 Council budget.*

**Notice Received:** 29 January 2014

**Notice Given to Councillors:** 30 January 2014

**Date of Meeting:** 3 February 2014

**COUNCIL RESOLUTION**

**MOVED:** Cr. T. McCarthy

**SECONDED:** Cr. J. Williams

**THAT** Council considers commissioning a feasibility study / business case to set up a local animal shelter, possibly in partnership with neighbouring councils and animal rescue organisations, as part of the 2014/2015 Council budget.

**CARRIED UNANIMOUSLY**

*Cr. Tsitas temporarily left the meeting during discussion of this item – 9.07 pm*

## 10. URGENT BUSINESS

Nil

## 11. GENERAL BUSINESS

### 11.1 COMMUNITY COOL CENTRES

MINUTE NO. 117

#### MOTION

**MOVED:** Cr. T. McCarthy

**SECONDED:** Cr. B. Li

**THAT** Council:

- (1) Notes with sadness the high number of deaths (approximately double the average) recorded in Victoria during the heatwave in mid-January.
- (2) Receives a report in March 2014 outlining what it would cost to have a limited number of air-conditioned Council-owned venues (eg. town halls, aquatic centres, community centres, etc.) open 24 hours as 'Community Cool Centres' during similar heatwaves.

This could include providing:

- free entertainment (eg. movies);
- free water and other suitable refreshments; and
- free transport to and from these venues for residents identified as highly vulnerable to heatwave health impacts

Cr. Williams proposed to the mover, Cr. McCarthy and seconder of the Motion Cr. Li that item (3) as follows be added to the Motion. This was accepted by Cr. McCarthy and Cr. Li.

- (3) Consider other heatwave strategies eg. emergency contact numbers, to support residents during heatwaves in the report to be submitted.

THE AMENDED MOTION THEN READ AS FOLLOWS:

#### AMENDED MOTION

**MOVED:** Cr. T. McCarthy

**SECONDED:** Cr. B. Li

**THAT** Council:

- (1) Notes with sadness the high number of deaths (approximately double the average) recorded in Victoria during the heatwave in mid-January.

- (2) Receives a report in March 2014 outlining what it would cost to have a limited number of air-conditioned Council-owned venues (eg. town halls, aquatic centres, community centres, etc.) open 24 hours as 'Community Cool Centres' during similar heatwaves.

This could include providing:

- free entertainment (eg. movies);
  - free water and other suitable refreshments; and
  - free transport to and from these venues for residents identified as highly vulnerable to heatwave health impacts
- (3) Consider other heatwave strategies eg. emergency contact numbers, to support residents during heatwaves in the report to be submitted.

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) Notes with sadness the high number of deaths (approximately double the average) recorded in Victoria during the heatwave in mid-January.
- (2) Receives a report in March 2014 outlining what it would cost to have a limited number of air-conditioned Council-owned venues (eg. town halls, aquatic centres, community centres, etc.) open 24 hours as 'Community Cool Centres' during similar heatwaves.

This could include providing:

- free entertainment (eg. movies);
  - free water and other suitable refreshments; and
  - free transport to and from these venues for residents identified as highly vulnerable to heatwave health impacts
- (3) Consider other heatwave strategies eg. emergency contact numbers, to support residents during heatwaves in the report to be submitted.

**CARRIED**

## 11.2 ONLINE STREAMING

MINUTE NO. 118

**COUNCIL RESOLUTION**

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

**THAT** a report be presented to the Council outlining the operations of the first 6 months of the live web streaming of Council meetings, including relevant statistics and options and costs for expanding web streaming to the meetings of the Planning Committee.

**CARRIED**

*Cr. McCarthy declared an 'interest' in the following item as he lives in the vicinity of the area specified in the motion.*

## 11.3 TRAFFIC MANAGEMENT ON MILLER STREET

MINUTE NO. 119

**MOTION**

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

**THAT** a report be presented to the Council outlining traffic and parking management along Miller Street between St Georges Road and Gilbert Road and along Gilbert Road between Miller Street and Bell Street. The report should also examine the impact of current traffic and parking arrangements on the neighbouring streets and options for optimising these arrangements.

*Cr. Laurence proposed to the mover (Cr. Li) and the seconder (Cr. Fontana) that the motion be amended to read as follows. This was accepted by Cr. Li and Cr. Fontana.*

**THAT** a report be presented to the Council outlining traffic and parking management along Miller Street between St Georges Road and Gilbert Road and along Gilbert Road between Miller Street and Bell Street and Oakover Road and Bell Primary Precinct. The report should also examine the impact of current traffic and parking arrangements on the neighbouring streets and options for optimising these arrangements.



THE AMENDED MOTION THEN READ AS FOLLOWS:

**AMENDED MOTION**

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

**THAT** a report be presented to the council outlining traffic and parking management along Miller Street between St Georges Road and Gilbert Road and along Gilbert Road between Miller Street and Bell Street and Oakover Road and Bell Primary Precinct. The report should also examine the impact of current traffic and parking arrangements on the neighbouring streets and options for optimising these arrangements.

*Cr. McCarthy proposed to the mover (Cr. Li) and the seconder (Cr. Fontana) that the motion be further amended to read as follows. This was accepted by Cr. Li and Cr. Fontana.*

**THAT** a report be presented to the Council outlining safety, traffic and parking management along Miller Street between St Georges Road and Gilbert Road and along Gilbert Road between Miller Street and Bell Street and Oakover Road and Bell Primary Precinct. The report should also examine the impact of current safety, traffic and parking arrangements on the neighbouring streets and options for optimising these arrangements.

THE FURTHER AMENDED MOTION THEN READ AS FOLLOWS:

**FURTHER AMENDED MOTION**

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

**THAT** a report be presented to the Council outlining safety, traffic and parking management along Miller Street between St Georges Road and Gilbert Road and along Gilbert Road between Miller Street and Bell Street and Oakover Road and Bell Primary Precinct. The report should also examine the impact of current safety, traffic and parking arrangements on the neighbouring streets and options for optimising these arrangements.

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

**COUNCIL RESOLUTION**

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

**THAT** a report be presented to the Council outlining safety, traffic and parking management along Miller Street between St Georges Road and Gilbert Road and along Gilbert Road between Miller Street and Bell Street and Oakover Road and Bell Primary Precinct. The report should also examine the impact of current safety, traffic and parking arrangements on the neighbouring streets and options for optimising these arrangements.

**CARRIED**

*Maureen Devlin, Senior Communications Advisor left the meeting at the conclusion of this item. – 9.21 pm*

## 12. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

### CLOSE OF MEETING

**MOVED:** Cr. V. Fontana

**SECONDED:** Cr. J. Williams

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

12.1 Energy Efficient Street Light Procurement

12.2 Tender for Supply and Installation of Small Scale Solar for Low Income Homes (CT 201339)

**CARRIED UNANIMOUSLY**

The meeting was closed to members of the public at 9.22 pm.

*The Council considered and resolved on Report Item 12.1 (Energy Efficient Street Light Procurement) and Item 12.2 (Tender for Supply and Installation of Small Scale Solar for Low Income Homes – CT 201339) which had been circulated to Councillors on 30 January 2014 with the Council Agenda Paper.*

*Cr. Tsitas returned to the meeting during consideration 'in camera' of Item 12.1 (Energy Efficient Street Light Procurement) – 9.24 pm.*

### RE-OPENING OF MEETING

**MOVED:** Cr. A. Vilella

**SECONDED:** Cr. J. Williams

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

**CARRIED**

The meeting was re-opened to members of the public at 9.41 pm.

**CONFIDENTIAL****12.1 ENERGY EFFICIENT STREET LIGHT PROCUREMENT****MINUTE NO. 120****AUTHOR: Manager, Environment and Natural Resources****REVIEWED BY: Director, Assets and Business Services****SUMMARY:**

Replacing almost 10,000 of Darebin's inefficient 80W Mercury Vapour street lights with energy efficient lights is expected to reduce annual greenhouse gas emissions by around 3,800 tonnes, reduce energy and maintenance charges, and improve the quality of street lighting. The project is estimated to cost a total of \$4.35 million, with an expected simple net saving of over \$9.7 million within 20 years.

Darebin was successful in receiving Commonwealth funding of \$1,850,311 (GST exclusive) and resolved on July 15, 2013 to enter into a funding agreement with the Commonwealth of Australia to install energy efficient street lights across the City of Darebin, thereby committing Council funding of \$2,500,696 (GST exclusive) over a three year period. By accessing this grant, Council's investment will be repaid within 6 years in avoided operating costs.

This report provides Council with an update on the progress of the project and seeks approval for the procurement of the energy efficient street lighting hardware through the Municipal Association of Victoria (MAV) contract SL9311 and installation through Citipower for the Citipower distribution area. As the grant was finalised after the approval of the 2013 – 2014 budget, Council's project expenditure for the current financial year also requires approval to for the project to proceed.

**CONSULTATION:**

- Chief Executive
- Director Corporate and Planning Services
- Chief Finance Officer
- Manager Corporate Governance and Performance,
- MAV, Citipower, Jemena

**RECOMMENDATION**

**THAT** the Council Resolution and report remain confidential.

**COUNCIL RESOLUTION**

**MOVED:** Cr. S. Tsitas  
**SECONDED:** Cr. B. Li

**THAT** the Council Resolution and report remain confidential.

**CARRIED**

**CONFIDENTIAL****12.2 TENDER FOR SUPPLY AND INSTALLATION OF SMALL SCALE SOLAR FOR LOW INCOME HOMES CT 201339****MINUTE NO. 121****AUTHOR: Manager, Environment and Natural Resources****REVIEWED BY: Director, Assets and Business Services****SUMMARY:**

On November 16, 2013, Council resolved to commence the implementation of the project to install solar panels on homes receiving pensioner rate rebates including establishment of a special rates scheme and receive a further report regarding procurement for the project in December 2013.

A preliminary tender evaluation report considered by Council on 16 December, 2013 was deferred to allow the procurement process to conclude. The procurement process has now concluded. This report details the tender process and evaluation. There was an excellent response to the project, with 16 tenders received and the recommended tenderer provides a good value and customer service outcome for Council and the participants of the program.

Following contract finalisation, the key project phases include: providing assessments and quotations for those who have expressed interest; establishment and approval of a special rates scheme and installation of the panels on pensioners' homes. It is estimated that installation will commence June 2014 and be completed September 2014. The tender has also allowed for a bulk buy arrangement of solar panels for all Darebin properties at tendered prices. If this option was accepted, Council would promote the offer to the community as a benefit of the Solar \$aver tender and would not be involved in purchasing.

**CONSULTATION:**

- Coordinator Procurement and Contracting
- Chief Finance Officer
- Alternative Technology Association

**RECOMMENDATION**

**THAT** the Council Resolution and report remain confidential.

**COUNCIL RESOLUTION**

**MOVED:** Cr. S. Tsitas  
**SECONDED:** Cr. B. Li

**THAT** the Council Resolution and report remain confidential.

**CARRIED**

### 13. CLOSE OF MEETING

The meeting closed at 9.42 pm.