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AGENDA

Council Meeting to be held
at Darebin Civic Centre,
350 High Street Preston
on Monday, 5 June 2017
at 6.00 pm.

Public question time will
commence shortly after 6.00 pm.

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Agenda

1. MEMBERSHIP

Cr. Kim Le Cerf (Mayor) (Chairperson)

Cr. Steph Amir

Cr. Gaetano Greco (Deputy Mayor)

Cr. Tim Laurence

Cr. Trent McCarthy

Cr. Lina Messina

Cr. Susanne Newton

Cr. Susan Rennie

Cr. Julie Williams

2. APOLOGIES

3. DISCLOSURES OF CONFLICTS OF INTEREST

4. CONFIRMATION OF THE MINUTES OF COUNCIL MEETINGS

Recommendation

That the Minutes of the Ordinary Meeting of Council held on 15 May 2017 and the Special Meeting of Council held on 22 May 2017 be confirmed as a correct record of business transacted.

5. QUESTION AND SUBMISSION TIME

Members of the public can participate in ordinary Council meetings in two ways: they can lodge questions for Council to answer during Question Time or they can make a Comment or Submission prior to a specific item listed on the Agenda.

HOW TO LODGE YOUR QUESTION OR REGISTER TO MAKE A COMMENT OR SUBMISSION

Council encourages the early lodgement of Questions, to enable preparation of a considered response, and early registration if you wish to make a Comment or Submission. These may be done in the following ways:

1. Electronic Lodgement

- By sending an email to QandS@darebin.vic.gov.au; or
- By logging onto Council's website at www.darebin.vic.gov.au/questionsandsubmissions

2. In Person Lodgement:

- At the Preston Customer Service Centre by 3pm on the day of the Council meeting;
- By printing completed Questions and Submissions Form and delivering it to 274 Gower Street Preston, 3072 by 3pm on the day of the meeting; or
- With a Council Officer between 5.45pm and 6pm on the day of the meeting at Council Chambers.

The lodgement of a question or registration to make a comment or submission should include the name, address and contact telephone number of the individual and, in the case of a submission, the agenda item to which he or she wishes to speak to. This will allow Council officers to follow up your Question, if required, and to inform the Chairperson of any registered person wishing to make a Comment or Submission in relation to specific agenda items.

Residents do not need to attend the meeting for a question to be answered. Council meetings can be viewed at the [Watch Council and Planning Committee meetings page](#).

The Agenda for each meeting is available for viewing on Council's website at the [Meeting Agendas and Minutes page](#) by 5pm, up to 6 days prior to the date of the meeting. Copies are also available at Customer Service centres and libraries.

Further information about Question and Submission Time can be found at www.darebin.vic.gov.au/questionsandsubmissions.

6. CONSIDERATION OF REPORTS

6.1 APPLICATION FOR PLANNING PERMIT D/186/2016 229 Gilbert Road, Preston

Author: Principal Planner

Reviewed By: Director City Futures and Assets

Applicant	Owner	Consultant
James Livingstone Planning	Munir Shaya	Content Studio Green Rate Zav Traffic Leigh Design

Summary

- Proposal:
 - Construct a four (4) storey building (including one (1) basement level) containing 20 dwellings (8 one (1) bedroom dwellings and 12 two (2) bedroom dwellings), 20 car parking spaces, and 10 bicycle parking spaces.
 - The building has a maximum overall height of 10.156 metres.
 - Private open space to the dwellings is provided in the form of either ground floor courtyards or upper level balconies.
 - A 1.2 metre high fence is proposed above a 1.05 metre (maximum) high raised garden bed at the Gilbert Road edge of the site.
- The site is zoned General Residential Zone – Schedule 2
- There is no restrictive covenant on the title for the subject land.
- Six (6) objections were received against this application.
- The proposal is contrary to the relevant policies of the Darebin Planning Scheme.
- It is recommended that the application be refused.

Consultation

- Public notice was given via one (1) sign posted on site and letters sent to surrounding owners and occupiers.
- This application was referred internally to Capital Works Unit, Transport Management and Planning Unit, City Works Unit, Strategic Planning Unit, Public Places Unit and ESD Officer.
- This application was not required to be referred to external authorities.

Recommendation

THAT Planning Permit Application D/186/2016 be refused on the following grounds:

- (1) The proposal is inconsistent with the *Darebin Housing Strategy* as it does not provide a modest scale of change in scale with the characteristics and context of the site.
 - (2) The proposal is inconsistent with Clause 22.02 (neighbourhood character) of the Darebin Planning Scheme and the design objectives of Precinct E3 of the *Darebin Neighbourhood Character Study and Precinct Guidelines*, with particular regard to:
 - a) Landscaping
 - b) Siting
 - c) Height and Building Form
 - d) Front Boundary Treatment
 - (3) The proposal is inconsistent with the purpose of the General Residential Zone as it does not respect the neighbourhood character of the area.
 - (4) The proposal does not comply with the requirements of Clause 55 of the Darebin Planning Scheme, with particular regard to:
 - a) Neighbourhood character
 - b) Integration with the street
 - c) Street setback
 - d) Landscaping
 - e) Building height
 - f) Energy efficiency
 - g) Side and rear setbacks
 - h) North facing windows
 - i) Private open space
 - j) Solar access to open space
 - k) Design detail
 - l) Front fences
 - (5) The proposal does not provide sufficient visitor bicycle parking facilities in accordance with Clause 52.34 of the Darebin Planning Scheme.
-

Introduction and Background

- Council issued Planning Permit P231 on 8 June 1965 for the extension of the reception rooms.
- Council issued Planning Permit PT3543 on 15 September 1986 to erect a new fence and canopy in front of the existing reception rooms.
- Council issued Planning Permit PT6336 on 25 January 1994 to display two (2) business signs on the Gilbert Road front fence.
- Council issued Planning Permit PT6650 on 18 November 1994 to use and develop the land for the purpose of commercial vehicle parking.
- Council issued Planning Permit D/146/2013 on 7 May 2013 for a three lot subdivision.

- Council refused Application for Planning Permit D/604/2013 on 6 February 2014 for a three (3) storey building containing twenty two (22) dwellings. The Victorian Civil and Administrative Tribunal (VCAT) affirmed Council's decision. VCAT's reasons for affirming Council's decision included:
 - Insufficient policy to support the proposal.
 - Insufficient internal amenity for the dwellings due to the lack of access to daylight.
- Council issued Planning Permit D/329/2015, by order of the VCAT, on 17 November 2015 for the construction of more than one dwelling on a lot (6 dwellings, four double storey and two three-storey); reduction in visitor car parking in accordance with the endorsed plans.

Issues and Discussion

Subject site

- The land is regular in shape and measures 45.72 metres in length and 24.38 metres in width with a site area of 1114.65 square metres.
- The land is located within the General Residential Zone – Schedule 2 and is affected by the Development Contributions Plan Overlay – Schedule 1.
- The land is located on the west side of Gilbert Road, to the north of Bell Street, Preston.
- The site contains a single storey building used for the purpose of a place of assembly. The rear of the site includes car parking for the place of assembly. The front setback is landscaped and includes three (3) large trees along the street boundary.
- Vehicular access to the site is via a crossover from Gilbert Road which aligns with the northern property boundary.

Surrounding area

- To the north of the site is a single storey dwelling and a double storey dwelling that form part of a medium density housing development. The development's common accessway abuts the boundary with the site. The rear dwelling includes an outbuilding that abuts the common boundary with the site.
- To the south of the site is a single storey brick dwelling. The property's vehicular access way abuts the boundary with the site. The property also includes multiple outbuildings that are either located adjacent to or abutting the common boundary with the site.
- To the north-east of the site, on the opposite side of Gilbert Road, is a single storey weatherboard dwelling.
- To the south-east of the site, on the opposite side of Gilbert Road, is a double storey dwelling that formed part of a medium density housing development that contains seven (7) double storey attached dwellings that front Gilbert Road.
- To the north-west of the site is a double storey residential building. A secluded private open space of one of the dwellings abuts the site. The residential building fronts Mount Street.
- To the south-west of the site is a single storey dwelling that fronts Mount Street. The property includes multiple outbuildings that are adjacent the common boundary with the site. The site's secluded private open space also abuts the common boundary with the site.
- Further to the south of the site, on the corners of Bell Street and Gilbert Road, are several commercial properties located within the Commercial 1 Zone.

- Gilbert Road is serviced by a tram (Route 11), with a tram stop located approximately 60 metres to the south of the site.
- Bell Street is serviced by buses, with a bus stop located approximately 120 metres to the south of the site.
- There is a clearway on the west side of Gilbert Road, adjacent the site, between the hours of 4PM – 6:30PM, Monday – Friday. Parking is not restricted outside of those hours.
- There is a clearway on the east side of Gilbert Road, opposite the site, between the hours of 7AM – 9AM, Monday – Friday. Parking is not restricted outside of those hours.
- Car parking is not restricted on Leicester Street, directly opposite the site.

Proposal

- Construct a four (4) storey building (including one (1) basement level) containing 20 dwellings (8 one (1) bedroom dwellings and 12 two (2) bedroom dwellings), 20 car parking spaces, and 10 bicycle parking spaces.
- The building has a maximum overall height of 9.533 metres.
- Private open space to the dwellings is provided in the form of either ground floor courtyards or upper level balconies.
- A 1.2 metre high fence is proposed above a 1.05 metre (maximum) high raised garden bed at the Gilbert Road edge of the site.

Objections

- Six (6) objections have been received.

Objections summarised

- Overlooking
- Reduction in car parking
- Overshadowing
- High level of use of right-of-ways for vehicular access
- Overdevelopment
- Not consistent with local development and neighbourhood character
- Insufficient boundary setbacks
- Height
- Loss of light to window
- Noise from development
- Loss of views
- Visual bulk
- Loss of trees

Officer comment on summarised objections

- Overlooking
The proposed windows and balconies are sufficiently screened and/or located to minimise overlooking in accordance with the requirements of the Darebin Planning Scheme.

- Reduction in car parking
Car parking has been provided on site for residents in accordance with the provisions of Clause 52.06 of the Darebin Planning Scheme. The reduction of four (4) visitor spaces is satisfactory as will be discussed later in the report.
It is considered that any overflow parking resulting from the development would be within reasonable limits and will not negatively impact on the surrounding streets.
- Overshadowing
The extent of overshadowing is reasonable and in accordance with the requirements of the Darebin Planning Scheme.
- High level of use of right-of-ways for vehicular access
The proposal does not include any right-of-ways for the purpose of vehicular access.
- Overdevelopment
An overdevelopment is determined by a proposals non-compliance with the relevant requirements of the Planning Scheme. As the proposal fails to comply with all of the requirements of Clause 55 of the Scheme, the proposal is considered to be an over development of the site.
- Not consistent with local development and neighbourhood character
As discussed in further detail below, the proposal does not respect the existing or preferred character of the area.
- Insufficient boundary setbacks
The side and rear boundary setbacks are insufficient to minimise amenity impacts, arising from visual bulk, on the adjoining properties.
- Height
The height of the proposed development does not respect the existing or preferred character of the area and does not provide a gradual change of building heights in the street.
- Loss of light to window
The development does not allow adequate daylight to the existing north facing windows on the south adjoining property.
- Noise from development
The proposed use is residential and will have noise impacts consistent with those normal to a residential zone, unlike a commercial or an industrial use which would create noise impacts that are not normal to a residential zone. Speech, laughter, music etc. are noises associated with people living their lives and are all part of life in an urban area.
- Loss of views
The Darebin Planning Scheme does not include any decision guidelines that require the protection of views or vistas from private properties.
- Visual bulk
The proposed height and minimal side setbacks results in unreasonable visual bulk when viewed from the adjoining properties and the street.
- Loss of trees
The proposal will require the removal of the five (5) trees that are located within the front setback. The application does not include sufficient landscaping opportunities to maintain and strengthen the landscape character of the area.

Planning Assessment

Clause 21.03 – Housing

The Strategic Housing Framework Plan illustrates the directions for residential land use and development in Darebin as set by the Darebin Housing Strategy (2013). This framework provides greater certainty as to where growth and change can be expected and the preferred scope of housing change in terms of the intensity and type of residential development to be encouraged in different areas.

Under the Darebin Housing Strategy (2013) the subject site is identified as being within a Substantial Change Area, which includes the following future housing objectives:

- *To provide for substantial housing growth and diversification over time.*
- *To encourage a variety of different housing typologies at medium to higher density and to discourage underdevelopment. This includes a mixture of medium to high density apartment dwellings, townhouses and shop-top dwellings, with the scale dependent on specific precinct characteristics and context. Principal and Major Activity Areas should encourage higher density development with diverse apartment configurations. Lower order centres, such as Neighbourhood Activity Areas and other identified Substantial Change Precincts should encourage a more modest scale of change.*

Whilst the proposal includes a high density apartment building it is inconsistent with the scale of the precinct characteristics and context that the site is located within, which predominantly includes detached single and double storey dwellings with significant vegetation.

The site is not within a Principal or Major Activity Area, therefore a more modest scale of change is desired, which the proposed apartment building does not achieve.

Neighbourhood Character Precinct Guideline Assessment - Precinct E3

Existing Buildings

- The street, proximate to the site, does not contain intact groups of interwar and post-war dwelling therefore it is suitable to not retain the existing building.

Complies

Vegetation

- The proposal does not include sufficient opportunities for landscaping within the front, side and rear setbacks to maintain or strengthen the landscape character of the area.

Does not comply

Siting

- The front set back is insufficient to provide for a meaning for front garden area.
- The proposal does not provided generous space for landscaping within the side and rear setbacks.
- The building is set back 3.0 metres from one side boundary and 1.0 metre from other side boundary, as presented to the street, which is consistent with the boundary setback pattern in the area.
- The double width driveway within the front setback does not minimise the extent of paving within the front setback, and reduces landscaping opportunities.

Does not comply

Height and building form

- The surrounding area is typically developed with single and double storey buildings.
- The upper levels of the proposal are not substantially setback or articulated from the ground floor façade to minimise their visual dominance within the streetscape or respect the predominant height and form of buildings in the area.

Does not comply

Frontage Width

- The width of the site, which is wider than most other properties located in area, allows it to accommodate a building with a wider frontage width than typically found in the area whilst maintaining suitable side boundary setbacks.
- The development is design to appear as one building when viewed from the streetscape.

Complies

Materials and design detail

- The proposal utilises articulation through varying materials and setbacks to provide a visually interesting design at the street level.

Complies

Front boundary treatment

The proposal includes a 1.2 metre high front fence on a 1.05 metre high raised garden bed, setback 1.4 metres from the street boundary, resulting a fence height of 2.25 metres above the natural ground level of the adjoining footpath. This is considered to be excessive in height and does not respect the existing or preferred front boundary treatment.

As the Unit 1 secluded private open space is located within the front setback, a reduction of the front fence height would result in this front area no longer being secluded and require a redesign of Unit 1 to provide suitable secluded private open space.

Does not comply

Clause 55 Assessment

The following sections provide discussion on fundamental areas of Clause 55.

Clause 55.02-5 B5 Integration with the Street

As discussed above, the proposal includes a front fence on a retaining wall with a resultant height of 2.25 metres above the height of the adjoining footpath, which reduces the developments integration with the street.

Does not comply

Clause 55.03-1 B6 Street Setback

The front setbacks of the adjoining dwellings are 5.475 metres and 8.46 metres. The standard therefore requires a setback of 6.97 metres.

The proposed front setback of 5.625 metres does not comply with the standard and does not respect the existing or preferred character of the area.

Does not comply

Clause 55.03-2 B7 Building Height

The length of the site has a slope of 2.2 degrees over a length of 44.2 metres therefore the standard requires a maximum height not exceeding 10 metres.

The proposed development has a maximum height of 10.156 metres which does not comply with the standard.

The proposal does not provide a gradual change in building heights between the existing one (1) and two (2) storey buildings, and the proposed three (3) story building.

Does not comply

Clause 55.03-8 Landscaping

The proposal fails to provide appropriate landscaping opportunities within the front, side and rear setbacks to respect the landscaping character of the neighbourhood, which typically includes large landscaped area.

Does not comply

Clause 55.03-5 Energy efficiency

The proposal does not protect the energy efficiency of the dwelling located on the south adjoining property, due to the height of the proposed building and its proximity to the north facing windows located in the dwelling to the south.

The orientation and layout of the development will not reduce fossil fuel energy use or make appropriate use of daylight and energy efficiency as the depths and locations of the living areas of Units 2, 3, 6, 9, 10, 11, 14, 15, 16 and 17 will result in insufficient access to daylight, and increase reliance on artificial lighting.

Does not comply

Clause 55.04-1 B17 Side and Rear Setbacks

Ground floor

Boundary	Wall height	Required Setback	Proposed setback
Northern – Unit 1	3.32 metres	1.0 metres	1.5 metres
Western – Unit 4	2.363 metres	1.0 metres	4.5 metres
Western – Unit 5	2.639 metres	1.0 metres	1.65 metres
Southern – Unit 5	3.078 metres	1.0 metres	1.88 metres
Southern – Units 7	4.0 metres	1.12 metres	3.0 metres

First Floor

Boundary	Wall height	Required Setback	Proposed setback
Northern – Unit 8	7.574 metres	2.674 metres	3.3 metres
Northern – Unit 8 (balcony)	5.2 metres	1.48 metres	1.6 metres
Northern – Unit 12	6.49 metres	1.858 metres	3.3 metres
Northern – Unit 12 (balcony screen)	4.4 metres	1.24 metres	1.0 metre
Western – Unit 12	5.404 metres	1.54 metres	4.214 metres
Western – Unit 13	5.693 metres	1.61 metres	3.5 metres
Western – Unit 13 (balcony)	4.2 metres	1.18 metres	2.761 metres
Southern – Unit 13	6.39 metres	1.837 metres	1.88 metres
Southern – Unit 13 (screens)	5.0 metres	1.42 metres	1.082 metres
Southern – Unit 15	7.7225 metres	2.8225 metres	3.0 metres

Second Floor

Boundary	Wall height	Required Setback	Proposed setback
Northern – Unit 16	9.535 metres	4.635 metres	4.5 metres
Northern – Unit 18	8.591 metres	3.691 metres	4.5 metres
Northern – Unit 18 (balcony)	7.4 metres	2.5 metres	2.8 metres
Western – Unit 18	8.414 metres	3.514 metres	8.3 metres
Western – Unit 18 (balcony)	6.4 metres	1.84	6.6 metres
Western – Unit 19	8.64 metres	3.74 metres	6.82 metres
Western – Unit 19 (balcony)	6.6 metres	1.9 metres	3.558 metres
Southern – Unit 19	8.987 metres	4.087 metres	4.385 metres
Southern – Unit 20	10.156 metres	5.256 metres	5.6 metres

Whilst the majority of the development complies with the requirements of this Standard (with the exception of the screens relating the first floors balconies and windows) the proposal results in significant visual bulk due to its height, continued built form, minimal setbacks and lack of articulation, which will unreasonably impact on amenity of the surrounding properties. Does not comply

Clause 55.04-3 B19 Daylight to Existing Windows

An area of at least 3.0 square metres with a minimum dimension of 1.0 metre clear to the sky is provided opposite all existing habitable room windows, which complies with the standard. The development allows adequate daylight to neighbouring existing habitable room windows.

Complies

Clause 55.04-4 B20 North Facing Windows

There are existing north-facing habitable room windows within 3.0m of the common boundary. The standard requires that the proposed development adopt the following minimum setbacks from the common boundary:

Floor	Height of Wall	Required Setback	Proposed Setback
Ground Floor	N/A	1.0 metre	3.0 metres
First Floor	7.0 metres	3.1 metres	3.0 metres
Second Floor	10 metres	6.1 metres	5.6 metres

The first and second floors of the development are not sufficiently set back from the adjoining north facing windows.

Does not comply

Clause 55.04-5 B21 Overshadowing

The submitted shadow diagrams demonstrate that sufficient sunlight is provided to the secluded private open spaces of the south and south-west adjoining properties, in accordance with this Standard.

The plans also demonstrate that the secluded private open space of the west adjoining dwelling does not current receive adequate sunlight, as required by this Standard, therefore the extent of overshadowing should not be increased. The proposal does not increase the extent of overshadowing to this dwelling's secluded private open space between 9am and 3pm on 22 September and is therefore considered reasonable.

Complies

Clause 55.04-6 B22 Overlooking

The proposed ground floor level dwellings have finished floor levels less than 0.8 metres above natural ground level at the boundary. The 2.0 metre high fences to the north, east and west property boundaries will sufficiently limit overlooking from the ground floor.

The development is designed to limit views into neighbouring secluded private open space and habitable room windows.

All upper storey windows are appropriately designed and/or screened to ensure no overlooking.

Complies

Clause 55.05-4 B28 Private Open Space

Unit	Total POS	Secluded POS	Minimum dimension of secluded POS
1	65.5 m ²	51 m ²	4.2 metres
2	31 m ²	31 m ²	3.3 metres
3	34.8 m ²	34.8 m ²	3.3 metres
4	53.3 m ²	51.8 m ²	4.5 metres

Unit	Total POS	Secluded POS	Minimum dimension of secluded POS
5	41 m ²	31.1 m ²	3.0 metres
6	25.4 m ²	25.4 m ²	3.0 metres
7	39.2 m ²	39.2 m ²	3.0 metres
8	11.2 m ² (balcony)	11.2 m ²	1.7 metres
9	10.5 m ² (balcony)	10.5 m ²	1.7 metres
10	10.5 m ² (balcony)	10.5 m ²	1.7 metres
11	10.5 m ² (balcony)	10.5 m ²	1.7 metres
12	11.3 m ² (balcony)	11.3 m ²	1.7 metres
13	10.2 m ² (balcony)	10.2 m ²	1.9 metres
14	10.8 m ² (balcony)	10.8 m ²	1.9 metres
15	16.9 m ² (balcony)	16.9 m ²	3.0 metres
16	28.9 m ² (balcony)	28.9 m ²	1.62 metres
17	18.4 m ² (balcony)	18.4 m ²	1.7 metres
18	34.9 m ² (balcony)	34.9 m ²	1.7 metres
19	8.8 m ² (balcony)	8.8 m ²	1.7 metres
20	12.4 m ² (balcony)	12.4 m ²	1.62 metres

All secluded private open space areas have direct access to a living room.

Whilst the ground floor private open spaces of Units 2, 3 and 6 are less than that required by this Standard they are considered to be sufficient for the service and recreational needs of the single bedroom dwellings.

The private open space of Unit 7 does not meet the requirements of this Standard and is considered to be insufficient for the expected needs of the two (2) bedroom dwelling. This could be resolved by a condition of approval.

Does not comply

Clause 55.05-5 B29 Solar Access to Open Space

Walls are located to the north of the private open spaces of Units 6, 7, 13, 14 and 15, with insufficient setback from the southern boundary of the relevant private open spaces to allow adequate solar access. This results in these private open spaces being unusable and having poor amenity.

Does not comply

Clause 55.06-1 B31 Design Detail

The design detail of the development does not respect the existing or preferred character of the area with regard to:

- Façade articulation
- Window proportions

- Roof form and eaves

Does not comply

Clause 55.06-2 B32 Front Fences

As discussed above, the proposal includes a front fence on a retaining wall with a resultant height of 2.25 metres above the height of the adjoining footpath, which exceeds the requirements of this Standard and does not respect the surrounding character.

Does not comply

Clause 52.06 Car Parking

Number of Parking Spaces Required

One car parking space is provided for each of the one and two bedroom dwellings.

Under Clause 52.06 one (1) visitor car parking space is required for every five dwellings. The proposal does not include any visitor parking spaces, therefore a reduction of four (4) visitor car parking spaces is required.

The proposed visitor car parking reduction is considered suitable for the following reasons:

- The existing building would have car parking credits based on former lawful uses;
- The site is in proximity to public transport in the form of:
 - Trams serving Gilbert Road, with a tram stop located approximately 60 metres to the south of the site.
 - Buses servicing Bell Street, with a bus stop located approximately 120 metres to the south of the site.
- There is no relevant parking precinct plan for the subject site.
- There is sufficient on-street parking in the area to accommodate the expected car parking demand relating to visitors.

Design Standards for Car parking

The car parking spaces, the carports, the garaging and the accessways have appropriate dimension to enable efficient use and management.

The car parking facilities are designed, surfaced and graded to reduce run-off and allow stormwater to drain into the site.

The dimensions of the car parking spaces comply with the minimum requirements of the standard.

Access dimensions to the car spaces comply with the standard.

Visibility splays are provided at the accessway interface with the footpath to protect pedestrians.

Clause 52.34 Bicycle Facilities

Clause 52.34 includes the following bicycle facility requirements for dwellings in development of four or more storeys:

	Measure	Required	Provided
Resident	1 to each 5 dwellings	4	10
Visitor	1 to each 10 dwellings	2	1

A reduction of the visitor bicycle facilities is not appropriate for the following reasons:

- The proposal does not provide visitor car parking on site;
- A reduction would not encourage cycling as a form of transport to the site.

It is noted that Council's Transport Management and Planning Unit, have recommend a minimum of 20 resident bicycle parking spaces will be required as a condition of approval.

CLAUSE 55 COMPLIANCE SUMMARY

Clause	Std		Compliance	
			Std	Obj
55.02-1	B1	Neighbourhood character		
		Please see assessment in the body of this report.	N	N
55.02-2	B2	Residential policy		
		The proposal complies with the relevant residential policies outlined in the Darebin Planning Scheme.	Y	Y
55.02-3	B3	Dwelling diversity		
		At least one dwelling that contains a kitchen, bath or shower, and a toilet and wash basin has been included at ground floor level. The development includes a mixture of single and double bedroom dwellings.	Y	Y
55.02-4	B4	Infrastructure		
		Adequate infrastructure exists to support new development	Y	Y
55.02-5	B5	Integration with the street		
		Please see assessment in the body of this report.	N	N
55.03-1	B6	Street setback		
		Please see assessment in the body of this report.	N	N
55.03-2	B7	Building height		
		Please see assessment in the body of this report.	N	N
55.03-3	B8	Site coverage		
		60%	Y	Y
55.03-4	B9	Permeability		
		24%	Y	Y

Clause	Std		Compliance	
55.03-5	B10	Energy efficiency		
		Please see assessment in the body of this report.	N	N
55.03-6	B11	Open space		
		N/A as the site does not abut public open space.	N/A	N/A
55.03-7	B12	Safety		
		The proposed development is secure and the creation of unsafe spaces has been avoided.	Y	Y
55.03-8	B13	Landscaping		
		Please see assessment in the body of this report.	N	N
55.03-9	B14	Access		
		Access is sufficient and respects the character of the area.	Y	Y
55.03-10	B15	Parking location		
		Parking facilities suitably accessible from the dwellings they serve. The access is observable.	Y	Y
55.04-1	B17	Side and rear setbacks		
		Please see assessment in the body of this report.	N	N
55.04-2	B18	Walls on boundaries		
		<u>Northern boundary</u> Length: 6.27 metres Height: 2.944 metres average, 3.078 metres maximum. <u>Southern boundary</u> Length: 6.97 metres Height: 2.537 metres average, 2.682 metres maximum. Walls on boundaries comply with the requirements of this standard.	Y	Y
55.04-3	B19	Daylight to existing windows		
		Please see assessment in the body of this report.	Y	Y
55.04-4	B20	North-facing windows		
		Please see assessment in the body of this report.	N	N
55.04-5	B21	Overshadowing open space		
		Please see assessment in the body of this report.	Y	Y

Clause	Std		Compliance	
55.04-6	B22	Overlooking		
		Please see assessment in the body of this report.	Y	Y
55.04-7	B23	Internal views		
		There are no internal views	Y	Y
55.04-8	B24	Noise impacts		
		Noise impacts are consistent with those in a residential zone. The mechanical plant have been suitably located to minimise amenity impacts arising from noise.	Y	Y
55.05-1	B25	Accessibility		
		The development includes accessibility options for people with limited mobility.	Y	Y
55.05-2	B26	Dwelling entry		
		The entry to the development is identifiable and provides an adequate area for transition.	Y	Y
55.05-3	B27	Daylight to new windows		
		Adequate setbacks are proposed to allow appropriate daylight access.	Y	Y
55.05-4	B28	Private open space		
		Please see assessment in the body of this report.	N	N
55.05-5	B29	Solar access to open space		
		Please see assessment in the body of this report.	N	N
55.05-6	B30	Storage		
		6.0 cubic metres of storage is provided for each dwelling in the basement level.	Y	Y
55.06-1	B31	Design detail		
		Please see assessment in the body of this report.	N	N
55.06-2	B32	Front fences		
		Please see assessment in the body of this report.	N	N
55.06-3	B33	Common property		
		Common property areas are appropriate and manageable.	Y	Y
55.06-4	B34	Site services		
		Sufficient areas for site services are provided.	Y	Y

REFERRAL SUMMARY

Department/Authority	Response
Capital Works	No objection, subject to condition included in recommendation.
Transport Management and Planning	No objection, subject to condition included in recommendation
City Works	No Objection
Strategic Planning	Objection based on not resolving VCAT's previous concerns. The application was subsequently amended and has satisfactorily resolved the issues raised by VCAT relating to internal amenity.
ESD Officer	No objection, subject to condition included in recommendation.
Public Places	Landscape plan approved.

PLANNING SCHEME SUMMARY**Darebin Planning Scheme clauses under which a permit is required**

- *Clause 32.08-4 (General Residential Zone) – Construct two or more dwellings on a lot*
- *Clause 52.06 (Car parking) – Reduce the car parking requirements of Clause 52.06-5*

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
SPPF	11.02-1, 15.01-1, 15.01-5, 15.02, 16.01, 19.03-1
LPPF	21.05-1, 21.05-2, 21.05-3, 22.04
Zone	32.08
Overlay	45.06
Particular provisions	52.06, 55, 52.34
General provisions	65.01
Neighbourhood Character Precinct	E3

Policy Implications**Environmental Sustainability**

All new dwellings are required to achieve a minimum six (6) star energy rating under the relevant building controls.

Social Inclusion and Diversity

Nil

Other

Nil

Financial and Resource Implications

There are no financial or resource implications as a result of the determination of this application.

Future Actions

Nil

Related Documents

Darebin Planning Scheme and the *Planning and Environment Act 1987* as amended.

Attachments

- Aerial Map (**Appendix A**)
- Advertised Plans (**Appendix B**)

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

**6.2 NORTHERN ALLIANCE FOR GREENHOUSE ACTION
MEMORANDUM OF UNDERSTANDING****Author:** Manager Environment and Community Outcomes**Reviewed By:** Director Operations and Environment

Report Background

Council considered an annual report on the work and outcomes of the Northern Alliance for Greenhouse Action (NAGA) at its meeting on 19 September 2016 and resolved to receive a further report regarding renewal of the Northern Alliance for Greenhouse Action (NAGA) Memorandum of Understanding (MoU). The current MoU expires 30 June 2017.

Previous Council Resolution

At its meeting held on 19 September 2016, Council resolved:

'That Council receive a further report in April 2017 regarding renewal of the Northern Alliance for Greenhouse Action (NAGA) Memorandum of Understanding'

Previous Briefing(s)

This matter has not previously been to a Councillor Briefing.

Council Plan Goal/Endorsed Strategy

Goal 3 - Sustainable and Resilient Neighbourhoods

Climate Change Action Plans

Summary

The Northern Alliance for Greenhouse Action (NAGA) is an alliance of northern councils and the Moreland Energy Foundation which focuses on regional climate change action. The NAGA MoU expires on 30 June 2017 and a new 2 year MoU is proposed. An annual fee is payable and provides good value. Continuing membership of NAGA will ensure that the Darebin community has access to significant information, collaboration, grants and advocacy resources resulting from NAGA's regional projects and networks.

Participation in NAGA complements and adds value to Darebin's leadership position on climate emergency action within our operations and the community.

Recommendation

That Council authorise the Director Operations and Environment to sign the Northern Alliance for Greenhouse Action (NAGA) Memorandum of Understanding (attached as **Appendix A**) for the 2 year period completing 30 June 2019.

Introduction

NAGA formed in 2002 as a network to share information, skills and resources related to climate change action. NAGA's current members are the cities of Banyule, Hume, Manningham, Melbourne, Moreland, Whittlesea and Yarra, Shire of Nillumbik and Moreland Energy Foundation.

NAGA's goal is to substantially contribute to the transition to a climate-changed, low-carbon future by delivering effective programs and leveraging local government, community and business action. Through NAGA's, and NAGA members' commitment to regional collaboration on climate change action, NAGA has established a leadership reputation successfully attracting millions of dollars of grants funding to the region's climate change and energy efficiency efforts.

Council annually appoints a member to the NAGA executive who determine the strategic direction of NAGA and the current appointee is Cr Trent McCarthy.

Darebin has been an active NAGA participant and has benefitted from its involvement in terms of:

- Significant grant funding and partnership opportunities.
- Advocacy for energy efficiency and carbon reduction programs including upgrading to energy efficient street lighting.
- The provision of community energy data from distribution businesses so that community progress can be tracked.
- Promotion of solar panels for electricity and solar hot water.
- Information sharing, networking and significant capacity building amongst member councils.

Issues and Discussion

The proposed MoU is attached as **Appendix A** and is an agreement between Darebin Council and the Moreland Energy Foundation, as the legal entity that houses and auspices NAGA.

NAGA provides good value for Council's membership and will be a valuable alliance in Council's response to Climate Emergency including action and advocacy projects.

NAGA has led several significant regional projects in the current financial year, including:

Roll out of Solar Saver program across Victoria

This project is a good example of the value of NAGA, building from the experience gained by Darebin in developing the Solar Saver program for low income households within Darebin. Working with the Eastern Alliance for Greenhouse Action (EAGA), NAGA has developed a consortium of 21 councils across Victoria seeking to replicate the Darebin Solar Saver scheme through a combination of financing mechanisms, including using rates as well as low interest bank loans.

This project was successful in winning over \$850,000 funding from the Victorian Government's New Energy Jobs Fund, and is currently in preparation for roll-out. Darebin Council is participating in this project and has provided detail for the joint tender process for solar installers, which is being run through the Municipal Association of Victoria.

The tenders are under evaluation and may be suitable for Darebin's future ambitious Solar Saver program.

Future Energy Planning

NAGA has just completed a project together with EAGA and Ironbark Sustainability called Future Energy Planning. This project seeks to build better collaboration between electricity networks and local government planners in Victoria.

Electricity network planning and land-use planning currently occur in isolation, meaning long term, viable and sustainable options for integrating demand and supply side opportunities are missed. Despite the implications land use planning has for local energy use and demand patterns, existing regulatory requirements do not require either sector to synchronise their respective planning processes.

This project has sought to foster engagement between Distribution Network Service Providers (DNSPs) and state and local government planners to co-operatively create planned, integrated energy solutions, by:

- Sharing data and developing resources to identify cross sector planning opportunities in areas of the network that are constrained; and
- Establishing a replicable process for the identification of integrated energy solutions not currently supported by the existing regulatory processes.

Municipal energy data profiles and Communicating Energy Use project

In the absence of any guidelines or legislation regarding energy data being provided to local governments, NAGA has negotiated and delivered energy profiles for 2013 and 2014 for Darebin residential and commercial services. This is complex and detailed collection of data from distribution businesses. Without the resources of NAGA, Council would struggle to collect and analyse community energy data.

Advocacy on key policy, program and pricing matters

NAGA has a strong record in advocating for a low carbon economy and society, and in particular responding to government reviews and policy changes. NAGA has been particularly active in advocacy over the past 12 months, due to changes in energy market regulations and the new state government. Recent submissions include:

- The Electricity Distribution Price Review, run by the Australian Energy Regulator, which successfully challenged proposed prices from electricity distribution companies, which would have resulted in higher charges for energy as well as maintenance and operations of street lighting for local government. NAGA estimated resulting charges were over \$200,000 less per year for Darebin than originally proposed representing significant savings. NAGA estimates this advocacy will have saved northern regional councils over \$7 million in the five year period from 2016-2020.
- Victorian Parliamentary inquiry into the value of community energy, including an appearance before the committee.
- Review of the Victorian Government's Solar Feed-In Tariff (which produced an increase in the tariff to 11.3 cents per kWh, making programs such as Solar Saver more viable).
- Development of the Victorian Renewable Energy Roadmap and the review of the former Climate Change Act.

Attracting grant funding

Apart from the Solar Saver grant discussed above, NAGA has successfully developed funding applications for two Collaborative Council projects: one of which will examine the viability of all member council fleets (including Darebin) for their conversion to electric vehicles. The other project will test the feasibility of a Dutch program which has decreased emissions through the use of its tendering system.

NAGA has also developed a submission to the New Energy Jobs Fund, for which the City of Darebin is the lead council, to examine the feasibility of local electricity trading between council properties. This submission has been shortlisted and we are currently awaiting an announcement.

Information Sharing

NAGA does significant work sharing information with member councils, other alliances and related organisations. This is evidenced by NAGA's organisation of the recent 2017 Victorian Greenhouse Alliances conference on 12 May 2017. The conference brought together local governments from around the state to share best practice in their responses to climate change, as well as garnering the input of experts from Victoria as well as interstate. Cr Trent McCarthy delivered a presentation on Darebin's draft Climate Emergency Plan for the conference.

Darebin Energy Foundation

Darebin Energy Foundation (DEF) is being formed by Council to accelerate sustained and meaningful action with the community (residents, businesses, education and other organisations) to reduce Darebin's greenhouse emissions and embed community resilience to climate change. DEF will be able to participate and work with NAGA to achieve these outcomes through Darebin Council's NAGA membership.

Options for Consideration

Prior to finalising the MoU, the NAGA executive committee considered alternatives to NAGA being auspiced and housed by MEFL including other member councils taking on this role and NAGA becoming a stand-alone incorporated body. No member councils were in a position to provide office space and the current arrangements with MEFL were preferred over a stand-alone incorporated body as they were lower risk and the reduced MEFL hosting fee was considered good value.

It is recommended that Council continue membership of NAGA by signing the MoU to 30 June 2019. This northern regional alliance is consistent with Council's other regional partnerships and consistent with Council's stated environmental and Council plan commitments. The NAGA MoU sets out clear responsibilities and allows opportunity for termination during its term with 21 days' notice.

Financial and Resource Implications

The 2017–2019 NAGA MoU commits Council to an annual contribution of \$25,256 (GST inclusive) in the 2017/2018 financial year with a percentage increase in line with the rate cap increase as determined by the Minister for Local Government in the 2018/2019 financial year. This membership fee is included in the draft budget and is incorporated in the Environment and Community Outcomes operating budget.

Risk Management

The MoU and annual membership commitment can be terminated by providing 21 days' notice.

Policy Implications

Economic Development

NAGA promotes and facilitates councils, the community and business moving to a low carbon economy. An example is the 2012 to 2015 'Easy Energy Efficiency for SMEs' project NAGA (with the aid of an \$881,904 grant) that supported small and medium enterprises (SMEs) with energy efficiency information across northern metro Melbourne.

Environmental Sustainability

Participation in NAGA complements and adds value to Darebin's leadership position on climate emergency action within our operations and the community. It is consistent with Council's climate change action plans and the draft Climate Emergency Plan.

Human Rights, Equity and Inclusion

NAGA regional projects target low income and CALD communities across the northern region.

Other

There are no other factors which impact on this report

Future Actions

Subject to Council resolution the MoU will be signed and Council will continue as a member of NAGA

Consultation and Advocacy

- NAGA Executive Committee and NAGA Executive officer

Related Documents

- Council Minutes - 19 September 2016
- Draft Darebin Climate Emergency Plan

Attachments

- Northern Alliance for Greenhouse Action MoU 2017 (**Appendix A**)

Disclosure of Interest

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

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

6.3 SOLAR \$AVER PROGRESS REPORT AND SECOND SPECIAL CHARGE SCHEME**Author:** Manager Environment and Community Outcomes**Reviewed By:** Director Operations and Environment

Report Background

This report provides the summary of the Solar Saver program completed in February 2017. Council will be considering the future of the Solar Saver program in the draft climate emergency plan review.

Previous Council Resolution

At its meeting held on 18 July 2015, Council resolved:

'That Council consider a further report in the first quarter of 2017 regarding the Solar Saver program options.'

Previous Briefing(s)

This matter has not previously been to a Councillor Briefing.

Council Plan Goal/Endorsed Strategy

Goal 3 - Sustainable and Resilient Neighbourhoods

Climate Change Action Plans

Summary

The 2015-2017 Solar Saver program was well received by the community and continues to deliver great value for Darebin residents. This value will be improved with the increase to the Victorian solar feed in tariff in July 2017. 928 kW of solar panels were installed through the recent program including the associated bulk buy. The draft Climate Emergency Plan and draft Council Plan propose an ambitious \$20 million expansion of the program over the next 4 years with an aim for an additional 11,000 kW installed through the program over the period. Council will consider the expansion of the program further in the finalisation of the draft Climate Emergency Plan.

Recommendation

That Council:

- (1) Note this report.
 - (2) Consider the Solar Saver program expansion as part of the draft Climate Emergency Plan.
 - (3) Send a letter to all previous Solar Saver participants notifying them of the 1 July 2017 increase to the Victorian solar feed in tariff.
-

Introduction

The 2015-2017 Solar Saver program was well received by the community and continues to deliver great value for Darebin residents. The program was offered to the following categories of people and organisations:

- Pensioners;
- People in retirement villages or social housing;
- Renters who have a level of disadvantage (in receipt of Centrelink benefit or in housing poverty) with authorisation from property owner; and
- Child care, kindergarten and community centres (Council owned).

Non-pensioner property owners and commercial businesses were able to access the competitive prices negotiated by Council through the bulk buy program.

As shown in the table below there were a smaller number of residential Solar Saver (pensioner) households who participated in the program compared to the previous program, but Council was able to include 9 community centres and a social housing organisation to deliver a similar output in installed solar to the 2013-2014 program. This was a great outcome as it is one of the first solar programs for low income renters and provided a sustainable model for not for profits renting council buildings to access solar. Out of the 212 homes initially included in the rates scheme 29 withdrew and were not installed.

In the associated Darebin Solar Bulk-Buy there were a significant number of business installations resulting in a total of 928 kW installed in the combined program, a slightly higher rate of installation than the 2013-2014 program.

2013 - 2014 Program	No. systems	System Size	Total kw
Residential Solar Saver	76	1.5	114
Residential Solar Saver	215	2.0	430
sub-total	291		544
Residential Solar Bulk Buy	114	2.68	306
Total 2013 - 2014			850 kw

2015 - 2017 Program	No. systems	System Size	Total kw
Residential Solar Saver	68	1.56	106
Residential Solar Saver	91	2.08	189
Residential Solar Saver - social housing	4	2.08	8
Residential Solar Saver - social housing	20	3.12	62
Solar Saver - Community Centres	9	11.9	107
sub-total	192		473
Residential Solar Bulk Buy	48	3.83	184
Business Solar Bulk Buy	11	23.73	261
Batman Park Community Centre Bulk Buy	1	10	10
sub-totals	60		455
Total 2016 - 2017			928 kw

Issues and Discussion

The following issues are considerations for future programs

- The 2015-2017 program was noticeably harder to recruit households due to early adopters having already signed up to the previous program and the change in financial benefits. The cost of installation increased around \$300 per system and the feed-in-tariff for excess electricity generated reduced to 5 cents/kWh. Council's communication indicated that households were likely to save around \$20 to \$90 per year after the special scheme payment per year above annual repayments. This was below the \$100 per year savings in the previous program and the response was often 'the saving is not worth the effort'.
- With the feed in tariff rising to 11.3 cents/kWh for all systems under 100 kW in Victoria from 1 July 2017, this will change the typical savings scenario to \$150-\$180 savings per year above repayments for the first 10 years. This together with rising energy costs should substantially improve interest in program participation.
- Council made a considerable effort into recruiting not-for-profits and social housing to participate in the program. Only one social housing organisation the Northcote Rental Housing Cooperative signed up in the 2015-2016 program. There is potential for more housing cooperatives and not-for profits to participate in the program in the future, but this will take time to provide the necessary support.
- Post installation a big challenge for some households is electricity retailer approval for solar connection. Council is not able to be directly involved due to retailer procedures and privacy. Some pensioners have gone 6 months or more before they have had solar connection approvals and credit for the feed-in-tariff. Many pensioners still struggle with 'savings' from avoided electricity and only see/understand the savings from the 'feed-in-tariff'.
- To help pensioners ensure their systems are working information sessions and written materials have been provided. To provide further support officers are now completing the production of short simple YouTube videos on "how to read your smart meter and inverter". This will help Solar Saver householders check this more confidently and be able to check the energy generated and exported to the grid.
- The Northern Alliance for Greenhouse Action (NAGA) working with the Eastern Alliance for Greenhouse Action (EAGA), have developed a consortium of 21 councils across Victoria seeking to replicate the Darebin Solar Saver scheme through a combination of financing mechanisms, including using rates schemes as well as low interest bank loans. This project was successful in winning over \$850,000 funding from the Victorian Government's New Energy Jobs Fund, and is currently in preparation for roll-out. Darebin Council is participating in this project and has provided detail for the joint tender process for solar installers, which is being run through the Municipal Association of Victoria (MAV). The tenders are under evaluation and may be suitable for Darebin's future Solar Saver program.

Past program participants

It is proposed to send a letter to Solar Saver participants in the next month:

- Notifying them of the good news that the feed in tariff increases to 11.3 cents/kwh on 1 July 2017.
- Providing further information about getting the best out of their solar including viewing the new YouTube videos showing how to read their smart meter for the 3 different distributor areas, and

- Letting them know that Council has plans to expand the Solar Saver program to all Darebin properties so that they have an opportunity to spread the word to family and friends.

Options for Consideration

Council has recognised that we are in a state of climate emergency that requires urgent action by all levels of government, including by local councils. Accordingly Council's draft Climate Emergency Plan and draft Council plan aim for an ambitious expansion of the Solar Saver program.

It is proposed in the draft Climate Emergency Plan to significantly expand the Solar Saver program by investing \$20 million to install an estimated 11,000 kW solar on homes, organisations, schools and businesses. To put this in perspective this would represent 4000 homes with an average of 2.75 kw solar installed per home. Many households and small businesses will have great paybacks on systems over 3 kW and it is recommended that the new program consider systems up to 10 kW.

To achieve these ambitious targets it is recommended the Solar Saver program expand beyond low income homes to be offered to all Darebin ratepayers (households and businesses) as well as schools and other organisations. Part of the program will still be targeted at low income homes but the numbers of properties that need to be recruited require the program to be mainstreamed.

No market research has been undertaken, but it is anticipated that there would be high levels of interest in both the residential and small business sector in taking up Solar Saver program offers. The 'trusted supplier' relationship, the value through a competitive tender and the no-up-front costs are significant benefits for program participants. Extended 10 year warranties provide households and businesses with confidence that they are dealing with reputable companies and products.

To date part of Council's contribution to assisting the low income households taking part in Solar Saver has been not charging interest on the system cost. This will be a consideration in the program expansion. It is recommended that in the mainstreaming of the program Council consider including interest and administration costs for non-low income participants. It is noted that all participants will benefit by not having to pay 10% GST on the solar systems through the rates scheme.

Due to the size of the program and the timelines required for recruitment, declaration and formalisation of the special rates scheme it is proposed to run the program over 2 lots of 2 year periods as below:

Year 1, 2017/2018	Recruit and formalise special rates scheme for 5,500 kW solar installations
Year 2, 2018/2019	Install 5,500 kW solar installations and review scheme (\$10 Million budget required for installation this year)
Year 3, 2019/2020	Recruit and formalise special rates scheme for 5,500 kW solar installations
Year 4, 2020/2021	Install 5,500 kW solar installations and review scheme (\$10 Million budget required for installation this year)

Potentially Year 2 and Year 3 activities could be undertaken in the same year if demand was high enough.

Alongside these programs it is proposed to run bulk buy programs for those properties who want to pay for systems up front as well as other facilitation programs such as “Environmental Upgrade Agreements” for large commercial installations. The draft goal is to double solar installed in Darebin and this will not be achieved by an expanded Solar Saver program alone.

Resourcing and administration

A marketing plan to engage the whole of the municipality will need to be developed with appropriate community engagement strategies, communications and marketing information. General marketing will be needed at the start, with more targeted marketing when pricing is determined. This will be a significant undertaking as we are aiming to install over ten times more solar than installed in the most recent program.

Pricing will need to be determined through an open tender process. As discussed above the MAV tender process currently underway may be able to be used for all or part of the Darebin Solar Saver program over 2017-2019. This would be considered by Council through normal procurement procedure. Depending on the value of using this tender separate tender process/es could be considered.

Financial and Resource Implications

- Council originally allocated \$1 million from the 2015/2016 Council budget for the delivery of the Solar Saver program. \$780,000 was expended including \$135,500 in the 2015/2016 budget and the remainder in the 2016/2017 budget year.
- Council is expected to receive \$71,000 in participant repayments annually for this scheme over the 10 year period. It should be noted that the special charge scheme is effectively an interest free loan to the households and participating organisations.
- Some properties have paid out their scheme in full and should the property be sold during the 10 year period in which the special charge scheme applies, the amount outstanding on the special charge scheme at the time of sale will be fully paid.
- Costs of the proposed program expansion will be considered in the finalisation of the draft Climate Emergency Plan.

Risk Management

There are 10 year warranties on solar saver installation and system components

Policy Implications

Economic Development

It is estimated that the average participating household for the recent scheme using the new July 1 feed in tariff could save \$150 to 180 per year after the special scheme payment. After 10 years households can save \$400 - \$500 per year. This represents potential funds that can be spent within the Darebin community rather than on utility bills.

Environmental Sustainability

This project is consistent with Council’s climate change action plans and the draft Climate Emergency Plan.

Human Rights, Equity and Inclusion

Council has committed through its Community Climate Action Plan not only to reduce emissions, but to support those most vulnerable to climate change impacts and increasing energy costs. This project was specifically aimed at low income households, who are more vulnerable to increasing energy costs. Many participating pensioners are also from culturally and linguistically diverse (CALD) communities.

Other

This is consistent with the draft Council plan

Future Actions

- MAV solar tender expected to be finalised by July 2017
- Consultation on draft Darebin Climate Emergency Plan during June
- Adoption of final Darebin Climate Emergency Plan August
- Council briefing on solar saver program August to September
- Darebin Energy Foundation to be a significant partner in the marketing and recruitment of participants.

Consultation and Advocacy

- Northern Alliance for Greenhouse Action (NAGA)
- Municipal Association of Victoria (MAV).

Related Documents

- Draft Darebin Climate Emergency Plan
- Council Minutes – 18 July 2015

Attachments

Nil

Disclosure of Interest

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

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

7. CONSIDERATION OF RESPONSES TO PETITIONS, NOTICES OF MOTION AND GENERAL BUSINESS

7.1 KANGAROOS IN GRESSWELL WILDLIFE RESERVE

Author: Coordinator Bushland Management

Reviewed By: Director Operations and Environment

Report Background

This report is in response to Notice of Motion No. 279, resolved by Council on 2 May 2016.

Previous Council Resolution

That Council:

- (1) *Notes with alarm the recent health issues affecting Kangaroos in Gresswell Wildlife Reserve and the community concern caused by the now abandoned State Government Kangaroo cull. Council therefore resolves to develop a Greater Gresswell Forest land management and Kangaroo and Wildlife protection plan to protect the health and welfare of local Kangaroo populations by strengthening vegetation protections and by putting in place legal protections to preserve in perpetuity the wildlife movements and Kangaroo feeding places within the network of Gresswell Forest-linked parklands that are within the city of Darebin.*
- (2) *Council notes that these parklands in the Darebin LGA, namely the Gresswell Hill area, the Strathallan Golf course, the Habitat link, the Gresswell Grange Lakes and La Trobe Universities bushland areas, are larger than the current Gresswell Wildlife Reserve and collectively form a vital habitat for Kangaroo populations.*
- (3) *Officers report back to Council on the feasibility for a health and welfare plan to assist in preserving the Kangaroo population as soon as possible, in consultation with relevant stakeholders.*

Furthermore, that this plan for Kangaroo protection in parklands within the City of Darebin include but not be limited to:

- *An enhanced tree and vegetation protection schedule across all the parkland areas*
- *A grassland management plan for Kangaroos and a feed plan for droughts and summer months*
- *The development and resources for a Friends of Gresswell Kangaroos group*
- *The removal or redesign of colorbond fences and any current obstructions between these parkland areas*
- *The creation of safe a wildlife underpass or crossing points for Kangaroos between La Trobe University's bushland and the habitat link*
- *A wildlife safety report on Main Road and the Ring Road*
- *The development of a section 173 agreement between La Trobe University and Darebin Council to ensure permanent protection of access to grasslands for Kangaroos on the Habitat Link and the Strathallan golf course.*
- *Any required updating of current planning zoning and Darebin's MSS to limit land use in line with Darebin's Kangaroo protection plan.*
- *An outline of a consultation plan with Springthorpe Owners Corporation, Strathallan Golf Club and La Trobe University and relevant animal Welfare and rescue groups.*

- *Options for sourcing state government funds to support the proposed local kangaroo protection plan.'*

Previous Briefing(s)

This matter has not previously been to a Councillor Briefing.

Council Plan Goal/Endorsed Strategy

- Goal 3 - Sustainable and Resilient Neighbourhoods
- 3.7 Biodiversity, Wildlife corridors, cultural heritage assets and waterways

Summary

Gresswell Forest, Gresswell Hill, the Habitat Link, Strathallan Golf Course and Latrobe Universities Wildlife Reserve are all important flora and fauna reserves. These reserves are managed by Parks Victoria and Latrobe University and are within Darebin boundaries.

Within some of these reserves are wild populations of kangaroos. These populations naturally fluctuate, increasing when conditions are suitable and falling in drought and other adverse conditions. When in excess the health of the population can be impacted through starvation or spread of disease. Both Parks Victoria and Latrobe University currently monitor Kangaroo populations and when required provide assistance to injured wildlife. These are wild populations naturally foraging for food. This natural foraging is important to maintain the natural instincts of the population, supplemental feeding may lead to them become tame and pose a greater threat to their health and safety.

Council currently manages Reserves within close proximity and these reserves are managed for the floristic diversity with the aims to bolster native populations of indigenous plant species and control and where possible eliminate a suite of weeds. This vegetation is the natural food source for Kangaroos and if numbers continue to rise this will create an imbalance leading to a deterioration in natural vegetation and animal welfare.

Currently the major risk to the Kangaroos is increasing population. Parks Victoria have implemented a fertility program and its aim is to have a sustainable population within 10 years. The road network that segregates the Reserves could present issues to the safety of kangaroos in the area but over the last few years very few incidents involving Kangaroos and vehicles have been recorded. Council will continue to monitor the situation and install warning signs for motorists to raise awareness of possible kangaroo's crossing.

As the kangaroos are wild populations and their management is controlled by government legislation and regulation the introduction of a health and welfare plan by Darebin is not feasible.

Recommendation

That Council:

- (1) Notes this report on Kangaroos in Gresswell Wildlife Reserve.
- (2) Continues to support kangaroo health and welfare through current management plans and actions including continuing to liaise with Parks Victoria and LaTrobe University on matters regarding the health of kangaroos in their reserves.
- (3) Monitors the success of the non-lethal population reduction program.
- (4) Installs warning signs along Main Rd Bundoora.

Introduction

The wild kangaroo populations within Springthorpe and the associated reserves, Gresswell Forest, Gresswell Hill, Gresswell Lakes, the Habitat Link, Strathallan Golf Course and Latrobe Universities Wildlife Reserve are managed by Parks Victoria and Latrobe University and are lie within Darebin boundaries. The report responds to the issues concerning their welfare and provides advice on the viability of a kangaroo and wildlife protection plan.

Kangaroo populations increase and decrease cyclically and where numbers exceed capacity population reductions are required for the health and welfare of the animals to prevent spread of disease and population stress. Parks Victoria are using fertility treatments to reduce Kangaroo numbers and this will require at least 10 years to achieve a sustainable population. Parks Victoria monitor populations not only for numbers but also disease and when this occurs implement controls.

Issues and Discussion

1. The areas are managed by Parks Victoria and Latrobe University. LaTrobe University are responsible for the LaTrobe Wildlife Reserve and own Strathallan Golf Course. Parks Victoria is responsible for the management of Gresswell Forest Nature Conservation Reserve and Gresswell Hill Nature Conservation Reserve. Both are reserved under the *Crown Land Reserves Act 1978* for the purpose of Nature Conservation. Both reserves are afforded a high level of protection (higher than that of a National Park). The kangaroo issue within Gresswell Forest is related to an increase in the kangaroo population and subsequent dry period reducing available feed. A population control plan was required to ensure that a sustainable population density was reached before considering any vegetation management.

To address density issues within Gresswell Forest, Parks Victoria were going to implement a cull to immediately reduce the population to a sustainable level. The current population in the reserve is 107 and the carrying capacity of the reserve is no more than 30. Animal welfare is Parks Victoria's highest priority and the purpose of the cull was to remove sick and clearly suffering individuals by lethal means. Locals residents were opposed to the cull and as a result Parks Victoria implemented a fertility control program which involved 30 females being implanted with a fertility control agent. The fertility control will reduce recruitment into the existing population and natural mortality will slowly reduce the population number to a more sustainable level. The estimated timeframe to achieve a sustainable population number via fertility control without any other form of control is 10 years plus. Darebin also employs a fertility control program at Bundoora Farm to maintain the numbers of kangaroos in the captive population.

2. The reserves managed by Parks Victoria are fenced and greatly restrict terrestrial wildlife movement. Population density across the entire Springthorpe area needs to be addressed as issues will only increase if numbers exceed carrying capacity.

With reference to Strathallan Golf Course, Gresswell Grange Lakes and Latrobe University Bushland areas the unfenced parklands and reserves in Darebin are linked to a broader network of wildlife corridors, particularly to the north. Kangaroos are able to migrate via these corridors. The kangaroo population in northern areas of Melbourne is currently growing. With natural boom and bust cycles of the population the number of kangaroos will increase and decrease over time. When the natural cycle results in an excess population, a natural die back can be expected.

It should be noted that there are benefits to some of the most biodiverse areas being fully fenced to reduce edge effect degradation of these areas. Fences reduce access. Pedestrian, domestic animal and vehicle movements are controlled and removal of firewood, rocks and vegetation is minimised. LaTrobe is responsible for its own property and small parcels of land buffering La Trobe Wildlife Sanctuary.

It should be noted that La Trobe Wildlife Sanctuary has a predator proof fence that is impervious to kangaroos. The Wildlife Sanctuary kangaroo population is discrete to the surrounding population and is managed by LaTrobe.

3. Parks Victoria regularly monitors the condition of kangaroos within Gresswell Forest. When health deteriorates immediate actions are taken to address animal welfare concerns. Disease outbreak associated with an overabundance has been the cause of death since 2012. The disease outbreak occurs during winter. No deaths have been reported over summer.

Latrobe University Response: Maintenance of the quality of bush and grass land habitat is important to the health of the resident population. Due to the continuity of population well beyond Darebin, use of supplementary feeding would be ill advised. There are a range of State, Police, Veterinarians and private contractors that are permitted to euthanise kangaroos that are critically injured or significantly ill. LaTrobe has a contractor that assists with acute animal management issues that occur on the land it manages, also working with other agencies.

Furthermore, that this plan for Kangaroo protection in parklands within the City of Darebin include but not be limited to:

- *An enhanced tree and vegetation protection schedule across all the parkland areas*

Currently Council has Vegetation Protection Overlays for trees and manages indigenous vegetation in surrounding reserves outside of those mentioned for biodiversity values. Bundoora Park and Cherry Street Grassland have management plans with main objectives being to ensure the maintenance of populations of indigenous flora and fauna species, where appropriate bolster populations of indigenous plant species, managing a suite of weeds through control, eliminate or contain and prevent movement of a weed front into floristically intact vegetation. The indigenous vegetation managed through these plans is the natural food source for kangaroos.

- *A grassland management plan for Kangaroos and a feed plan for droughts and summer months*

Regulations are in place that restrict the feeding of wild native animal populations. The population within Gresswell is a considered a wild population. There has been some debate with regards to the fence around the reserve changing the population status to captive however, the purpose of reservation as a Nature Conservation Reserve rebuts this argument. Feeding an overabundant population during summer months will only exacerbate the animal welfare issue into the long term as it fails to address the underlying issue which is an unsustainable population density.

Biodiversity maintenance of grasslands is essential to the ecology of the wildlife corridor network. Seasonal changes and droughts are part of the natural cycle and these will correspond with die back of kangaroo populations. Supplementary feeding interferes with the natural cycle of wildlife ecology.

- *The development and resources for a Friends of Gresswell Kangaroos group*

The current wild population of Kangaroos resides within Gresswell Forest which is managed by Parks Victoria. Council will liaise with Parks Victoria in relation to a Friends of Gresswell group but as this is a wild population the development for a Friends of Gresswell Kangaroos Group would need to be under the auspices of Parks Victoria. Council will continue to liaise with Parks Victoria and support any community push to establish such a group.

- *The removal or redesign of colorbond fences and any current obstructions between these parkland areas*

Latrobe University have indicated that removal of the colorbond fencing is not being considered as it provides a light barrier at intersections and ends of streets.

- *The creation of safe a wildlife underpass or crossing points for Kangaroos between La Trobe University's bushland and the habitat link*

Regular movement of Kangaroos between LaTrobe bushland and the habitat link occurs. Crossing points are likely to vary and the construction of an underpass may not be utilised. A review and installation of suitable signage is more appropriate to create driver awareness.

- *The development of a section 173 agreement between La Trobe University and Darebin Council to ensure permanent protection of access to grasslands for Kangaroos on the Habitat Link and the Strathallan golf course.*

Under the *Planning and Environment Act 1987*, Section 173 Agreements require trigger mechanisms and cannot be entered into without either a planning permit or planning scheme requirement. In this instance the La Trobe University are exempted from requiring planning approval where the activities are consistent with the purpose of zone. It is important to note that the subject land is appropriately zoned for protection in the planning scheme. Other mechanisms such as a common law agreement should be used if Council was able to come to an agreed position with the University on this issue, which is understood to be unlikely.

- *A wildlife safety report on Main Road and the Ring Road*

LaTrobe has only attended one incident regarding an injury to a Kangaroo by a motor vehicle in the last two years. One section of the La Trobe fence was smoothed to improve the visibility of kangaroos on the roadside to drivers.

- *Any required updating of current planning zoning and Darebin's MSS to limit land use in line with Darebin's Kangaroo protection plan.*

The subject land is afforded the highest level of environmental protection possible under the planning scheme being both Public Park and Recreation Zone in the case of Strathallan Golf Course and Public Conservation and Resource Zone for the habitat link. This however cannot extend into controlling or guiding specific habitat conservation measures such as kangaroo management, but ensures general land use and development activities are consistent with the purpose of zone.

- *An outline of a consultation plan with Springthorpe Owners Corporation, Strathallan Golf Club and La Trobe University and relevant animal Welfare and rescue groups.*

Darebin City Council, the Springthorpe Owners Corporation and Latrobe University meet twice a year and animal welfare will be placed/is on the agenda. As Latrobe own the Strathallan land this site is represented.

Council currently work with Wildlife Victoria where issues arise and where applicable to prevent perceived issues that may arise. Council has been in contact with Wildlife Victoria and will work towards education programs for driving in areas where populations of kangaroos exist and what to do in the event of an accident with a Kangaroo. Wildlife Victoria will provide council with statistics of incidents with Kangaroos that have been reported to them and in discussions this has not had high numbers.

- *Options for sourcing state government funds to support the proposed local kangaroo protection plan.*

There are no options requiring additional state funding from this report.

Options for Consideration

- Continue to liaise with Parks Victoria and LaTrobe University regarding wildlife safety issues in the area particularly at Council, LaTrobe and Springthorpe Owners Corporation meetings.
- Install wildlife crossing warning signs along the Main Road corridor.

Financial and Resource Implications

The installation of 8 signs at the probable crossing points (Green Corridor road crossings) – \$2,000.

Risk Management

The current populations are managed through a fertility program being implemented by Parks Victoria and the risk of Kangaroos being hit by vehicles will be mitigated through traffic controls and education.

Policy Implications**Economic Development**

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

Environmental Sustainability

Management of the vegetation within the reserves is the responsibility of the relevant authorities. Council can through its current bushland management programs that aim to enhance the value and diversity of native vegetation assist with the wellbeing of the kangaroo population.

Human Rights, Equity and Inclusion

Nil

Other

Nil

Future Actions

- Further strengthen relations and communications with Wildlife Victoria
- Continue to liaise with Parks Victoria and LaTrobe University regarding wildlife safety issues in the area particularly at Council, LaTrobe and Springthorpe Owners Corporation meetings and
- Install wildlife crossing warning signs along the Main Road corridor.

Consultation and Advocacy

- Manager Planning
- Parks Victoria
- Latrobe Wildlife Reserve
- Wildlife Victoria

Related Documents

- Management Plan Cherry Street Grassland Reserve
- Bundoora Park: Flora and Fauna Management Plan 2011-2016
- Natural Heritage Strategy 2015-2025
- Council Minutes – 2 May 2016

Attachments

Nil

Disclosure of Interest

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

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

8. NOTICES OF MOTION

8.1 ELIMINATING THE USE OF PLASTIC BAGS BY 2020

Councillor: Lina MESSINA

NoM No.: 334

Take notice that at the Council Meeting to be held on 5 June 2017, it is my intention to move:

That:

- (1) *Council notes the Environment and Planning Committee are scheduled to table a further report on the Environment Protection Amendment (Banning Plastic Bags, Packaging and Microbeads) Bill 2016 to Parliament on 8 June 2017.*
 - (2) *Officers develop a policy, with the aim of eliminating the use of plastic bags by 2020. The policy should consider the reduction of plastic bags used at all Council run events, including but not limited to organised or formal sports and recreational events, markets conducted on Council land, buildings and or roads managed by Council. The policy should also consider the banning of all plastic glasses, straws, cutlery and food boxes in the City Of Darebin by 2022.*
 - (3) *Council implements a communication and education campaign that encourages the community and traders across the municipality to reduce or Ban the use of Plastic Bags.*
 - (4) *Officers run a competition for local schools to create a logo and/or introduce a fictional character for Council to use on advertising material, including the use on emails and websites, with the aim of promoting the environment and encouraging buyer behavioural change.*
 - (5) *The Darebin Environmental Reference Group develops an action plan, for Councils consideration, to reach Council's 2020 goal of eliminating the use of plastic bags.*
 - (6) *Pending the outcome of the Environment Protection Amendment (Banning Plastic Bags, Packaging and Microbeads) Bill 2016, Council investigates the possibility of banning plastic bags through Councils General Local Law.*
 - (7) *Officers provide updates on the policy development, action plan, and design of the competition at Councillor briefings.*
-

Notice Received: 25 May 2017

Notice Given to Councillors 29 May 2017

Date of Meeting: 5 June 2017

9. URGENT BUSINESS

10. GENERAL BUSINESS

Nil

11. PETITIONS

12. REPORTS OF STANDING COMMITTEES

Nil

13. RECORDS OF ASSEMBLIES OF COUNCILLORS

13.1 ASSEMBLIES OF COUNCILLORS HELD

An Assembly of Councillors is defined in section 3 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:

- Councillor Briefing session – 26 April 2017
- Darebin Interfaith Council – 4 May 2017
- Darebin Environmental Reference Group – 4 May 2017
- Aged Care Reforms Working Group – 8 May 2017
- Councillor Briefing Session – 11 May 2017
- Darebin Arts Ambassadors Reference Group – 16 May 2017
- Darebin Women’s Advisory Committee – 18 May 2017
- Councillor Briefing Session – 22 May 2017

Recommendation

That the record of the Assembly of Councillors held on 26 April 2017 and 4, 8, 11, 16, 18 and 22 May 2017 and attached as **Appendix A** to this report, be noted and incorporated in the minutes of this meeting.

Related Documents

- *Local Government Act 1989*

Attachments

- Assembly of Councillors - 5 June 2017 (**Appendix A**)

14. REPORTS BY MAYOR AND COUNCILLORS

Recommendation

That Council note the Reports by Mayor and Councillors.

15. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

Nil

16. CLOSE OF MEETING

