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AGENDA OF THE COUNCIL MEETING

Held on Monday 12 August 2019

Public question time will
commence shortly after 6.00pm.



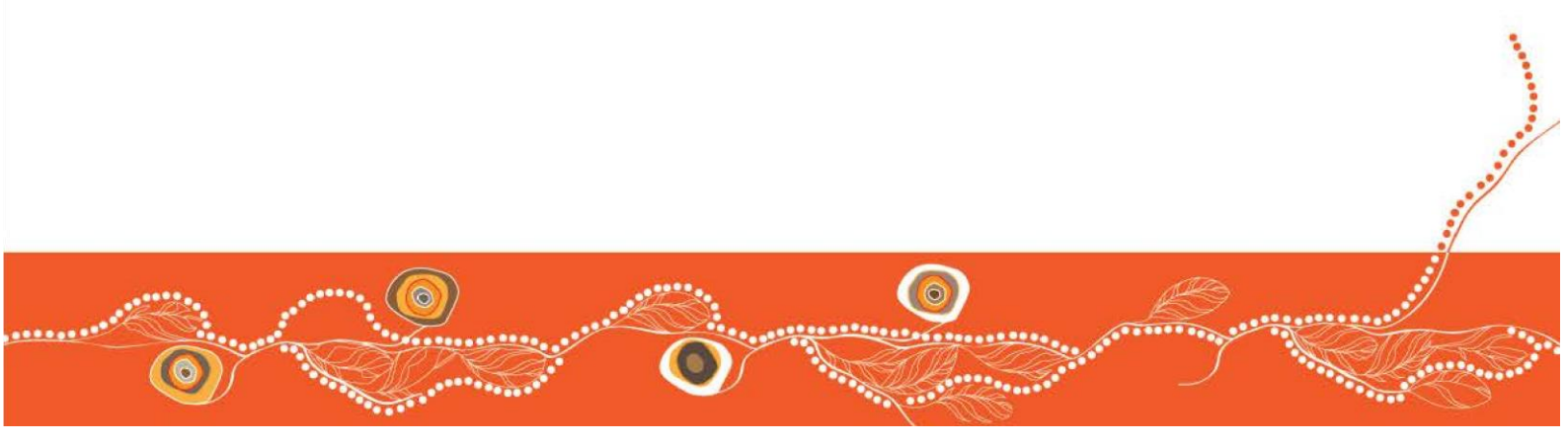
ACKNOWLEDGEMENT OF TRADITIONAL OWNERS AND ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITIES IN DAREBIN

Darebin City Council acknowledges the Wurundjeri Woi-Wurrung people as the Traditional Owners and custodians of the land and waters we now call Darebin and pays respect to their Elders, past, present and emerging.

Council also pays respect to all other Aboriginal and Torres Strait Islander communities in Darebin.

Council recognises and pays tribute to the diverse culture, resilience and heritage of Aboriginal and Torres Strait Islander people.

We acknowledge the leadership of Aboriginal and Torres Strait communities and the right to self-determination in the spirit of mutual understanding and respect.



English

This is the Agenda for the Council Meeting. For assistance with any of the agenda items, please telephone 8470 8888.

Arabic

هذا هو جدول اعمال اجتماع المجلس. للحصول على المساعدة في أي من بنود جدول الاعمال، يرجى الاتصال بالهاتف 8470 8888.

Chinese

这是市议会会议议程。如需协助了解任何议项，请致电8470 8888。

Greek

Αυτή είναι η Ημερήσια Διάταξη για τη συνεδρίαση του Δημοτικού Συμβουλίου. Για βοήθεια με οποιαδήποτε θέματα της ημερήσιας διάταξης, παρακαλείσθε να καλέσετε το 8470 8888.

Hindi

यह काउंसिल की बैठक के लिए एजेंडा है। एजेंडा के किसी भी आइटम में सहायता के लिए, कृपया 8470 8888 पर टेलीफोन करें।

Italian

Questo è l'ordine del giorno della riunione del Comune. Per assistenza con qualsiasi punto all'ordine del giorno, si prega di chiamare il numero 8470 8888.

Macedonian

Ова е Дневниот ред за состанокот на Општинскиот одбор. За помош во врска со која и да било точка од дневниот ред, ве молиме телефонирајте на 8470 8888.

Nepali

यो परिषद्को बैठकको एजेन्डा हो। एजेन्डाका कुनै पनि वस्तुसम्बन्धी सहायताका लागि कृपया 8470 8888 मा कल गर्नुहोस्।

Punjabi

ਇਹ ਕੌਂਸਲ ਦੀ ਮੀਟਿੰਗ ਵਾਸਤੇ ਏਜੰਡਾ ਹੈ। ਏਜੰਡੇ ਦੀਆਂ ਕਿਸੇ ਵੀ ਆਈਟਮਾਂ ਸੰਬੰਧੀ ਸਹਾਇਤਾ ਵਾਸਤੇ, ਕਿਰਪਾ ਕਰਕੇ 8470 8888 ਨੂੰ ਟੈਲੀਫੋਨ ਕਰੋ।

Somali

Kani waa Ajandaha Kulanka Golaha. Caawimada mid kasta oo ka mid ah qodobada laga wada hadlay, fadlan la xiriiir 8470 8888.

Spanish

Este es el Orden del día de la Reunión del Concejo. Para recibir ayuda acerca de algún tema del orden del día, llame al teléfono 8470 8888.

Urdu

یہ کاؤنسل کی میٹنگ کا ایجنڈا ہے۔ ایجنڈے کے کسی بھی حصے کے بارے میں مدد کے لیے براہ مہربانی 8470 8888 پر فون کریں۔

Vietnamese

Đây là Chương trình Nghị sự phiên họp Hội đồng Thành phố. Muốn có người trợ giúp mình về bất kỳ mục nào trong chương trình nghị sự, xin quý vị gọi điện thoại số 8470 8888.

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Agenda

1. MEMBERSHIP

Cr. Susan Rennie (Mayor) (Chairperson)

Cr. Susanne Newton (Deputy Mayor)

Cr. Steph Amir

Cr. Gaetano Greco

Cr. Tim Laurence

Cr. Kim Le Cerf

Cr. Trent McCarthy

Cr. Lina Messina

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 22 July 2019 be confirmed as a correct record of business transacted.

5. QUESTION AND SUBMISSION TIME

Members of the public can lodge questions for Council to answer or make a Comment or Submission prior to a specific item listed on the Agenda of an Ordinary Council meeting.

QUESTIONS

Members of the public can ask up to two (2) questions at an Ordinary Council meeting.

Questions submitted online will be responded to in the first instance. If you are not present at the meeting, the Chairperson will read the question and provide a response. The Chairperson may then take questions from members in the gallery.

Any question not answered at the meeting will be taken on notice and a written response will be provided to the person asking the question.

In accordance with the Darebin Governance Local Law, the Chairperson may disallow a question if it:

- is defamatory, indecent, abusive, offensive, irrelevant, trivial or objectionable in language or substance; or
- deals with a subject matter already answered; or
- is aimed at embarrassing a Councillor or an officer.

If you are unable to submit your question prior to the Ordinary Council meeting, the Chairperson may take questions from the floor.

SUBMISSIONS OR COMMENTS

Members of the public may make a comment or 2 minute submission on a matter listed on the Agenda prior to the item being debated.

A person who is unable to stay at the meeting until the Agenda item is heard, may make their comment or submission during Question Time.

HOW TO SUBMIT YOUR QUESTION OR MAKE A COMMENT OR SUBMISSION

Members of the public who wish to ask a question, or make a comment or submission to an agenda item, at an Ordinary Council meeting are encouraged to do so in one of the following ways:

- (a) online at darebin.vic.gov.au/questionsandsubmissions by 3pm on the day of the meeting; or
- (b) by email to Q&S@darebin.vic.gov.au; by 3pm on the day of the meeting; or
- (c) in person at the Preston Customer Service Centre, 274 Gower Street, Preston; or
- (d) by mail to PO Box 91, Preston 3072; or
- (e) with a Council officer prior to a Council meeting.

Council meetings can be viewed at the Watch Council and Planning Committee meetings page.

Agenda's will be 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.

6. PETITIONS

7. URGENT BUSINESS

8. CONSIDERATION OF REPORTS

8.1 DECLARATION OF THE PRESTON CENTRAL BUSINESS PRECINCT SPECIAL RATE SCHEME 2019 - 2024

Author: Coordinator Economic Development

Reviewed By: General Manager City Sustainability and Strategy

PURPOSE

To consider declaring the renewal of the Preston Central Business Precinct Special Rate Scheme 2019-2024 for the purposes of marketing, promotion and development of Preston Central.

EXECUTIVE SUMMARY

A special rate for the purposes of marketing, promotion and development of the Preston Central Business Precinct has been in place for 20 years. The current special rate scheme expired on 30 June 2019. A special rate in this context is used for promotional, advertising, marketing, business development and other incidental expenses of the business precinct.

The funds collected from a special rate scheme assist precincts to market and promote the businesses within the precinct and are also used to market the precinct as a whole to attract new visitors and shoppers. Over the past five years the Preston Central Special Rate has contributed to improving centre branding and social media presence and raised customer awareness.

The proposed special rate would raise \$110,000 annually (which would increase each year by CPI) for the five year period from 1 July 2019 and 30 June 2024. The Preston Central Business Precinct boundaries have been identified and all properties would receive a special benefit be subject to a special rate of 0.00031815 cents in the dollar of the Capital Improved Value of the property.

Council resolved at its meeting on 20 May 2019 to give public notice of its Intention to Declare a Special Rate for the Preston Central Business Precinct at its Council meeting on 12 August 2019. This notice was forwarded to all property owners and business occupiers within the Preston Central Business Precinct calling for submissions.

In response to the public consultation four objections were received. One objector requested to be heard by the Hearing of Submissions Committee on 15 July 2019.

This report recommends that Council declare a Special Rate Scheme for the Preston Central Business Precinct 2019-2024 under section 163 of the *Local Government Act 1989* for the purposes of defraying expenses relating to the promotion and marketing of the Preston Central Business Precinct.

Recommendation**That Council:**

- (1) Having considered all submissions received and taken account of all objections lodged and complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act 1989* ("Act"), and otherwise according to law, hereby declares a Special Rate ("Special Rate") under section 163(1) of the Act for the purposes of defraying expenses to be incurred by Council and to be used for the purposes of defraying management, promotional, advertising, marketing, business development and other incidental expenses to be approved by the Council and agreed to from time to time between the Council and the Association, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Preston Central Business Precinct ("Precinct").
- (2) Notes that the Special Rate is based on geographic criteria, having regard to the location (as set out below and also shown on the plan) and the capital improved value ("CIV") of those rateable properties in the precinct that are used, or reasonably capable of being used, for commercial, retail or professional purposes those properties as receiving a special benefit.
- (3) Declares that in performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the City of Darebin, in particular the encouragement of commerce, retail and professional activity and employment, the Council intends to levy and spend an amount of \$110,000 plus CPI in the first second, third, fourth and fifth years of the Scheme.
- (4) Declares that the total cost of the performance of the function and the exercise of the power and the total amount of the Special Rate to be levied by Council for the period of the Scheme, being 1 July 2019 to 30 June 2024, will be \$550,000 (being the total amount received over the five years, before addition of CPI in second, third, fourth and fifth years of the Scheme).
- (5) Declares that the period for which the Special Rate is a period of five years commencing on 1 July 2019 and ending on 30 June 2024.
- (6) Declares that the area for which the Special Rate is all of the land referred to as the Precinct, as identified and shown on the plan set out in the attachment forming part of this declaration as attached at **Appendix A**.
- (7) Declares that the land in relation to which the Special Rate is all that rateable land described in the listing of rateable properties set out in the attachment forming part of this declaration as attached at **Appendix A**.
- (8) Declares that for the period of the Scheme, the Special Rate will be assessed on the following rateable properties (which properties are specified as being the area and the land for which the Special Rate is declared) as follows:
 - a) The contributions to the Special Rate, based on relevant property classifications in relation to special benefit, will be declared and assessed in accordance with the amounts set out alongside each property in the attachment forming a part of this declaration **Appendix B**.
 - b) Properties enjoying a special benefit will be subject to a Special Rate of 0.00031815 cents in the dollar of the CIV of the property, and for the first second, third, fourth and fifth years of the Scheme a CPI increase applied.
- (9) Gives public notice in the Preston and Northcote Leader newspapers, of Council's declaration of a special rate for Preston Central Business District for the five years 2019 – 2024 in accordance with **Appendix C**.

- (10) Notes that the Special Rate will be levied by the Council by sending a notice of levy annually to the persons required to pay the Special Rate, which will require that the Special Rate must be paid in four instalments, to be paid by the dates fixed by the Council in the notice and in accordance with section 167(3) of the Act.
- (11) Notes that Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Rate.
- (12) Notes that there will be no incentives given for payment of the Special Rate before the due dates for payment.
- (13) Notes that the Council considers that each rateable property and each business included in the Scheme area that is required to pay the Special Rate will receive a special benefit because the viability of the Precinct as a commercial, retail and professional area will be maintained or enhanced through increased economic activity.
- (14) Notes that in accordance with sections 163(2)(a), (2A) and (2B) of the Act, the Council has determined (and previously set out) the total amount of the Special Rate to be levied and further considers and formally determines that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the Special Rate is in a ratio of 1:1 (or 100%). This is on the basis that, in the opinion of the Council, all of the services and the activities to be provided under the Scheme are marketing, promotional and advertising related and will accordingly only benefit those properties and businesses included in the Scheme that are used, or reasonably capable of being used, for retail, commercial or professional purposes.
- (15) Notes that Council is working towards a business led Preston Central Traders Association.
- (16) Authorises the General Manager City Sustainability & Strategy to prepare the funding agreement between the Council and any future Association by which administrative arrangements in relation to the Special Rate are confirmed, such agreement being to ensure that at all times, and as a precondition to the payment of any funds by Council to the Association, Council is, and remains, legally responsible for approving, directing and controlling the expenditure of the proceeds of the Special Rate in accordance with its obligations under the Local Government Act 1989 to do so, and such funding agreement to be submitted to Council for sealing.
- (17) Notifies all owners and occupiers of properties included in the Scheme and all persons who have lodged a submission and/or an objection in writing of the decision of Council to declare and levy the Special Rate commencing on 1 July 2019, and the reasons for the decision.
- (18) Notes that for the purpose of the preceding paragraph, the reasons for the decision of Council to declare the Special Rate are that:
 - a) There is minimal objection to the Scheme, and it is otherwise considered that there is a broad level of support for the Special Rate from all property owners and occupiers;
 - b) Council considers that it is acting in accordance with the functions and powers conferred on it under the *Local Government Act* 1989, having regard to its role, purposes and objectives under the Act, particularly in relation to the encouragement of commerce, retail activity and employment opportunities in and around the Scheme area;
 - c) All persons who are liable or required to pay the Special Rate and the properties respectively owned or occupied by them will receive a special benefit in the form of an enhancement or maintenance in land values and/or a maintenance or enhancement in the use, occupation and enjoyment of the properties; and

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- d) The basis of the distribution of the Special Rate amongst those persons who are liable or required to pay the Special Rate is considered to be fair and reasonable.
-

BACKGROUND / KEY INFORMATION

A special rate for the purposes of marketing, promotion and development of Preston Central has been in place for 20 years. In 2008 Council sought to support the businesses in Preston Central by managing and administering the special rate levy and established the Preston Business Advisory Committee (PBAC) as a mechanism to support this.

Over the past 10 years the levy has funded various promotional and marketing activities, events and programs. These have showcased the diverse range of businesses, helped to attract visitors and activated the precinct. The previous scheme allowed for PBAC to raise the profile of the precinct through promotional activities and place making activities such as family events, place making activities Lunar New Year celebrations; and promoting local businesses on social media. The current Preston Central special rate levy expires at 30 June 2019.

In order to allow the businesses that pay the special rate levy to have more control over their aspirations for Preston Central, Council decided to disband the advisory committee and is assisting the business community to establish a business led association.

A new scheme is proposed to run for five years from 1 July 2019 to 30 June 2024 and is proposed to raise \$110,000 in the first year (plus any CPI increase annually in the second, third, fourth and fifth years of the scheme). The funds raised by the scheme would deliver precinct specific business marketing events, promotion, advertising and marketing material including social media, and centre management.

Previous Council Resolution

At its meeting held on 20 May 2019, Council resolved:

That Council:

- (1) *Having otherwise considered all relevant matters, commences the statutory process under the Local Government Act 1989 (the Act) to reintroduce a special rate to and for the properties defined in the Preston Central Business Precinct for the encouragement of business and commerce (**Appendix A** – Map). This special rate will commence on 1 July 2019 and end on 30 June 2024 (five years), and raise an amount of \$110,000 per annum, for a total of \$550,000,000 multiplied by the Consumer Price Index Rate provided by the Australian Bureau of Statistics for the previous financial year for years two, three, four and five of the Scheme.*
- (2) *Applies the criteria to be used as the basis for levying the special rate:*
 - a) *For the period of the scheme, it is proposed that the special rate will be assessed as follows:*

Properties allocated to the 'primary' special benefit will be subject to a special rate of 0.00031815 in the dollar of the Capital Improved Value of the property (plus any CPI increase annually in the second, third, fourth and fifth years of the scheme).
 - b) *The manner in which the special rate is assessed (that is, the criteria to be used as the basis for levying the special rate) is: For the first year and subsequent years of the proposed special rate – each commercially zoned property included in the special rate is to pay the amount calculated in **Appendix B** of the respective property's Capital Improved Value.*

- (3) Gives public notice in the Preston and Northcote Leader newspapers, of Council's intention to declare a special rate at its ordinary meeting to be held on 12 August 2019 in accordance with the proposed declaration of the special rate (**Appendix C**).
- (4) Sends separate letters enclosing a copy of the public notice to the owners and the occupiers referred to and set out in the listing of rateable properties in **Appendix A** to the proposed declaration of the special rate advising:
 - a) Of the intention of Council to declare the special rate at its ordinary meeting to be held on 12 August 2019;
 - b) The amount for which the property owner or the occupier (being a person who as a condition of a lease under which the person who occupies the property is required to pay the special rate) will be liable; and
 - c) The basis of the calculation and distribution of the special rate and notifying such persons that submissions and/or objections in writing in relation to the Proposed Declaration of Special Rate will be considered and/or taken into account by Council in accordance with the Act.
- (5) Authorises the appropriate members of Council's staff to carry out any and all other administrative procedures necessary to enable Council to carry out its functions under the Act.'

At its meeting held on 18 March 2019, Council resolved:

'That Council:

- (1) Acknowledges the work undertaken by the Preston Business Advisory Committee and its members over the past ten years.
- (2) Disbands the Preston Business Advisory Committee as at 18 March.
- (3) Continues to administer the special rate levy until such time as a Business Association is established.
- (4) Supports the establishment of a business association for Preston Central.'

In line with the resolution, Council officers are working towards a establishing a business-led association.

COMMUNICATIONS AND ENGAGEMENT

Consultation

Council has consulted with the Preston businesses and property owners within the Business Precinct throughout the process has included:

- Visited each business and hand delivered survey and information sheet to commence the Intention to Declare process.
- Advertisements were placed in the Preston and Northcote Leader newspapers.
- Individual letters sent to property owners and business occupiers who are required to pay the Special Rate Levy.
- Two information sessions were scheduled.
- Responded to queries from businesses, real estate agents and property owners regarding the Special Rate.
- Information about the special rate was delivered in Vietnamese, Chinese and English (**Appendix E**).

Communications

In addition to the survey a brochure was distributed outlining the benefits and achievements provided to businesses via the Special Rate over the past five years.

ANALYSIS

Alignment to Council Plan / Council policy

Goal 4 - A strong economy

The overall goal is to support and attract a diversity of local businesses and industries by fostering an environment in which they can thrive. The current and proposed scheme raise funds to achieve marketing, promotions and business development outcomes in line with the Council Plan.

Council's Tourism Strategy – *A destination plan for Darebin 2016 – 2021* seeks to increase awareness of the diversity of experiences on offer in our City.

Environmental Sustainability Considerations

Supporting vibrant local shopping centres can help encourage local shopping and more pedestrian and active transport trips compared to vehicle trips. This can have a small impact on reducing emissions.

Equity, Inclusion and Wellbeing Considerations

Associations have always struggled to get representation from the diverse background of business owners. Supporting vibrant local shopping centres can help encourage local shopping and community inclusion.

Cultural Considerations

Events delivered through the special rate levy are often unique to the Preston businesses and community. In Preston Central these include major Lunar New Year celebrations and co-organised events with the Preston Market.

Economic Development Considerations

The events, marketing and promotional activities held in these precincts attract people from neighbouring suburbs and provide a boost to the local economy, which is the key to maintaining a strong and vibrant retail centres. All businesses in the special rate area are members of the Traders Association and therefore able to participate in planning for promotions and marketing of the Precinct.

Financial and Resource Implications

The proposed 2019/20 amount to be raised is \$110,000 (plus any CPI increase annually in the second, third, fourth and fifth years of the scheme). Council's contribution in providing resources for the set up and administration of a new special rate is estimated to be \$15,000 over five years. This amount will not be recovered from the business association and will be absorbed in Council's Economic Development operational budget.

Legal and Risk Implications

In 2018, Council endorsed the Darebin Electronic Gaming Machine Policy 2018-2022. The policy outlines that Council will maintain independence from the gambling industry and that Council will not accept financial contributions from gambling venues and will not promote community grants or initiatives offered by local poker machine venues.

The policy also stipulates that any sporting club, community group, organisation or association that operates or owns gaming machines will be ineligible for community grants, financial assistance or in-kind support from Council.

Cramers Hotel is located within the Preston Central Business Precinct and currently has 80 electronic gaming machines.

Legal advice received, suggests that Council can decide to remove the hotel from the area for which the special rate is proposed. Based on this advice, and in line with the Darebin Electronic Gaming Machine Policy 2018-2022, officers have not included Cramers Hotel within the proposed special rate calculations.

The Act requires Council to give public notice of the declaration of the special rate and write to all people who will be liable to contribute. The proposed declaration for this special rate has been prepared in accordance with the Act.

DISCUSSION

Special Rate schemes are commonly raised by Councils to support the marketing and promotion of local shopping precincts. The success of local shopping precincts such as Preston Central is extremely important to the local community. A vibrant, active and successful shopping centre can provide the following benefits to the community:

- Local employment
- Diversity of businesses
- Space for community to socialise and shop
- Expressions of various cultures
- Social inclusion
- Strengthen the unique characteristics of Preston Central

For the past 20 years, Preston Central has had a Special Rate Scheme in place for the properties used for retail and commercial purposes within the precinct. The area to be included within the Special Rate is attached in the map as **Appendix A**. In the final year of the current scheme (2018/2019) the levy has raised **\$119,791**.

The funds raised by the Special Rate have been used by the Preston Central over the last five years for:

- Digital marketing
- Promotional and marketing events including Lunar New Year
- Promotional advertising, marketing and public relations material
- Improvement of the branding of the centre
- Centre management, including employment of a Centre Coordinator
- Installation of centre décor and displays

- Works to enhance the appearance and amenity of the centre in addition to those provided generally by Council
- Incidental costs related to the above including expenses related to the declaration and levying of the rate

Seeking a special rate levy for marketing and promotion

The special rate should be implemented because:

- Preston Central is a strategic priority for stimulating future economic development and employment opportunities.
- It is one of Darebin's Principal Activity Centres and one of the largest traditional, culturally diverse precincts in Melbourne's north, forming a major focus for business, shopping, community and culture.
- Preston Central will be further enhanced through increase economic activity facilitated by a renewed special rate that will continue collective marketing and promotion of the Preston Central as a whole.
- It will assist to create a greater awareness of the area, including what it has to offer to the community and its customers.
- All businesses will benefit from the continuation of activities.
- The rate will support the overall strategic direction of the Centre.

Establishment of a business led association

Council has managed a special rate scheme with the assistance of the PBAC for the past 10 years and has recently decided to disband the advisory committee. In line with the resolution, officers are working towards the establishment of a business led association.

Officers recommend that Council continue to manage the budget, develop a five-year business plan and deliver actions from this plan until a business led association is established which is expected to be in early to mid-2020. The association and the levy will allow Preston Central businesses to unite and respond to external opportunities and provide a holistic approach to marketing and promotion of the precinct.

Preston Market

The Preston Market plays an important role in Preston Central. The market also plays a significant role in the local economy as an anchor and attractor for visitors from Darebin and wider Melbourne.

For the past 20 years the Preston Market has contributed to and supported the special rate levy while participating in and benefiting from various annual marketing and promotional activities. There are 131 individual rateable occupancies in the Preston Market (not all under the same ownership) and are included in the proposed special rate. As part of the proposed levy the market businesses will contribute \$17,152 (15.6%).

Officers recommend for the long-term viability of Preston Central that the properties within the Preston Market continue to be included in the business precinct. The Preston Market management and individual businesses from the Preston Market will be encouraged to be involved in the planning and decision making for the marketing of the precinct.

Marketing activities between the Market and the broader centre requires cross-collaboration and sharing of ideas and themes, a key example of this is the Lunar New Year festival held every year in Preston Central.

It will be important for the Preston Market to have management and trader representation on the Preston Central business committee.

Submission Process

Any person required to pay the proposed Special Rate Scheme was invited to make a written submission or objection to Council within 28 days of the publication of the public notice.

Council received six phone or individual enquiries; these calls were general enquiries regarding the benefits received by the businesses and other non-related business issues.

Four submissions were received by the closing date for submissions, and one submitter requested to be heard in support of their submission at the Hearing of Submissions Committee which was held on 15 July 2019 (**Appendix D**). An additional submission was received after the closing date and has been responded to in the report.

Issues raised in submissions:

Business doesn't perceive benefit

It can be hard for individual businesses to quantify the benefit of being in a well-known or recognised precinct, however, generally all businesses are supported by being located in a precinct that customers know about and enjoy visiting, and marketing and place making activities of the business association contribute to this.

Special rates are applied to commercial properties and the boundary is set considering the physical boundaries of the precinct, rather than the specific business type or use, as business types or use can change over time.

Amount is excessive and increasing more than CPI, a capped amount should be applied

A submitter requested that Council consider not increasing the levy annually by the proposed CPI.

Officers have note recommended it, however our legal specialist advises that Council could make a decision to cap the rate at \$110,000 annually for the five years of the scheme if they so wish, with no CPI increase, without changing the intent of the levy.

Difficult to influence how rate is being spent

Officers recommend that in setting up the business led association, local businesses will collectively decide how to best spend the funds for the benefit of the local businesses and the wider precinct. It is proposed that all businesses and landlords in the special rate area will become members of a future Association and therefore able to participate in planning for promotions and marketing of the Precinct. Specifically:

- Any business paying the special rate can nominate to become a committee member of the Association.
- The Association is required to hold a meeting for all members to assist in the development of a five-year business plan and subsequent annual marketing plan. All businesses will be encouraged to be involved in this process. Council will commence

the business plan development and will be engaging with stakeholders over the next two months.

- Any new Association will also be encouraged to ensure that their annual marketing program includes activities which are inclusive and showcase all types of businesses.

Rising costs on landlords

Two submissions raised the point that as landlords they do not have an agreement with their tenants to pay the rates, or that rental does not cover taxes. Property prices within Preston have increased significantly over the past five years, due to this, officers have recommended that the levy remains at \$110,000 which was the amount of the previous special rate levy at the beginning of the scheme, and is therefore a reduction compared to the levy in 2018-19.

Administration of the notification was not sufficient

All important information was provided to business operators and landlords including the outline the purpose of the levy for the promotion and marketing of the business precinct. Public notices were issued in both the Preston and Northcote Leaders. A copy of the public notice was provided with the letter.

Difficulty in measuring success of the marketing rate

It is often hard for rate payers to see the success of a special rate levy. It is therefore important that these submitters, along with all businesses are given every opportunity to participate in the development of the five-year business and marketing plans. It is important that the plan highlights the key outcomes and measures of success. Business will also be given annual opportunities to provide feedback and suggestions for improvements to the committee via surveys and participation at future Annual General Meetings.

One additional submission was received after the closing date, outlining an issue as follows:

In-house Events, Social Media and Marketing Activities are Sufficient and the Levy Isn't Needed

The Levy is used to market the broader offer of Preston Central, and is intended to enhance and amplify other local marketing activities, i.e. that of individual businesses or collections of businesses.

Over the past two years, the levy has enabled Preston Central to rebrand the Centre, introduce social media marketing – Facebook and Instagram; and invest in a new website. This has meant that all businesses now have an updated presence on the Preston Central website.

Special rate declaration

Under Section 163 of the *Local Government Act 1989 (Act)*, Council is empowered to declare a special rate for the purposes of defraying any expenses in relation to the performance of a function or the exercise of a power of Council, if Council considers that the performance of the function or the exercise of the power is, or will be, of special benefit to the persons required to pay the Special Rate.

In this case, the purposes of marketing, promotion and development of Preston Central arises out of Council's functions of advocating and promoting proposals which are in the best interests of the community and ensuring the peace, order and good government of Council's municipal district and promotes the social, economic and environmental viability and

sustainability of the municipal district. Each proposed property outlined to pay the levy has been part of the previous five year scheme 2014 – 2019.

In September 2004, the Minister for Local Government issued a guideline for the preparation of Special Rate schemes. The guideline specifically deals with the calculation of the maximum total amount that a council may levy as a special rate. The guideline requires that Council identify the following:

- A. Purpose of the works
- B. Ensure coherence
- C. Calculate total cost
- D. Identify special beneficiaries
- E. Determine the properties to include
- F. Estimate total special benefits
- G. Estimate community benefits
- H. Calculate the benefit ratio
- I. Calculate the maximum total levy

A. Purpose of the Works

The levy will be used for the purposes of contracted support, promotional, advertising, marketing, business development and other incidental expenses which are associated with the encouragement of commerce, retail and professional activity and employment in the Preston Central Business Precinct.

B. Ensure Coherence

The levy has a natural coherence with the proposed properties are classified as receiving a special benefit having regard to the nature and characteristics of the properties and businesses included in the precinct.

C. Calculate the Total Cost

For the purposes of section 163(1) of the Act, the total cost of the scheme to be raised over five years is \$550,000 (\$110,000 in year one plus \$110,000 plus CPI annually for the life of the scheme (five years).

The total cost of implementing this rate would include:

- The annual amount which the Association has budgeted to spend on various marketing, promotional and other activities; and
- Council's own administrative costs in relation to the scheme.

It has however, been practice in previous schemes for Council to not recover its administrative costs from liable properties, and to only levy those costs incurred by the Association. It is proposed that this practice continue for the new scheme. Council's contribution is \$15,000 over the life of the scheme; by providing its own resources towards the benefit of the Centre is not inconsiderable and is highlighted for the record.

D. Identify the Special Beneficiaries

Council is required to identify those properties that would receive a special benefit from the proposed works. A special benefit is considered to be received by a property if the proposed

works or services will provide a benefit that is additional to or greater than the benefit to other properties.

The Ministerial Guideline notes that a special benefit is considered to exist if it could reasonably be expected to benefit the owners or occupiers of the property. It is not necessary for the benefit to be used by the particular owners or occupiers of a specified property at a particular time in order for a special benefit to be attributed to the property. The Preston Central business promotions including:

- Digital marketing
- Promotional and marketing events
- Promotional advertising, marketing and public relations material
- Improvement of the branding of the centre
- Centre management, including employment of a Centre Coordinator
- Installation of centre décor and displays

E. Determine Properties to Include

Once the properties that receive special benefit are identified, Council must decide which properties to include in the Scheme. If a property will receive a special benefit but is not included in the scheme, the calculation of the benefit ratio will result in Council paying the share of costs related to the special benefits for that property.

It is accepted that only those properties at which are included in the Business Precinct receive a special benefit from the scheme. Accordingly, it is proposed to include only commercial properties in the scheme. Council will not, then, be required to pay a share of costs related to special benefits for any property that is not included in the scheme.

F. Estimate Total Special Benefits

As per the Ministerial Guideline for Special Rates and Charges, total special benefits are defined according to the formula below:

$$\text{TSB} = \text{TSB}_{(in)} + \text{TSB}_{(out)}$$

- **TSB** is the estimated total special benefit for all properties that have been identified to receive a special benefit
- **TSB_(in)** is the estimated total special benefit for those properties that are included in the scheme
- **TSB_(out)** is the estimated total special benefit for those properties with an identified special benefit that are not included in the scheme

For the purposes of the proposed scheme, total special benefits have been calculated as follows:

- **TSB_(in)** – The estimated total special benefit is based on the request from the Business Association required for their annual budget.
- **TSB_(out)** – This is not applicable as all participating properties are included.

G. Estimate Community Benefits

The community benefit which is calculated in circumstances where Council considers that the services and activities to be provided from the proceeds of the special rate, all being for

the purpose of marketing, management and development of the Centre, will only benefit the commercial properties (all of which are rateable land) included in the Scheme area.

The community benefit has been assessed and equates to zero.

- **TCB – Total Community Benefit is assessed to be 0 benefit units**

H. Calculate the Benefit Ratio

The benefit ratio is calculated as:

$$R = \frac{\text{TSB}_{(in)}}{\text{TSB}_{(in)} + \text{TSB}_{(out)} + \text{TCB}}$$

Where:

$$\text{TSB}_{(in)} = \$550,000$$

$$\text{TSB}_{(out)} = 0$$

$$\text{TCB} = 0$$

$$R = 1$$

I. Calculate the Maximum Total Levy

In order to calculate the maximum total levy **S**, the following formula is used:

$$S = R \times C$$

Where **R** is the benefit ratio and **C** is the cost of all works

R is the 'benefit ratio' which is the percentage of the total cost that Council determines is able to be levied. It takes into account whether there are properties Council believes will derive a 'special benefit' and are to be levied, and others which also receive such a benefit, but which aren't to be levied (such as non-commercial community facilities). It is considered that all the properties within the area of the on the map attached **Appendix A** to the report will derive a special benefit. Council must also determine if there is a clear, direct and tangible 'community benefit' provided by the scheme that cannot be rated to the shops. This must be attributed to, and paid for, by Council.

S is the maximum amount that can be levied. With regard to the 'benefit ratio', it is considered that all the commercially zoned properties shown on the map and detailed in the list annexed to the attached proposed declaration, will receive a special benefit through increased economic activity. There are no rateable properties identified within this area which should not be levied.

Also, it is considered that there are no separate 'community benefits' that can be measured which might accrue from the existence of the scheme. Any benefits to people visiting the businesses in the Centre will accrue to the businesses themselves.

Therefore, the total maximum amount that can be levied on liable property owners would be 100% of the total cost of the Scheme

Therefore $S = 1 * \$550,000 = \$550,000$ (plus CPI in years 2-5).

Note there is no community benefit amount payable by Council.

Apportionment of Costs

Once the maximum levy amount has been calculated, Council needs to specify the methodology it will use in determining how the payment of the rate is to be apportioned amongst the benefiting properties.

For the period of the scheme, it is proposed that the special rate will be assessed as follows **(Appendix C)**:

Properties allocated a special benefit (as shown below) - will be subject to a special rate of 0.00031815 cents in the dollar of the CIV of the property.

- 317-509 High Street, Preston (inclusive)
- 274-444 High Street, Preston (inclusive)
- 241A-251 Murray Road, Preston (inclusive)
- 2-26 Cramer Street, Preston (inclusive).
- 25 Preston Street, Preston (inclusive)
- 14-32 The Centreway, Preston (inclusive)
- 1-12 The Strand, Preston (inclusive)
- 1 Cook Street, Preston (inclusive)
- 19-29 Mary Street, Preston (inclusive)
- 267-275 Gower Street, Preston (inclusive)
- 88 Roseberry Avenue, Preston (inclusive).

Statutory Process

The Act requires Council to give public notice of its declaration of the Special Rate and write to all people who will be liable to contribute. The declaration of the Special Rate has been prepared in accordance with the Act. Affected persons then have a period of 30 days to lodge an objection” with the Victorian Civil and Administrative Tribunal

Once the Special Rate is implemented, it is intended that Council would continue to partly utilise the fund to employ a part-time Centre Coordinator to organise marketing, management and business development activities funded by the proceeds of the Special Rate.

Officers would work with the newly established Association to undertake governance training of committee members; assist develop a five year business and marketing plan and encourage businesses in the precinct to become active members of the Association.

OPTIONS FOR CONSIDERATION

- That Council declares a Special Rate Scheme 2019 - 2024 for the encouragement of business and commerce in the Preston Central Business Precinct as proposed in this report at \$110,000 annually with an annual increase of CPI (recommended).
- That Council declares a Special Rate Scheme 2019 - 2024 for the encouragement of business and commerce in the Preston Central Business Precinct at a fixed amount of \$110,000 annually, with no annual increase in CPI.
- That Council does not declare a special rate.

IMPLEMENTATION STRATEGY

Details

Should Council resolve to proceed to declare the special rate, the following would occur:

- Public Notice of Council's 'Declaration' of the special rate will be advertised in The Northcote and Preston Leader newspapers and individual letters, including a copy of the public notice, will be sent to all property owners and occupiers (businesses).
- A person affected by the special rate then have a period of 30 days to lodge an objection with the Victorian Civil and Administrative Tribunal. This will be considered in accordance with sections 163 of the Act 1989.
- Once established, Council will enter into a formal agreement with the Preston Central Traders Association, until then Council will continue to manage the marketing levy.
- Deliver governance training for Association committee members.

Communication

- Public notices will be issued and information about the Scheme will be provided in the Preston Library and on Council's website.
- All business owners / occupiers and landlords will be notified through individual letters.
- A communications plan will be developed to encourage businesses to participate in developing a five-year business plan and take part in the Preston Central Traders Association.

Timeline

- In accordance with Section 163 of the Act, give public notice in next editions of the Northcote and Preston Leader newspapers.
- Notify Council's declaration of a special rate from the 1 July 2019 for the encouragement of business and commerce in the Preston Central Business Precinct and that a copy of the public notice be sent to each person who will be liable to pay the special rate (business operators and landlords).
- Affected persons then have a period of 30 days to lodge an objection with the Victorian Civil and Administrative Tribunal.

RELATED DOCUMENTS

- *Local Government Act 1989*
- Tourism Strategy: A Destination Plan for Darebin 2016-2021
- Darebin Council Plan 2017 – 2021

Attachments

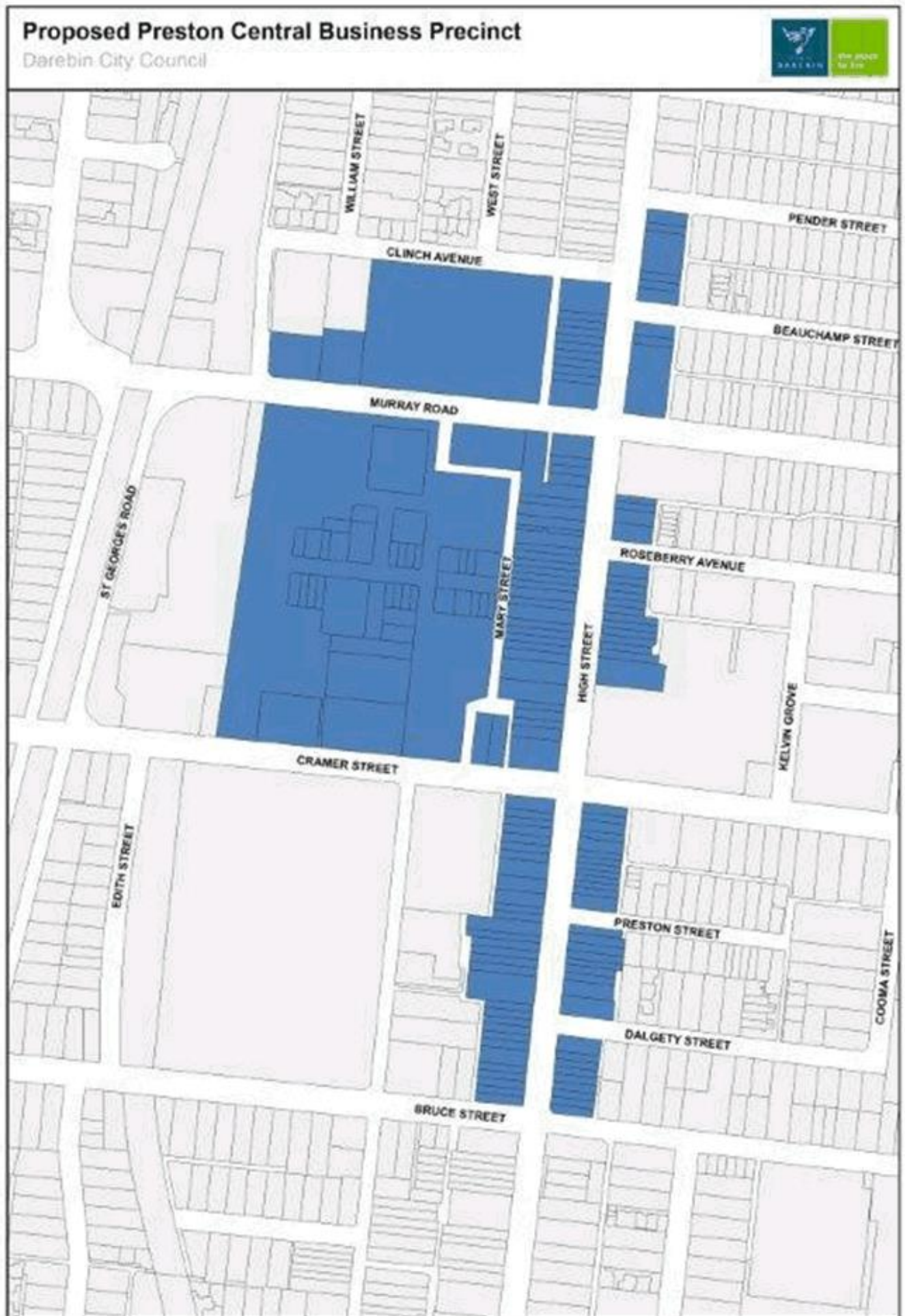
- Map of Preston Central Business Precinct (**Appendix A**) [↓](#)
- List of Assessments for the Preston Central Business Precinct Special Rate Scheme (**Appendix B**) [↓](#)
- Draft Public Notice - Preston Central Business Precinct Special Rate Scheme Declaration (**Appendix C**) [↓](#)
- Copy of Submissions Preston Central Business Precinct Special Rate Levy (**Appendix D**) [↓](#)

- Copy of Translated Information -Business & Property Owners (**Appendix E**) [↓](#)

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.



Assess	Rounding (Rates to be paid)
614	1,590.75
615	550.40
616	524.95
617	544.05
618	531.30
619	572.65
620	547.20
621	445.40
622	464.50
625	378.60
626	544.05
627	811.30
629	645.85
630	426.30
632	375.40
634	1,622.55
636	257.70
637	276.80
641	160.65
645	292.70
646	747.65
647	213.15
648	410.40
15714	257.70
15715	219.50
15716	442.25
15717	429.50
15719	369.05
15720	365.85
15721	649.05
15722	470.85
15724	378.60
15725	381.80
15726	394.50
15728	327.70

15734	569.50
15735	540.85
15736	540.85
15737	537.65
15740	559.95
15741	388.15
15742	429.50
15743	429.50
15744	614.05
15745	439.05
15746	518.60
15747	550.40
15748	470.85
15749	804.90
15750	442.25
15751	
15752	375.40
15753	540.85
15754	636.30
15756	151.10
15757	151.10
15758	151.10
15759	151.10
15760	464.50
15761	372.25
15762	579.05
15763	588.60
15764	559.95
15765	1,288.50
15766	206.80
15767	85.90
15768	109.75
15769	92.25
15770	108.15
15771	109.75
15772	108.15
15773	127.25

15774	125.65
15775	108.15
15776	90.65
15777	163.85
15778	932.20
15785	604.50
15786	629.95
15787	601.30
15788	451.75
15791	575.85
15793	343.60
15794	626.75
15795	744.45
15796	633.10
15797	677.65
15798	639.50
15799	636.30
15800	607.65
15801	668.10
15802	470.85
15803	439.05
15804	944.90
15805	916.25
15806	629.95
15807	1,718.00
15808	556.75
15809	569.50
15810	493.15
15811	413.60
15812	620.40
15813	273.60
15814	1,034.00
15816	248.15
15817	248.15
15818	655.40
15819	222.70
15820	251.35

15821	292.70
15822	311.80
15823	321.35
15825	369.05
15877	442.25
15878	273.60
15879	273.60
15880	273.60
15881	378.60
15882	203.60
15883	391.30
15884	340.40
15885	324.50
15886	372.25
15887	381.80
15888	404.05
15889	384.95
15890	470.85
15891	359.50
15893	400.85
15894	372.25
15895	521.75
15896	458.15
15897	454.95
15898	534.50
15899	372.25
15900	461.30
15901	674.50
15904	98.65
15910	66.80
15911	79.55
15912	696.75
15914	381.80
15916	394.50
15917	378.60
15919	419.95
15921	458.15

15923	426.30
15924	378.60
15925	499.50
18893	175.00
18894	241.80
18895	397.70
18900	324.50
18901	170.20
18902	175.00
19781	785.85
19782	454.95
19783	222.70
19784	614.05
19788	106.60
19789	98.65
19790	90.65
19791	82.70
19792	101.80
19793	122.50
19794	60.45
19795	120.90
19796	63.65
19942	225.90
19943	117.70
19944	159.05
19945	74.75
19947	74.75
19949	122.50
19950	122.50
19951	117.70
19952	117.70
19954	515.40
19956	343.60
19957	232.25
19958	146.35
19959	127.60
19961	324.50

19963	219.50
19964	197.25
20128	286.35
20129	404.05
20130	318.15
20131	572.65
20132	2,526.45
20388	913.10
20389	1,813.45
20390	4,135.95
22101	21.00
22105	26.70
22108	42.30
22118	29.90
22147	78.90
22148	59.20
22152	25.45
22154	25.45
22161	27.70
22165	41.05
22166	40.10
22167	40.40
22168	28.65
22170	99.90
22198	30.55
22199	55.70
22205	55.70
22208	54.10
22209	33.10
22210	52.20
22211	111.05
22212	85.25
22214	133.00
22215	64.90
22217	40.10
22218	46.15
22221	63.95

22227	59.20
22229	45.50
22231	46.45
22236	25.45
22254	173.70
22280	91.30
22282	60.45
22285	151.75
22286	178.15
22287	126.60
22288	165.10
22289	113.60
22290	132.05
22291	172.10
22292	169.55
22293	178.80
22295	178.50
22296	157.15
22297	139.05
22298	138.40
22299	142.55
22300	157.50
22301	187.40
22302	173.70
22303	210.60
22304	212.20
22305	277.45
22307	131.70
22308	175.00
22309	199.80
22310	209.00
22314	81.45
22316	61.70
22318	83.05
22319	88.45
22321	102.45
22323	114.85

22324	133.60
22327	129.80
22328	119.95
22331	98.95
22336	185.15
22338	150.80
22339	105.30
22340	137.45
22341	134.60
22342	87.50
22343	242.10
22346	44.20
22349	59.50
22351	60.15
24455	155.90
56546	63.00
56570	26.70
56572	45.50
56573	87.50
61036	207.45
61037	237.65
61038	146.65
61039	242.45
61040	105.65
61041	215.05
61042	258.65
61043	359.50
61044	211.90
61045	265.35
61046	354.10
61047	272.95
61048	215.05
61050	156.55
61052	42.65
61056	64.60
61057	30.85
61067	45.20

61072	103.70
61074	31.20
61075	63.65
61076	78.90
61078	65.85
61079	45.80
61166	505.85
62399	397.70
63265	177.55
63278	1,087.45
65056	101.80
65057	89.10
65635	56.00
65678	70.00
65679	70.00
65680	60.45
65681	60.45
65682	58.85
65683	337.25
65684	17.50
67739	804.90
67740	194.05
68054	499.50
68375	375.40
68376	375.40
69103	324.50
69104	416.80
72590	59.80
72591	42.30
72592	72.20
72593	0.00
72594	725.05
72902	289.50
72903	184.55
74273	267.25
75010	267.25
75963	458.15

75964	311.80
75965	346.80
76529	203.60
76530	241.80
77535	77.30
78999	547.20
79000	556.75
79464	41.35
79465	29.60
79466	41.05
79467	43.60
	109,999.95

**DAREBIN CITY COUNCIL
NOTICE TO DECLARE A SPECIAL RATE PRESTON CENTRAL BUSINESS
PRECINCT
(Precinct)**

In accordance with the provisions of the Local Government Act 1989 (Act), it is hereby given that Darebin City Council at its meeting on **12 August** 2019 resolved to declare and levy a special rate for the Preston Central Business Precinct under Section 163 of the Act.

The special rate is for the purpose of defraying expenses to be used for the purposes of promotional, marketing, business development, contracted support, and other incidental expenses all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Precinct.

In performing functions and exercising powers to encouragement of commerce and retail activity in and around the area for which it is proposed the Special Rate being 1 July 2019 to 30 June 2024, will be declared, the Council intends to levy and spend an amount of \$110,000 or the first year of the Scheme, raising in total an amount of \$550,000 over the Scheme. Any increases in Special Rate amounts pursuant to increases in the Consumer Price Index (CPI) will, however, be added to the payments of the Special Rate in the second, third, fourth, and fifth years of the Scheme.

The Special Rate will be based on geographic criteria, having regard to the location (as set out below and also shown on the plan) and the capital improved value (CIV) of those rateable properties in the Precinct that are used, or reasonably capable of being used, for commercial, retail or professional purposes receiving a special benefit.

The Council considers that each rateable property and each business included in the Scheme area that is required to pay the Special Rate will receive a special benefit because the viability of the Precinct as a retail, commercial and professional area, and the value and the use, occupation and enjoyment of the properties will be maintained or enhanced through increased economic activity.

For the period of the Scheme, the proposed Special Rate will be assessed on the following rateable properties (which properties are specified as being the area and the land for which the Special Rate will be declared) as follows: Properties allocated a special benefit - will be subject to a special rate of 0.00031815 cents in the dollar of the CIV of the property.

- 317-509 High Street, Preston (inclusive)
- 274-444 High Street, Preston (inclusive)
- 241A-251 Murray Road, Preston (inclusive)
- 2-26 Cramer Street, Preston (inclusive).
- 25 Preston Street, Preston (inclusive)
- 14-32 The Centreway, Preston (inclusive)

- 1-12 The Strand, Preston (inclusive)
- 1 Cook Street, Preston (inclusive)
- 19-29 Mary Street, Preston (inclusive)
- 267-275 Gower Street, Preston (inclusive)
- 88 Roseberry Avenue, Preston (inclusive).

The Special Rate will be levied by the Council sending a notice of levy annually to the persons required to pay the Special Rate, which will require that the Special Rate be paid in four instalments, to be paid by the dates fixed by the Council in the notice and in accordance with section 167(3) of the Act. Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Rate.

For the purposes of having determined the total amount of the Special rate to be levied under the Scheme, the Council considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the Special Rate is in a ratio of 1:1 (or 100%). This is on the basis that, in the opinion of the Council, all of the services and the activities to be provided from the proceeds of the expenditure of the Special Rate are marketing, promotion and advertising related and will accordingly only benefit those properties and businesses included in the Scheme that are used, or reasonably capable of being used, for retail, commercial or professional purposes.

SUE WILKINSON

Chief Executive

Submission one

Dear Sir/Madam

I write in regards to the Proposed Special Rate for the Preston Central Business Precinct.

Having receive the letter dated 27 May outlining the new special rate, I wish to object to the proposed under Section 163B of the Act, also to the CPI increases proposed in the second, third, forth, and fifth years.

The current increase for the first year to \$572.65 is excessive, it is much greater than CPI (1.8%) at almost a 15% increase. With CPI on top of this in the following four years, this will increase to over \$650 on top of all our other fees like outdoor permits, rates, etc.

As with many businesses in this precinct, we are a small business and its no secret how tough retailing is in the current economic climate. Small business is being hit left and right with increased costs at every level, making it very hard to make ends meet, and we cannot take much more.

I ask that the special rate be capped at its current amount of \$500, or only a marginal increase of \$10 for the next five years.

Submission two

To the Economic Development Coordinator

I am submitting this opposition, on behalf of my parents, regarding the proposed additional Levy on the property owned by [REDACTED]

Firstly, my parents are humble, hard- working post war immigrants, who have never received any financial government assistance and planned for their retirement. They are self - funded retirees that rely on the rent received by this Preston property. They are by no means, wealthy landlords.

The rental property at [REDACTED] does not cover the current existing Rates and Taxes as the tenant struggles to pay her way. This shop will soon be empty as this business is failing. My father has had Debt collectors sent to his home demanding Council Rates be paid, as the tenant has not paid for years. Further to this financial pressure, the Council wants to impose another Levy; this is draconian. Why can't existing Rates accommodate marketing and infrastructure improvements? Why should the owners pay more? There are many shops that are empty on the High Street as is the case all over Melbourne and the State.

Darebin Council needs to apply constructive and fiscally responsible planning to support shop owners and business operators. That means working within an existing budget.

Imposing an additional Levy, means increased pressure on rents and that will only result in more empty shops. This precinct will soon become a ghost town, as the current Rates and State Land Taxes are bleeding ordinary folk like my parents.

Please understand this is not a strategy that will add value, only more hardship for the High Street vendors.

Submission Three

To the Economic Development Coordinator

As Director of [REDACTED] and referring to your letters noting the above addresses, on behalf of [REDACTED] object to the Proposed Special Rate – Preston Central Business precinct.

The services conducted from the three properties are services which are by appointment only. There is no sales of a product or over the counter products to public in the specific precinct or Darebin region. The properties would not derive any benefit from the precinct and have never actively promote or encouraged clientele from the vicinity of Preston or would benefit as a business/s from the precinct.

As mentioned by your undated Notice of Intention to declare a special rate levy there will be no benefit or special benefit. Your description of the “special benefit” envisaged by Council is wanted to explain how the properties above could benefit.

The Notice of Intention provides no detail for any person, especially in the services, to understand or appreciate the special benefit that has been assumed.

Sec163 (1) of the Act, specifically notes the levy will be of benefit to the person required to pay the special rate or special charge.

Section163 (1B) in addition to any other requirement specified by this act, the public notices must –

- (a) contain an outline of the proposed declaration
- (b) set out the date on which it is proposed to make the declaration

We have not been given a detailed outlined to date.

The undated notice provides no specific notification, no description of the function that will be performed other than generalised information.

Sec163 (2D) sub sec (3) is lacking any information for a reasonable person to make a decision how this levy has been determined to be beneficial to the functions operated from all three properties.

The notice lacks all information noted by S163 and all subsections

The key facts are that services provided by the three properties will not receive any benefit directly or indirectly by this proposed levy designed to encouragement of commerce and retail, specifically referring to the operation from each of the three properties.

If no benefit is available, as a landlord it will be very difficult to encourage this payment by the three properties. This levy will add unnecessary costs to each property Please be aware that there are no existing leases with the current tenants and accordingly we cannot charge the levy to the tenants.

All three properties are a rateable entity and the majority of the three properties object to the proposal.

As the landlord we want to make a submission in person, Sec223 gives this right.

Submission Four

Thanks for this. We already have a large marketing budget [REDACTED] What is the total levy you propose for [REDACTED]

Submission Received After Closing Date

We have reviewed our position regarding the special levy proposal. For this upcoming period, we will not be contributing for the following reasons.

In previous years we have spent an estimate of \$ [REDACTED] a year with the special levy rate and the return in investment has unfortunately been minimal.

- Lack of communication [REDACTED] throughout the year
- Lack of social media presence
- Preston Central website was outdated, whereby our traders contact details were not correct for many years.
- We have participated in the Lunar New Year celebrations for many years in partnership with Preston Central, which we do believe has been beneficial to the market however this is the only event which we have been asked to participate in. In past years, except for last year we have still paid for costs on top of the levy for this event. [REDACTED]
- Being a major funder, we had expected a broader plan to market our traders and its activities.

In the past 3 years with the assistance of our Marketing Agency [REDACTED] [REDACTED] with our consistent marketing/advertising and believe that we are more than able to manage this without the extra costs of the levy.

PRESTON CENTRAL



Frequently Asked Questions about Preston Central Special Rate

What is a special rate?

A special rate is an annual fee paid by business properties which is pooled into a central fund and is spent on encouraging commerce and retail activity in the Preston Central precinct.

Who pays the special charge or rate?

The property owner is liable to pay, however, some landlords have leasing arrangements that defer the special rate to the tenant. If you are leasing and unsure, please check your leasing arrangement or contact your landlord to find out who is liable for the special rate.

Who manages the funds collected?

Council monitors the expenditure and ensures that the funds are only spent in accordance with the Special Rate Levy agreement as stipulated by the Local Government Act 1989.

100% of the funds collected are directed toward the activities below:

- Marketing events
- Promotional materials
- Engaging a centre/events coordinator
- Improving centre décor and displays
- Enhancing the appearance of the centre to attract more customers

How can I be involved in the decision making of how the funds are spent?

We are looking for new members to be involved in working out how this money should be spent to assist businesses in the precinct. Your commitment would be one hour per month.

Come along to an Information Session

Meet the Centre Manager Penny Jamieson and find out how you can be involved.

Morning Session:

Afternoon session:

Date: Tuesday June 18th
Time: 8:30am
Location: Old Fire Station Cafe Gallery
 378 High St, Preston

Date: Wednesday June 12th
Time: 5:30pm
Location: Basil House
 461 High St, Preston

For more information please contact Penny Jamieson
 Please RSVP to: business@darebin.vic.gov.au

Câu hỏi thường gặp về Thuế địa phương Đặc biệt Central Preston**Thuế địa phương đặc biệt là gì?**

Thuế địa phương đặc biệt là khoản lệ phí hàng năm đóng bởi các bất động sản thương nghiệp và góp thành quỹ tập trung và dành cho công việc khuyến khích hoạt động thương mại và bán lẻ tại khu vực Preston Central.

Ai đóng khoản lệ phí hoặc thuế địa phương đặc biệt này?

Chủ sở hữu bất động sản phải đóng khoản lệ phí hoặc thuế địa phương đặc biệt này, tuy nhiên, một số chủ bất động sản có các giao kèo thuê chuyển khoản thuế địa phương đặc biệt này sang cho người thuê đóng. Nếu đang thuê và không biết rõ, quý vị hãy xem trong giao kèo thuê của mình hoặc liên lạc với chủ bất động sản của quý vị để hỏi xem ai chịu trách nhiệm đóng thuế địa phương đặc biệt.

Ai quản lý các Khoản tiền thuế địa phương đặc biệt đã thu được?

Hội đồng Thành phố giám sát việc chi tiêu và bảo đảm rằng các khoản tiền chỉ được chi tiêu theo đúng thỏa thuận Lệ phí Thuế địa phương Đặc biệt (Special Rate Levy agreement) theo quy định của Đạo luật Chính quyền Địa phương (Local Government Act) 1989.

100% số tiền thu được sẽ dành cho các việc dưới đây:

- Các sự kiện tiếp thị
- Tài liệu quảng cáo
- Sử dụng điều phối viên trung tâm/sự kiện
- Cải thiện trang trí trung tâm và trưng bày
- Tô thắm vẻ nhìn của trung tâm để thu hút nhiều khách hàng hơn

Làm thế nào để tôi có thể tham gia vào tiến trình đi đến quyết định về cách chi tiêu tiền?

Chúng tôi đang tìm thành viên mới để tham gia vào việc tìm ra cách chi tiêu số tiền này như thế nào để trợ giúp các doanh nghiệp trong khu vực. Quý vị sẽ chỉ tốn một tiếng đồng hồ mỗi tháng.

Hãy đến dự Buổi phổ biến thông tin

Gặp Giám đốc Trung tâm Penny Jamieson và tìm hiểu làm thế nào để quý vị có thể tham gia.

Preston Central 特别税**常见问题解答****何谓特别税？**

特别税是由商业物业缴纳的一笔年度费用，将汇入一个集中管理的基金，用于鼓励Preston Central区的商业和零售活动。

谁需要缴纳特别税？

业主要支付，不过有些业主会通过租赁安排将特别税推迟为由租户缴纳。如果您正在租赁物业但不确定特别税应当由谁缴纳，请查看您的租赁安排，或者联系您的业主核实谁需要缴纳特别税。

谁负责管理基金？

市议会监测支出情况，并确保资金的使用符合《1989年地方政府法》（Local Government Act 1989）规定的特别税征收（Special Rate Levy）协议。

资金将100%用于以下活动：

- 市场营销活动
- 促销推广资料
- 雇用商业中心/活动协调员
- 改善商业中心的装饰与展示效果
- 提升商业中心的外观，以吸引更多顾客

我可以如何参与资金使用决策？

我们热诚欢迎新成员参与决策过程，以便确定如何将资金用于协助区内的商家。参与者每月只需投入一个小时的时间。

Morning Session:

Date: Tuesday June 18th
Time: 8:30am
Location: Old Fire Station Cafe Gallery
 378 High St, Preston

Afternoon session:

Date: Wednesday June 12th
Time: 5:30pm
Location: Basil House
 461 High St, Preston

**8.2 DEVELOPMENT PLAN POD/1/2007/G
1056-1140 AND 1142 PLENTY ROAD, BUNDOORA
(POLARIS - FORMER LARUNDEL PSYCHIATRIC
HOSPITAL)**

Author: Statutory Planner

Reviewed By: General Manager City Sustainability and Strategy

Applicant	Owner	Consultant
SJB Planning	Deal Corporation P/L (Dealcorp)	SJB Planning Clarke Hopkins Clarke Architects

SUMMARY

- The purpose of this report is to obtain a decision on an application to amend a development plan for the Polaris Town Centre. The proposal seeks approval to amend the 'Polaris 3083' Precinct Development Plan (**PDP**) approved under the provisions of the Development Plan Overlay – Schedule 1.
- It is recommended that the application be supported with conditions.
- An appeal is currently before VCAT relating to the same development plan. The appeal concerns a previous request for an amendment to the development plan involving lots S3 and S9 that the Planning Committee at its meeting on 15 April 2019 refused to support, on a range of grounds that largely focus on concerns relating to building height on lot S3, Main Drive.
- A decision on the current request for an amendment to the development plan will also help Council form a view that narrows some of the issues under dispute in relation to the Appeal before VCAT relating to the previous amendment request for the 'Polaris 3083' Precinct Development Plan (PDP).
- The amendments sought generally relate to the redevelopment of Lot S9 in the Polaris town centre and are motivated by the developer seeking to accommodate the requirements of a major hotel chain that is proposing to develop on part of the site.
- The key changes being proposed through this amended development plan relate to increasing the height of the proposed hotel and office building fronting Plenty Road from 3 to 8 - 9 storeys and from 2 to 5 -6 storeys, respectively.
- The site is in the Mixed Use Zone (**MUZ**) and covered by the Development Plan Overlay – Schedule 1 (**DPO1**) and Development Contributions Plan Overlay (**DCPO**).
- A series of section 173 Agreements apply across the land.
- One (1) submission has been received in response to the application.
- The proposal is generally consistent with the provisions of the DPO1.
- Unlike planning permit application appeals, development plan appeals at VCAT cannot be amended through the appeal process. This means that any changes made that may result in matters of dispute being addressed or refined, can only be dealt with by a fresh amendment application.

CONSULTATION:

- Public notice was given via letters sent to surrounding owners and occupiers and signs on respective lots.
- Notice was given directly to VicRoads, Public Transport Victoria, Yarra Trams and the Minister for Education and Training (Latrobe University).
- This application was referred internally to the following Council units for comment/review:
 - Strategic Planning (Urban Design);
 - Public Places;
 - Traffic Engineering and Strategy.

Recommendation

That Amendment POD/1/2007/G be supported by Council and the amended 'Polaris 3083' Precinct Development Plan be approved subject to the following changes:

- (a) The basement car park depicted in Sections A-A, B-B, C-C & D-D and E-E as depicted on page 43a must not exceed a height of 1.20 metres above natural ground level at the site boundary.
- (b) A sentence added to the statement under '1.8 Design Considerations' on page 78 which provides: *To ensure that the public realm is activated, all basement car parking levels must not exceed a height of 1.20 metres above natural ground level at the site boundary.*
- (c) A sentence added to the statement under '1.8 Design Considerations' on page 78 which provides: *Where Galileo Gateway is proposed as the main entrance to a building on Lot S9, a quality active frontage must be provided to both the Galileo Gateway and Plenty Road frontages.*
- (d) The proposed green wall to Building 1B-01, as depicted on Page 43a, must be noted at Figure 80 on page 60. A corresponding notation must state *a Landscape Management Plan detailing the ongoing maintenance of the green wall must be provided to the satisfaction of the Responsible Authority.*
- (e) A sentence added to the statement under '1.7 Car Parking' on page 78 which states: *All vehicular access to the proposed basement car park on Lot S9 must be provided via Galileo Gateway.*
- (f) Figure 86 on Page 82 updated to show building heights as '8-9' storeys for Building 1B-01 and '5-6' storeys for Building 1B-02.
- (g) Section E-E on Page 43a updated to show building heights as '8-9' storeys for Building 1B-01 and '5-6' storeys for Building 1B-02.
- (h) Figures 43, 44, 45, 46, 47 and 48 on pages 37-38 updated to reflect the proposed footprint of buildings on Lot S9, as depicted in Figure 49a on Page 39.
- (i) Figure 79C on page 52 updated to reflect the proposed footprint of buildings on Lot S9, as depicted in Figure 49a on Page 39.
- (j) Figure 85 on Page 70 updated to reflect the proposed footprint of buildings on Lot S9, as depicted in Figure 49a on Page 39.
- (k) Figure 87 on page 85 updated to reflect the proposed footprint of buildings on Lot S9, as depicted in Figure 49a on Page 39.

INTRODUCTION AND BACKGROUND

Site History – Lancaster Gate

After the Hospital closed in 1999, Places Victoria (then known as the Urban and Regional Land Corporation (URLC)), purchased the Lancaster Estate for redevelopment. In November 2001, Council approved the Lancaster Gate Development Plan. This plan was prepared by the URLC and divided the Lancaster Estate into three parts; a Residential Precinct (approx. 15.38h hectares), the Village Precinct which included the former hospital buildings and the Mixed Use Precinct (approx. 10.61 hectares).

The Residential Precinct was subsequently subdivided, developed into individual dwelling lots and sold off. The residual Village Precinct and Mixed-Use Precinct (now Town Centre) were sold by Places Victoria (then VicUrban) via expression of interest in 2006. These precincts now form 'Polaris'.

Polaris

The Polaris 3083 Development Plan (PDP) was approved in its current state on 23 September 2009, and subsequently amended 8 October 2012. Development under the PDP commenced in 2010 comprising the mixed use town centre.

This is a general, over-arching document which sets out principles on how the site should be developed including mix of uses, building height, general layout and form, tree retention and removal, car parking and other matters.

There have been numerous amendments to the PDP which are relevant to this application. It is noted that the permit applicant has initiated VCAT proceedings in respect of PDP Amendment POD/1/2007/E. These proceedings relate to Lot S3 and Lot S9 and is listed for hearing 22 August 2019. This results from Council's decision via the Planning Committee meeting on 15 April 2019 to refuse this request to amend the development plan, on a range of grounds that largely focus on concerns relating to building height on lot S3, Main Drive.

It is important to note that appeals at VCAT that are lodged in relation to development plans cannot be amended through the appeal process like planning permit applications can. This means that any changes made that may result in matters of dispute being addressed or refined, can only be dealt with by a fresh amendment application and not by agreement through the usual VCAT processes.

The application that needs to be considered by Council therefore has two key purposes.

- 1) It allows and enables some concerns in relation to the VCAT appeal to be addressed
- 2) It is enabling the owner to accommodate design changes requested by a potential hotel tenancy.

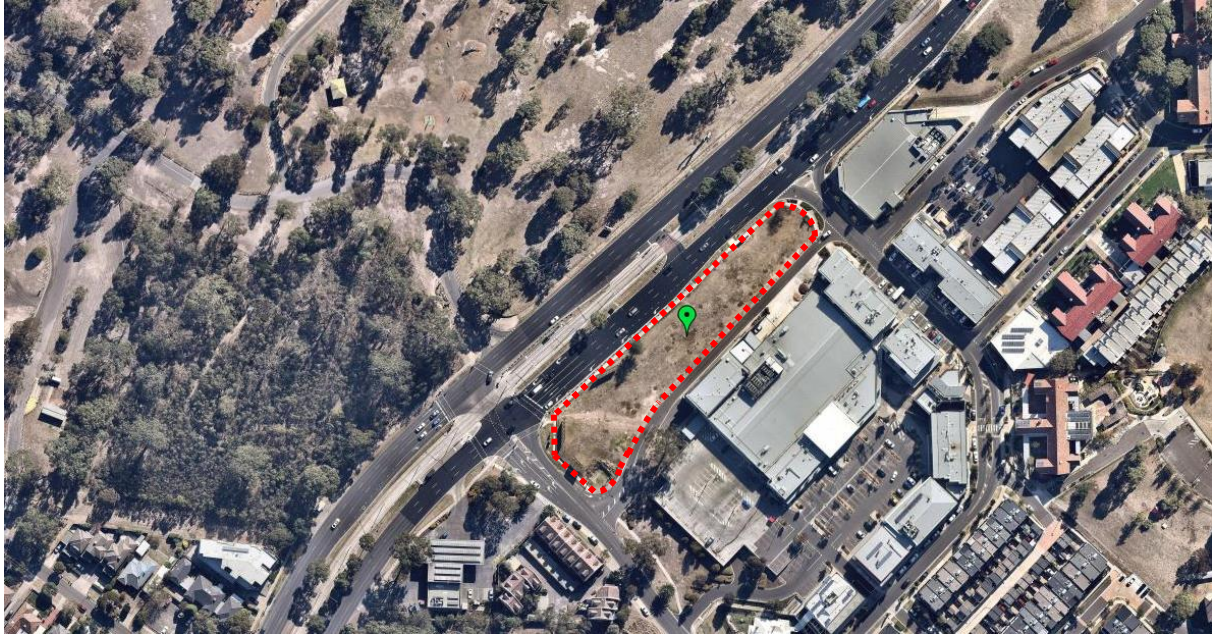
ISSUES AND DISCUSSION

Subject site and surrounding area

- The subject site is the Polaris Site (Lancaster Gate) comprising the former Larundel Psychiatric Hospital in Bundoora. On the development plan documentation, the subject site is referred to as Lot S9. The site is in the Town Centre Precinct of the PDP.
- The Town Centre (to which this amendment is relevant) relates to the mixed-use area on the south-west side of the site. The town centre provides a full retail offering

including full line supermarket and associated retail, food and drink premises and community services.

- The site comprises 3,939 square metres with a 164.35 metre frontage to Plenty Road. The rear of the site abuts Galileo Gateway.
- The land is currently vacant.



Proposal

Lot S9 will contain two (2) buildings – 1B-01 and 1B-02. These buildings share a common basement car park within three (3) subterranean levels. It is proposed to amend the land use, building height and building setbacks/massing set out in the approved PDP. The changes sought generally include:

- Increase the height of building 1B-01 from 3 storeys to 8-9 storeys.
- Provision of a four (4) storey street wall condition for a majority of the Plenty Road frontage with a minimum 2 metre setback above. A sheer corner element is proposed at the corner of Main Drive. This coincides with an expectation that the building will present a quality design.
- A reduction of the street setback to Plenty Road of building 1B-01 from 3-11 metres to 0-3 metres.
- Increase the height of building 1B-02 from 2 storeys to 5-6 storeys.
- Provision of a five (5) storey (sheer) street wall condition for the length of the Plenty Road frontage.
- A reduction of the setback to Plenty Road of building 1B-02 from 3-11 metres to 0-3 metres.
- Provision of up to three (3) levels of basement car parking.

Objections summarised

- Increased traffic congestion
- Increase in levels of violence/crimes
- Environmental degradation/loss of habitat for local fauna

Officer comment on summarised objectionsIncreased traffic congestion

The car parking rates in this PDP amendment must be generally in accordance with the approved *Integrated Transport Plan, July 2009* (or for uses not identified, established through further empirical car parking assessments).

While the proposed development of Lot S9 will likely generate more traffic movements on the local road network, further approval is required at the planning permit application stage and will establish the exact car parking provision within the basement. Evidence will be required to demonstrate that the proposed uses can meet the demand for parking within the local area.

Increase in levels of violence/crimes

Law and order are not contemplated under the provisions of the *Planning and Environment Act 1987* and are matters for Victoria Police. Arguably however, the activation of the ground floor level of Building 1B-01 will provide greater opportunity for 'eyes on the street' (an urban design idea which holds that streets with people and activity on them will be safer and more secure).

Environmental degradation/loss of habitat for local fauna

While it is noted that the proposal will result in the loss of two (2) native canopy trees to Plenty Road, these trees have already been identified for removal as part of previous amendments to the PDP (further details are provided below). Notwithstanding, the current amendment notes that replacement planting will be incorporated into the Plenty Road frontage, including the provision of canopy trees. The extent of landscaping can be confirmed via a landscape plan as part of a future planning permit application.

PLANNING ASSESSMENT

The principal requirement of the DPO1 is that the Development Plan should address the elements of the North East Corridor Strategic Plan (**NECSP**) relevant to the site. It is important to note that this plan has been largely superseded by the work undertaken through Amendment C137 for the Plenty Road Corridor, particularly in relation to height controls.

Sub-clause 1.0 of the DPO1 sets out the requirements for what should be included in the development plan, which have been provided for in the amended PDP submitted by the applicant.

Sub-clause 2.0 sets out the guidelines for the consideration of the development plan, including:

The responsible authority will discourage industrial uses from locating on the land.

The responsible authority should consider whether the development plan or permit application is consistent with the North East Corridor Strategic Plan.

Any applicable heritage study and any applicable conservation policy should be considered. Whether the location, bulk, height and appearance of any proposed buildings or works will be in keeping with the character of the area.

Whether any proposed landscaping or removal of vegetation will be in keeping with the character and appearance of adjacent buildings, the streetscape or the area.

The layout and appearance of areas set aside for car parking, access and egress, loading and unloading and the location of any proposed car parking.

Whether subdivision will result in development which is not in keeping with the character and appearance of adjacent buildings, the streetscape or the area will adversely affect the significance, character or appearance of the heritage place.

This NECSP is the current key reference point in the Scheme for the development of this site. The strategic vision of the plan that, amongst other things, the Larundel Urban Village be redeveloped to accommodate medium density residential development with mixed use development fronting Plenty Road (ancillary retail premises outside the local centre).

Varied forms of medium density housing are contemplated, including townhouses and apartments, in order to maintain a level of activity and safety in the area at night. The Larundel Urban Village is also identified as the most appropriate area for student housing – potentially in the heritage buildings. Like uses should face each other across every street.

Development on this site is encouraged to retain as many trees as possible. Exotic trees of importance to the area should also be protected unless they place a significant restriction on development. All development proposals must be based on an accurate survey of existing native trees and provide justification for the removal of any native trees. Where possible, the development should be planned to incorporate trees identified for protection within the public domain. Any trees identified for protection remaining on private lots should be protected by appropriate building siting controls.

Land Use

The proposed land use composition now indicates that an area in the order of 12,900 square metres will be set aside as residential hotel floor area within Precinct 1B, which has been explained as the major reason for the development plan being proposed for change. While not explicitly indicated on the indicative sections within the revised PDP, it is evident from various guidelines that are sought to be amended, that this use has long been intended to be located within Building 1B-01. The location of a residential hotel with a commercial use at ground floor level within Lot S9 is considered an appropriate land use in this location, subject to details to be resolved in any future planning permit application.

Building 1B-02 is proposed to be a commercial office building. This is appropriate to the location of the building within the town centre.

Figures and sections on pages 43 and 43a indicatively show the proposed land use of the buildings, including the ground floor retail/ food and drink/commercial element at the ground floor of Building 1B-01.

Built Form

One of the key changes in terms of built form character that has occurred on Plenty Road since the original approval of the PDP is the introduction of the Design and Development Overlay – Schedule 17 (**DDO17**) (informed by the *St Georges Road and Plenty Road Corridors Urban Design Framework 2015 (UDF)*). The DDO17 and UDF contemplate the renewal and redevelopment of the Plenty Road corridor from Preston through to Bundoora. Although the DDO17 does not apply to the subject site, Lot S9 unarguably forms part of the Plenty Road corridor (given its immediate abuttal) at the northern bookend.

Building 1B-01 will be the southern-most building on Lot S9 at the intersection of Plenty Road and Main Drive. It is proposed to increase the height of this building from 3 storeys to 8-9 storeys. In isolation, the proposed height of this building is appropriate given the broader context established by the DDO17 and UDF.

The setbacks of the PDP will be reduced from 3-11 metres to 0-3 metres. This again is consistent with the consistent active street edge requirements of the DDO17 and UDF.

The revised proposed PDP reserves the sheer 8-9 storey form at the southern end of the building with levels 5-8 being set back a minimum of 2 metres from the street. This outcome is illustrated in the new sections A-A and B-B of the proposed PDP and results in an outcome that adequately balances the street wall requirements of the DDO17 and UDF with the landmark expectations of the Plenty Road/Main Drive gateway to the activity centre.

Building 1B-02 will be increased from 2 storeys to 5-6 storeys. This building is proposed to have a sheer form, with no recessive elements proposed to the upper levels. Although the height marginally exceeds the four storey street wall envisaged for the corridor, on balance, the building is considered acceptable, noting that an increase of one storey from the prevailing street wall height of building 1B-01 to the south will not result in a negative urban design outcome. The 4.75-11.9 metre setback under the approved PDP will be reduced to bring the building closer to the street edge. A 3 metre setback will be retained to Plenty Road by virtue of an easement in the north-west of Lot S9.

Ground Level Treatment

The proposed PDP provides the following statement with respect of activating the Plenty Road frontage:

A strong built edge that defines the urban block and punctuates the corners at and mark opportunities is a proper and valid urban design response, that promotes better activation of the street, passive surveillance, increased commercial exposure and more efficient use of land (i.e. avoidance of 'no man's land').

The Plenty Road setback frontage (along Precincts 1B and 2D) has been designed with the view to creating a setback rhythm of buildings coming forward to mark urban corners and building setbacks in between to accentuate these landmarks. The Plenty Road setback of Precinct 1B varies between 0 metres and approximately 5.5 metres from the title boundary. Refer to Figure 49b for further details.

This will prevent a hard, continuous edge along Plenty Road. Buildings site proudly forward (i.e. in Precinct 1B) and others are recessed (i.e. in Precinct 2D) with appropriate landscaping treatment to accentuate their attractiveness along this frontage.

This outcome will be bolstered by the proposed ground floor retail/ food and drink/commercial offerings within building 1B-01.

While this approach is valid and correct, one of the key difficulties with Lot S9 is the rather significant change in topography laterally across its 164 metre length. As a result, both buildings 1B-01 and 1B-02 will have a partial projection of the basement car parking above ground for approximately half of their respective facades to Plenty Road. While this is accepted as inevitable, the revised PDP is silent on how this situation will be managed in urban design terms in order to inform a future planning permit application.

Council's Senior Urban Designer has expressed concern with the potential full storey blank walls which are indicatively shown on the sections provided at Page 43a of the PDP. In conjunction with the reduced setback to the street, such an outcome would unreasonably

erode the quality of the public realm which is already compromised by abuttal to Plenty Road. As a treatment for this particular concern, a condition has been included in the recommendation will require the Sections A-A, B-B, C-C, D-D and E-E to be amended to show the basement projecting no more than 1.2 metres above natural ground level. This avoids the prospect of the basement rising above ground level to the extent of becoming deactivated space at street level and a consequent target for vandalism.

The PDP is silent on how the Galileo Gateway interface of Lot S9 will be treated - for example, whether it is intended to be activated or serve as a back of house environment (given its abuttal to the town centre loading facilities). Given the context, it is considered that this area may be well suited to accommodating the car parking entry and back of house areas to the proposed buildings. Notwithstanding, a condition will require the presence of entries to both buildings to ensure the ease of pedestrian movement around the site, as well as ensuring that Galileo Gateway is reasonably activated and pedestrian friendly.

Other matters

Vegetation

The approved PDP sets out the tree retention and removal across the Polaris development plan area. Many of the trees listed for removal and a number of additional trees have already been removed from the respective lots. In some cases, the additional trees removed are street trees that have been removed by Council, while in other instances subsequent approval was sought or the cause of removal is unknown.

On Lot S9, Trees 221 and 260 are the only trees remaining. Tree 260 is already approved for removal under the approved PDP. Tree 221 was noted for retention however upon review by Council's Planning Arborist has previously noted that this tree is showing declining health and may be removed, subject to offset planting and a tree replacement fee. The full extent of tree removal and offset planting may be dealt with as part of any future planning permit application.

Comments from Council's Landscape Architect have also raised concern about the viability of a green wall on Building 1B-01 given its north-western aspect and the hostile environment of Plenty Road. In the event that a green wall is proposed as part of a planning permit application in the future, a Landscape Management Plan will be required to ensure its ongoing viability.

Traffic and Car Parking

The proposed PDP seeks to introduce new land use not previously accounted for as part of the *Integrated Transport Plan, July 2009* (appendix C) in the form of a residential hotel. A notation at Figure 1.7 (pp. 77-78) notes that: *for land uses not listed in PDP or the Planning Scheme, an empirical assessment will be required in support of any future planning application for the use.*

As there is no statutory car parking rate provided in the Planning Scheme, the proposed use may be benchmarked against the empirical rates considered in *Parc Vue Projects Pty Ltd v Darebin CC* (Corrected) [2017] VCAT 1602. In considering the introduction of serviced apartments at 1091 Plenty Road (opposite Polaris) the Tribunal heard evidence that typical rates of 0.3 spaces (inner areas) up to 0.6 spaces (outer areas) per serviced apartment are typical. The Tribunal ultimately accepted a rate of 0.4 spaces per serviced apartment.

While there are discrete differences between serviced apartments and a full-service residential hotel, the car parking profile is considered consistent across similar temporary or short-term accommodation uses.

In terms of the proposed car parking layout, the PDP is silent on how the basement car parking will be accessed. Given the inherent problems envisaged with providing access directly to Plenty Road, a condition will require access to proposed basement car park to be provided via Galileo Gateway.

Notwithstanding, referral comments provided by Council's transport management and planning Unit have indicated that matters related to car parking provision may be generally captured at planning permit application stage.

Inconsistencies across plans

Various inconsistencies are noted throughout the PDP document. Generally, these relate to old iterations of the PDP which are proposed to be superseded as part of this amendment. Various conditions included in the above recommendation will ensure consistency throughout the PDP.

REFERRAL SUMMARY

Department/Authority	Response
Transport Engineering and Strategy	No objection, subject to condition included in recommendation
Public Places	Comments provided as to a number of issues with recommended changes.
Strategic Planning (Urban Design)	Comments provided as to a number of issues with recommended changes.

PLANNING SCHEME SUMMARY

Darebin Planning Scheme clauses under which a permit is required

- Pursuant to Clause 43.04, a development plan must be prepared to the satisfaction of the Responsible Authority.

Schedule 1 applies to the land and sets out requirements for the development plan (sub-clause 1.0) and guidelines for consideration (sub-clause 2.0).

Applicable provisions of the Darebin Planning Scheme

Section of Scheme	Relevant Clauses
PPF	11.01, 11.02, 11.03, 15.01, 15.02, 15.03, 16.01, 17.01, 17.02, 17.04, 18.01, 18.02, 19.01, 19.02, 19.03, 21.01, 21.02, 21.03, 21.04, 21.05.
Zone	32.04
Overlay	43.04, 45.06.
Particular provisions	52.06
General provisions	65

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

- *Planning and Environment Act 1987* (as amended)
- Darebin Planning Scheme
- Polaris 3083 Development Plan (as amended)

Attachments

- Polaris Development Plan - Town Planning Submission (June 2019) (**Appendix A**) [↓](#)
- Polaris Development Plan - Amended Page (June 2019) (**Appendix B**) [↓](#)

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.

SJB Planning



Mr Daniel Murphy
Senior Planner
City of Darebin
PO Box 91
PRESTON VIC 3072

3 June 2019

**Re: Polaris Development Plan
1056 - 1140 Plenty Road, Bundoora
Proposed amendment – Lot S9**

**DAREBIN CITY COUNCIL
ADVERTISED DOCUMENT
Application No: POD/1/2007/G
Document No: 2 of 2
Page: 1 of 17**

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Dear Daniel,

SJB Planning continues to act for Deal Corporation Pty Ltd (DealCorp), the owner and developer of the Polaris Estate at No. 1056-1140 Plenty Road, Bundoora. The use and development of Polaris is, pursuant to Clause 43.04-2 of the Darebin Planning Scheme (Scheme), required to be undertaken in a manner that is generally in accordance with the requirements of the Polaris 3083 Development Plan (PDP).

The PDP was originally endorsed by Council on 23 September 2009. An amended version of the PDP was endorsed by Council on 17 January 2013 (Council application reference no. POD/1/2007/A). That amendment modified pages 6, 18, 21, 30, 33, 39, 40, 41, 59, 60, 65, 76, 79 and 86 of the PDP.

Subsequent requests to amend the PDP were made in November 2017, April 2018 and December 2018. These requests sought approval for various amendments to the PDP to facilitate development proposals on the two remaining undeveloped parcels within Polaris, being Lots S3 and S9.

With regard to the amendment proposal lodged with Council on 21 December 2018, Council is aware of the Tribunal proceedings (P295/2019) that have been initiated in relation to the PDP provisions specifying the future form of development on Lots S3 and S9. Notwithstanding those proceedings and given the focus of the dispute is largely focused on Lot S3, DealCorp seeks to progress the approvals required (amended Development Plan and planning permit) to facilitate the development of Lot S9.

As such, DealCorp proposes to lodge a new application to amend PDP for Lot S9 as detailed in this submission. This PDP amendment request only nominates changes relating to Lot S9 and thus, all references to Lot S3 are as per the current endorsed version of the PDP (January 2013). As discussed with Council, the intention of this approach is to enable the Tribunal proceedings relating to Lot S3 and Lot S9 to continue albeit should we reach a consent position of Lot S9 via this request, we can then seek to confine the matters to be contested at VCAT to Lot S3 only. Thereafter, any resolution arising from the VCAT proceedings for Lot S3 will relate to the PDP request lodged in December 2018.

We anticipate a planning permit application for Lot S9 will be lodged with Council before the end of June 2019.

552333 LotS9 Amended PDP

1 / 17

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Southbank VIC 3006

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SJB Planning Pty Ltd ACN 007 427 554

Polaris Development Plan – Lot S9 development parameters

Lot S9 is located in Precinct 1B of the PDP area and is to be developed with Buildings 1B-01 and 1B-02. The PDP sets out various parameters, in text and graphic form, to guide the future development of Lot S9. That is, pursuant to Clause 43.04-2, any planning permit granted must be generally in accordance with, and, must include any conditions or requirements specified in, the PDP.

The PDP specifies the following (summarised) requirements for Lot S9, against which a future planning permit application would need to demonstrate general accordance with. DealCorp intends to lodge a planning permit application for a Residential hotel and Office development, with the Residential hotel occupying the site of Building 1B-01 and the Office occupying the footprint of Building 1B-02. However, to facilitate statutory assessment of the planning permit application, it is necessary to amend some PDP provisions relating to Lot S9. Hence, this request to amend the PDP.

- Generally, building heights of no more than three storeys and 11.5 metres. This is an inherent contradiction with regards to Buildings 1B-01 and 1B-02, which the PDP anticipates will form focal points or landmarks, and as such, should be developed to more than three storeys. Moreover, three storeys is not commensurate with the more recent implemented building form controls for the Plenty Road corridor.
- Front setbacks (from Plenty Road) to Buildings 1B-01 and 1B-02 of between three and 11 metres. These setbacks represent substantial land area and a significant constraint on the development of a functional design, given the narrow depth of Lot S9 and the manner in which the PDP contemplates focal, or landmark buildings in this location. Essentially, such setbacks are not commensurate with buildings that sleeve activity centres fronting arterial roads, i.e. these are typically built to boundary.
- In numerous figures throughout the PDP, detached, rather than attached, building envelopes are shown for Buildings 1B-01 and 1B-02. DealCorp intends to advance a design for Lot S9 which provides for the two buildings albeit they may be semi- attached. As such, figures depicting separate envelopes for these buildings require amendment.
- The Polaris Town Centre has mostly been developed and occupied since the PDP was last amended. As such, various floor area calculations within the PDP require updating to reflect as-built conditions and to acknowledge the likely remaining floor area yields to be realised at Lot S9.
- In 2018 the Victoria Planning Provisions were amended by way of Amendment VC148. Among other things, this amendment altered the statutory car parking rates for various land uses at Clause 52.06 (Car Parking) of all Planning Schemes. Furthermore, DealCorp has determined that it may advance land uses within Lot S9 for which no car parking rates are nominated in the PDP. As a result, the PDP car parking rates require updating to ensure that the provision of on-site car parking reflects these changes. The PDP accommodates this, insofar as it anticipates at Section 4.1.1, that car parking rates will need to be flexible to accommodate future changes.

Existing and Proposed Amended PDP Provisions – Lot S9

In summary, the key built form changes proposed to the PDP for Lot S9 include:

- Increase in the building height of 1B-01 from 3 storeys to 8-9 storeys (variation in height accounts for the fall on the land);
- Provision of a one (1) to four (4) storey street wall condition fronting Plenty Road with a minimum 2 metre setback above for the northern half of Building 1B-01;
- Increase in the building height of 1B-02 from 2 storeys to 5-6 storeys (variation in height accounts for the fall on the land);

552333 LotS9 Amended PDP

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- Reduction of the setback of building 1B-01 to Plenty Road from 3-11 metres to 0 metres; and
- Reduction of the setback of building 1B-02 to Plenty Road from 3-11 metres to 0-3 metres.

Furthermore, Table 1 below details the current PDP provisions that DealCorp proposes to amend to facilitate a future planning permit application for the use and development of Lot S9 for Office, Residential Hotel and Food and Drink Premises.

The use of ~~striking through~~ or underlining in the "Proposed Amendment" column represents proposed deletion or insertion of text respectively. DealCorp's proposed amendments to PDP figures are shown via modified extracts. The attachments to this submission include full-size replacement copies of each amended page of the PDP, including all amendments to the PDP text and/or figures.

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552333 LotS9 Amended PDP

Table 1: PDP requirements for Lot S9

PDP Page No. / Section	Existing PDP Content	Proposed Amendment
6 / 1.2 Scope, Purpose and Objectives of the Polaris 3083 Development Plan	Except as shown in the amended development plan (lodged July 2012) the layout of Precinct 1A is to be generally in accordance with Figure 49b (page 40) of the Polaris development plan	Except as shown in an amended development plan (endorsed by the responsible authority) the layout of Precinct 1A and Precinct 1B is to be generally in accordance with Figure 49b (page 40) of the PDP.
20 / 2.3.2 Mixed Use Zone	The purpose of the MUZ is: <ul style="list-style-type: none"> To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality. To encourage residential development that respects the neighbourhood character. 	The purpose of the MUZ is: <ul style="list-style-type: none"> To implement the Municipal Planning Strategy and the Planning Policy Framework State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality. To provide for housing at higher densities. To encourage development that responds to the existing or preferred neighbourhood character of the area. To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone. To encourage residential development that respects the neighbourhood character.
21 / 2.3.3 Development Plan Overlay	The purpose of the Development Plan Overlay is: <ul style="list-style-type: none"> To implement the State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies. 	The purpose of the Development Plan Overlay is: <ul style="list-style-type: none"> To implement the Municipal Planning Strategy and the Planning Policy Framework State Planning Policy Framework and the Local Planning Policy Framework, including the Municipal Strategic Statement and local planning policies.
23 / 2.3.7 Local Planning Policy	A number of local planning policies apply to the site and PDP as follows: <ul style="list-style-type: none"> Activity centres policy (Clause 22.03) Urban Character (Clause 22.04) Outdoor Advertising Policy (Clause 22.06) These controls essentially seek to (amongst other things): Etc.	Note, the Local Planning Policy section of the PDP is now outdated due to subsequent, amendments to this part of the Darebin Planning Scheme. These have not been updated as part of this amendment request.
24 / 2.3.8 State Planning Policy – Melbourne 2030	Detailed listing of SPP’s that have now been thoroughly revised.	Note, the State Policy section of the PDP is now outdated due to subsequent, amendments to this part of the Darebin Planning Scheme. These have not been updated as part of this amendment request.
37 / 4.2.11 Active Frontages	Within the retail/commercial area, the PDP provides for active edges abutting the public realm. This means that shop fronts, office entries etc. are all accessed via the public front, with satisfactory private access for loading, unloading, and staff parking available from the rear of those buildings.	Within the retail/commercial area, the PDP provides for active edges abutting the public realm. This means that shop fronts, office entries etc. are all accessed via the public front, with satisfactory private access for loading, unloading, and staff parking primarily available from the rear of those buildings. Annotation added on sheet to address amendment of the building envelopes for 1B-01 and 1B-02.
38 / 4.2.14 Landform and Heights	Buildings have been kept to a maximum of three-storeys so as to not exceed the heights of the existing heritage buildings, and to allow for lower cost domestic construction techniques to be used. Most buildings however are between two and three storeys in height, creating comfortable scale.	Buildings have been generally kept to a maximum of three-storeys so as not to exceed the heights of the existing heritage buildings, and to allow for lower cost domestic construction techniques to be used. Most buildings however are between two and three storeys in height, creating a comfortable human scale. Annotation added on sheet to address amendment of the building envelopes for 1B-01 and 1B-02.
39 / 4.3.1 Figure 49a Polaris Development Plan		Building envelopes for 1B-01 and 1B-02 amended to reflect current built form proposal.

552203 LotS9 Amended PDP

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SJB Planning Pty Ltd ACN 007 427 554

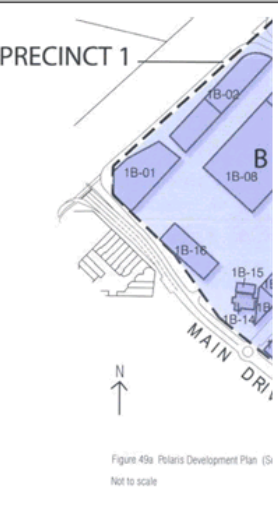




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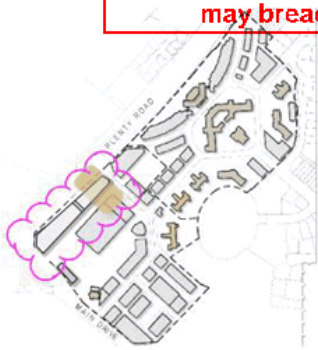
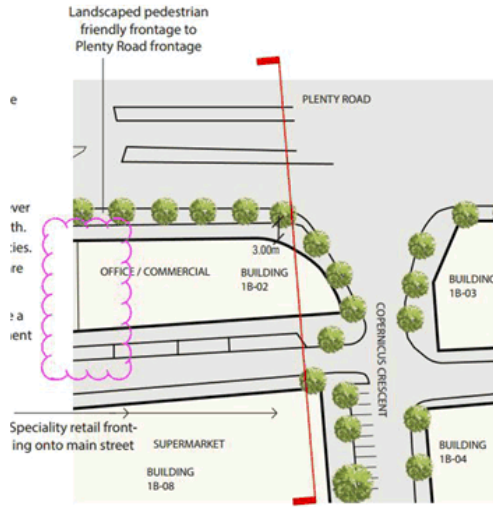
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PDP Page No. / Section	Existing PDP Content	Proposed Amendment
<p style="border: 1px solid blue; padding: 5px; text-align: center;">RECEIVED ON 3-06-2019 CITY OF DAREBIN STATUTORY PLANNING</p>	 <p style="text-align: center;">Figure 49a: Polaris Development Plan (S) Not to scale</p>	 <p style="text-align: center;">Figure 49a: Polaris Development Plan Not to scale</p>
<p>40 / Figure 49b Polaris Overall Master Plan</p>	 <p style="text-align: center;">Precinct 1B Mixed use neighbourhood activity centre providing retail, commercial, office, supermarket, food and drink premises (take away food premises, restaurant, cafes), residential (shop-top housing) and civic community centre, plaza land uses</p> <p style="text-align: right;">DEAL CORPORATION</p>	<p>Building envelopes for 1B-01 and 1B-02 amended to reflect current built form proposal. Update annotation to refer to "Residential hotel" land use.</p>  <p style="text-align: center;">Precinct 1B Mixed use neighbourhood activity centre providing retail, commercial, office, supermarket, food and drink premises (take away food premises, restaurant, cafes), residential (shop-top housing, student accommodation, residential hotel) and civic community centre, plaza land uses</p> <p style="text-align: right;">DEAL CORPORATION</p>
<p>41 / 4.4 Figure 50 – Location of Figures 51 and 52</p>	<p>4.4 Precinct 1</p>  <p style="text-align: center;">Figure 50 Location of Figure 51 and 52 (Source: HASSELL, 2009)</p>	<p>Annotation added on sheet to address amendment of the building envelopes for 1B-01 and 1B-02.</p> <div style="border: 2px solid red; padding: 10px; text-align: center; color: red;"> <p>DAREBIN CITY COUNCIL ADVERTISED DOCUMENT Application No: POD/1/2007/G Document No: 2 of 2 Page: 5 of 17</p> <p>'This document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright'</p> </div>
<p>42 / 4.4.2 Precinct 1B Land Use Table</p>	<p>Precinct 1B is a mixed use precinct which encompasses the Polaris Neighbourhood Activity Centre, a new main street, shop-top housing, food and drink premises, retail, commercial and office use and development and a civic plaza.</p>	<p>Precinct 1B is a mixed use precinct which encompasses the Polaris Neighbourhood Activity Centre, a new main street, shop-top housing, food and drink premises, retail, commercial, and office <u>and residential hotel</u> use and development and a civic plaza.</p>

5522030_Amended PDP

PDP Page No. / Section	Existing PDP Content	Proposed Amendment																																																			
	<p>Figure 53</p> <table border="1"> <thead> <tr> <th>LAND USE</th> <th>EST. GROSS FLOOR AREA (GFA)</th> <th>EST. NET LEASABLE AREA (NLA)</th> </tr> </thead> <tbody> <tr> <td>Specialty Shops</td> <td>3,030</td> <td>2,783</td> </tr> <tr> <td>Supermarket</td> <td>3,550</td> <td>3,550</td> </tr> <tr> <td>Showroom</td> <td>3,200</td> <td>3,180</td> </tr> <tr> <td>Large Format Specialty Shop</td> <td>1,450</td> <td>1,378</td> </tr> <tr> <td>Tavern</td> <td>560</td> <td>336</td> </tr> <tr> <td>Office</td> <td>5,910</td> <td>5,085</td> </tr> <tr> <td>TOTAL</td> <td>17,700</td> <td>16,312</td> </tr> </tbody> </table> <p><small>Figure 53 Estimated Area Schedule for Precinct 1B of the Polaris Development Plan (Source: HASSELL 2008)</small></p>	LAND USE	EST. GROSS FLOOR AREA (GFA)	EST. NET LEASABLE AREA (NLA)	Specialty Shops	3,030	2,783	Supermarket	3,550	3,550	Showroom	3,200	3,180	Large Format Specialty Shop	1,450	1,378	Tavern	560	336	Office	5,910	5,085	TOTAL	17,700	16,312	<p>Replacement of Land Use Table with updated indicative floorspace for Office and Retail and Residential Hotel and correction of the "Total" GFA and NLA calculations.</p> <p>Figure 53</p> <table border="1"> <thead> <tr> <th>LAND USE</th> <th>EST. GROSS FLOOR AREA (GFA)</th> <th>EST. NET LEASABLE AREA (NLA)</th> </tr> </thead> <tbody> <tr> <td>Specialty Shops</td> <td>4,300</td> <td>3,700</td> </tr> <tr> <td>Supermarket</td> <td>3,700</td> <td>3,700</td> </tr> <tr> <td>Showroom</td> <td>3,200</td> <td>3,200</td> </tr> <tr> <td>Large Format Specialty Shop</td> <td>1,400</td> <td>1,400</td> </tr> <tr> <td>Residential Hotel</td> <td>12,900</td> <td>8,000</td> </tr> <tr> <td>Tavern</td> <td>950</td> <td>950</td> </tr> <tr> <td>Office</td> <td>10,000</td> <td>6,000</td> </tr> <tr> <td>TOTAL</td> <td>36,450</td> <td>26,950</td> </tr> </tbody> </table> <p><small>Figure 53 Estimated Area Schedule for Precinct 1B of the Polaris Development Plan</small></p> <div style="border: 2px solid red; padding: 5px; margin-top: 10px;"> <p style="text-align: center;">DAREBIN CITY COUNCIL ADVERTISED DOCUMENT Application No: POD/1/2007/G Document No: 2 of 2 Page: 6 of 17</p> <p style="text-align: center;">'This document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright'</p> </div>	LAND USE	EST. GROSS FLOOR AREA (GFA)	EST. NET LEASABLE AREA (NLA)	Specialty Shops	4,300	3,700	Supermarket	3,700	3,700	Showroom	3,200	3,200	Large Format Specialty Shop	1,400	1,400	Residential Hotel	12,900	8,000	Tavern	950	950	Office	10,000	6,000	TOTAL	36,450	26,950
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<p>43 / 4.4.2 Plenty Road Frontage</p> <div style="border: 1px solid blue; padding: 5px; margin-top: 20px;"> <p style="text-align: center;">RECEIVED ON 3-06-2019 CITY OF DAREBIN STATUTORY PLANNING</p> </div>	<p>It is envisaged that the Plenty Road frontage of Precinct 1B may be developed with mixed use commercial/retail use and development. The interface of Precinct 1B with Plenty Road will be appropriately treated to create a distinctive character for the new Polaris NAC. Minimal setbacks of Precinct 1B will be encouraged due to the adjacent main arterial road and to achieve an active frontage. Sensitive uses, such as residential, are not considered to be appropriate along this frontage and are discouraged.</p> <p>A 3-9 metre front setback from the title boundary along Plenty Road is proposed in addition to 4 metres (from the boundary to kerb), which equates to a (maximum) 14 metre front setback from Plenty Road (i.e. from the kerb) which is generally consistent with the <i>Lancaster Gate Development Plan Guidelines (1998)</i>. The minimum building setback of approximately 4.7 metres from the title boundary is proposed at the 'corner' locations of Precinct 1B to create a sense of place and a sense of arrival to the new Main Street.</p> <p>A strong built edge that defines the urban block and punctuates the corners at landmark opportunities (with a setback of 3 metres for building 1B-01) is a proper and valid urban design response, that promotes better activation of the street, passive surveillance, increased commercial exposure and more efficient use of land (i.e. avoidance of 'no man's land').</p> <p>The Plenty Road setback frontage (along Precincts 1B and 2D) has been designed with the view to creating a setback rhythm of buildings coming forward to mark urban corners and building setbacks in between to accentuate these landmarks. The Plenty Road setback of Precinct 1B varies between 3 metres and approximately 11 metres from the title boundary. Refer to Figure 49b for further details.</p> <p>This will prevent a hard, continuous edge along Plenty Road. Buildings site proudly forward (i.e. in Precinct 1B) and others are recessed (i.e. in Precinct 2D) with appropriate landscaping treatment to accentuate their attractiveness along this frontage.</p>	<p>It is envisaged that the Plenty Road frontage of Precinct 1B may be developed with mixed use commercial/retail use and development. The interface of Precinct 1B with Plenty Road will be appropriately treated to create a distinctive character for the new Polaris NAC. Minimal setbacks of Precinct 1B will be encouraged due to the adjacent main arterial road and to achieve an active frontage. Sensitive uses, such as residential <u>but excluding a residential hotel</u>, are not considered to be appropriate along this frontage and are discouraged.</p> <p><u>The Plenty Road frontage has the potential to support a preferred maximum building height of eight (8) to nine (9) storeys, having regard to local context considerations, including the site's relationship to surrounding development.</u></p> <p><u>The functionality of buildings located within Precinct 1B, which forms part of the Polaris NAC, and the layout of the Precinct, have both significantly influenced the front setback of buildings to Plenty Road.</u></p> <p>3-9 metre front setback from the title boundary along Plenty Road is proposed in addition to 4 metres (from the boundary to kerb), which equates to a (maximum) 14 metre front setback from Plenty Road (i.e. from the kerb) which is generally consistent with the <i>Lancaster Gate Development Plan Guidelines (1998)</i>. The minimum building setback of approximately 4.7 metres from the title boundary is proposed at the 'corner' locations of Precinct 1B to create a sense of place and a sense of arrival to the new Main Street.</p> <p>A strong built edge that defines the urban block and punctuates the corners at landmark opportunities (with a setback of 3 metres for building 1B-01) is a proper and valid urban design response, that promotes better activation of the street, passive surveillance, increased commercial exposure and more efficient use of land (i.e. avoidance of 'no man's land').</p> <p>The Plenty Road setback frontage (along Precincts 1B and 2D) has been designed with the view to creating a setback rhythm of buildings coming forward to mark urban corners and building setbacks in between to accentuate these landmarks. The Plenty Road setback of Precinct 1B varies between <u>0 metres and approximately 5.5 3 metres and approximately 14 metres</u> from the title boundary. Refer to Figure 49b for further details.</p> <p>This will prevent a hard, continuous edge along Plenty Road. Buildings site proudly forward (i.e. in Precinct 1B) and others are recessed (i.e. in Precinct 2D) with appropriate landscaping treatment to accentuate their attractiveness along this frontage.</p>																																																			

552233_Lot99 Amended PDP

PDP Page No. / Section	Existing PDP Content	Proposed Amendment
	<p>Native street trees are proposed for the Plenty Road site frontage. This treatment is a continuation of the existing Plenty Road treatment and complements the native planting environment created by Bundoora Park. It is intended that street trees be planted within the footpath on Plenty Road and wherever possible incorporated into rain gardens that harvest surface run off from the footpath. Trees to the car park on the east side of the commercial buildings will be native species. Refer to the Landscape Plan (Figure 80 for a list of indicative species). Rain gardens are proposed in order to capture street run-off in this area. The walkway from Plenty Road to the car park features small ornamental trees of a pedestrian scale such as <i>Ficus sp.</i></p> <p>The adjacent conceptual plan (Figure 56) and cross section (Figure 57) provide a conceptual indication of the form, character, mass and materials of future development as do benchmark images D, E and F.</p> <p style="text-align: center;">4.4.2 Precinct 1B Continued</p>  <p style="text-align: center;">Figure 55 Location of Figure 56 and 57 (Source: HASSELL, 2009)</p>  <p style="text-align: center;">Figure 56 Indicative Plenty Road Interface (Source: HASSELL, 2009)</p>	<p>Native street trees are proposed for the Plenty Road site frontage wherever practical. This treatment is a continuation of the existing Plenty Road treatment and complements the native planting environment created by Bundoora Park. It is intended that street trees be planted within the footpath on Plenty Road and wherever practical, possible incorporated into rain gardens that harvest surface run off from the footpath. Trees to the car park on the east side of the commercial buildings will be native species. Refer to the Landscape Plan (Figure 80 for a list of indicative species). Rain gardens are proposed in order to capture street run-off in this area. The walkway from Plenty Road to the car park features small ornamental trees of a pedestrian scale such as <i>Ficus sp.</i></p> <p>The adjacent conceptual plan (Figure 56) and cross section (Figures 57 and 57a) provide a conceptual indication of the form, character, mass and materials of future development as do benchmark images D, E and F.</p> <p style="text-align: center;">4.4.2 Precinct 1B Continued</p>  <p style="text-align: center;">Figure 55 Location of Figure 56, 57 and 57a</p>  <p style="text-align: center;">Figure 56 Indicative Plenty Road Interface</p>


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PDP Page No. / Section	Existing PDP Content	Proposed Amendment
<p style="text-align: center; border: 1px solid blue; padding: 5px;">RECEIVED ON 3-06-2019 CITY OF DAREBIN STATUTORY PLANNING</p>	<p>Figure 57 Indicative Section through buildings fronting onto Plenty Road (Source: HASSELL, 2008)</p>	<p>Figure 57 Indicative Section through buildings fronting onto Plenty Road</p>
<p>43a New Page – <i>Indicative Building Sections – Figure 57a</i></p>	<p>N/A</p>	<p>Add new page 43a, which provides Figure 57a</p>
<p>44 / 4.4.2 Main Drive Frontage Figure 59 indicative Part Plan of Precinct 1B</p>	<p>Error present in labelling of Building 1B-01</p> <p>Figure 59 Indicative Part Plan of Precinct 1B (Source: HASSELL, 2008)</p>	<p>Label corrected accordingly. Annotation added on sheet to address amendment of the building envelopes for 1B-01 and 1B-02.</p> <p>Figure 59 Indicative Part Plan of Precinct 1B (Source: HASSELL, 2008)</p>

5623233_Lot650_Amended PDP





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52 / 4.6 Connections to La Trobe University		<p>Annotation added on sheet to address amendment of the building envelopes for 1B-01 and 1B-02.</p> <div style="border: 2px solid red; padding: 10px; text-align: center; color: red; font-weight: bold;"> <p>DAREBIN CITY COUNCIL ADVERTISED DOCUMENT Application No: POD/1/2007/G Document No: 2 of 2 Page: 9 of 17</p> <p>'This document is made available for the sole purpose of enabling its consideration and review as part of a planning process under the Planning and Environment Act 1987. The document must not be used for any purpose which may breach any copyright'</p> </div>
<p>53 / 4.7.1 Development Envelope Front Setback</p> <p>Building Heights</p>	<p>Precinct 1B - Plenty Road frontage - Generally between approximately 3 – 11 metres to the title boundary.</p> <p>Generally, no building will exceed three storey in height above ground level. Where it is necessary to exceed a building height of three storeys, for example due to the slope of the land, the proposal must be accompanied by appropriate urban design support to the satisfaction of the responsible authority.</p> <p>Generally, no building will exceed 11.5 metres in height as measured from natural ground level to the satisfaction of the responsible authority. Where the building incorporates a pitched roof, the roof may exceed this height provided it does not contain any habitable space. Where necessary to exceed a building height of 11.5 metres in overall height for example, due to the slope of the land, the proposal must be accompanied by appropriate urban design support to the satisfaction of the responsible authority.</p>	<p>Precinct 1B - Plenty Road frontage - Generally between approximately 3 – 11 <u>0</u> metres <u>and approximately 5.5 metres</u> to the title boundary.</p> <p>Generally, no building will exceed three storey <u>storeys</u> in height above ground level. Where it is necessary to exceed a building height of three storeys, for example due to the slope of the land, the proposal must be accompanied by appropriate urban design support to the satisfaction of the responsible <u>responsible</u> authority.</p> <p><u>In accordance with Section 3.8 and 3.9 of the PDP, there is an opportunity for building height of up to 8-9 storeys for Building 1B-01 and 5 - 6 storeys for Building 1B-02. The town centre's lowest topographic values are located along Main Drive and at the Main Drive and Plenty Road intersection and both building envelopes are identified as potential landmarks and focal points, creating a sense of arrival and place for the Polaris Estate.</u></p> <p><u>Both buildings front Plenty Road which has a 42-metre road reserve width and has a designated upper height limit of 6 storeys proximate to the Polaris Estate site under the Design and Development Overlay Schedule 17 and in the Plenty Road Corridor Urban Design Framework. Furthermore, a 6-storey height applies to Lot 2D under the Village Precinct Development Plan.</u></p> <p><u>Generally Unless otherwise specified, no buildings will generally not exceed 11.5 metres in height as measured from natural ground level to the satisfaction of the responsible authority. Where the building incorporates a pitched roof, the roof may exceed this height provided it does not contain any habitable space. Where necessary to exceed a building height of 11.5 metres in overall height for example, due to the slope of the land an overall building height of 11.5 metres is exceeded,</u> the proposal must be accompanied by appropriate urban design support to the satisfaction of the responsible authority.</p>
60 / 4.8 Landscape Master Plan Figure 80 Landscape Concept Plan		Building envelopes for 1B-01 and 1B-02 amended to reflect current built form proposal.

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	 <table border="1" data-bbox="928 682 1083 751"> <tr> <td>Height 10-15m</td> <td>Spread 10-15m</td> </tr> <tr> <td>Height 10-15</td> <td>Spread 5-7m</td> </tr> <tr> <td>Height 15m</td> <td>Spread 15m</td> </tr> <tr> <td>Height 15-20m</td> <td>Spread 15m</td> </tr> <tr> <td>Height 15-20m</td> <td>Spread 15-15m</td> </tr> <tr> <td>Height 10-15m</td> <td>Spread 10-15m</td> </tr> </table>	Height 10-15m	Spread 10-15m	Height 10-15	Spread 5-7m	Height 15m	Spread 15m	Height 15-20m	Spread 15m	Height 15-20m	Spread 15-15m	Height 10-15m	Spread 10-15m	 <table border="1" data-bbox="2012 598 2166 661"> <tr> <td>Height 10-15m</td> <td>Spread 10-15m</td> </tr> <tr> <td>Height 10-15</td> <td>Spread 5-7m</td> </tr> <tr> <td>Height 15m</td> <td>Spread 15m</td> </tr> <tr> <td>Height 15-20m</td> <td>Spread 15m</td> </tr> <tr> <td>Height 10-15m</td> <td>Spread 10-15m</td> </tr> </table>	Height 10-15m	Spread 10-15m	Height 10-15	Spread 5-7m	Height 15m	Spread 15m	Height 15-20m	Spread 15m	Height 10-15m	Spread 10-15m
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<p>64 / 4.8 Figure 84 Public Private Concept Plan – Indicative Only</p>	 <p>Site Private Concept Plan - Indicative Only (Source: HASSELL, 2009)</p>	<p>Building envelopes for 1B-01 and 1B-02 amended to reflect current built form proposal.</p>  <p>Not to scale Figure 84 Public Private Concept Plan - Indicative Only</p>																						
<p>66 / 4.1.1 Polaris Integrated Transport and Car Parking Plan</p>	<p>The Plan is intended to function as a flexible 'base' reference document for development and uses, particularly at the future planning permit stage for each precinct of the estate, where confirmation of car parking space numbers will be provided. There is also an opportunity to review at a later stage car parking rates based on updated empirical evidence that may become evident over time.</p>	<p>The Plan is intended to function as a flexible 'base' reference document for development and uses, particularly at the future planning permit stage for each precinct of the estate, where confirmation of car parking space numbers will be provided. There is also an opportunity to review at a later stage car parking rates based on updated empirical evidence that may become evident over time, or changes to car parking rates specified by the Victoria Planning Provisions.</p>																						

5522333_Lot69 Amended PDP

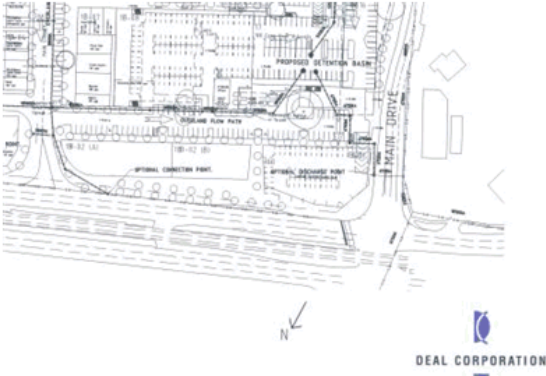
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70 / 4.12 Polaris Engineering Services and Drainage Plan Figure 85 Drainage Concept Plan for Polaris – Indicative Only		Annotation added on sheet to address amendment of the building envelopes for 1B.																				
77 & 78/ 5.2 Larundel Urban Village Design and Development Considerations March 2001 (revised August 2001)	<table border="1"> <tr> <th colspan="2" data-bbox="626 688 1685 741">1.2 Retail</th> </tr> <tr> <td data-bbox="626 741 1130 932"> <ul style="list-style-type: none"> 5,300 sqm/plus car parking </td> <td data-bbox="1130 741 1685 932"> The gross lettable area of retail floor space is approximately 11,790 square metres for the Polaris Neighbourhood Activity Centre within Precinct 1B. <i>The Consolidated Retail and Commercial Economic Assessment (July 2008)</i> prepared by Charter Keck Cramer supports 11,790 square metres of gross lettable retail floor area on the site. </td> </tr> <tr> <td data-bbox="626 932 1130 1014"> - Supermarket 3,000 sqm </td> <td data-bbox="1130 932 1685 1014"> The floor area for the supermarket is approximately 3,550 square metres. </td> </tr> <tr> <td data-bbox="626 1014 1130 1178"> - Speciality 2,300 sqm (say 20-25 shops including newsagent, pharmacy, restaurants (6 x 120 sqm), bakery, medical, hair dresser, video, take-away etc) </td> <td data-bbox="1130 1014 1685 1178"> The total floor area of speciality shops is approximately 3,030 square metres. <i>The Consolidated Retail and Commercial Economic Assessment (July 2008)</i> prepared by Charter Keck Cramer supports 3,030 square metres of speciality shops on the site. </td> </tr> <tr> <td data-bbox="626 1178 1130 1341"> - Total site requirement approximately 8,000 – 12,000 sqm </td> <td data-bbox="1130 1178 1685 1341"> The gross floor area of other retail shops and speciality shops totals 7,680 sqm. The PDP meets this guideline, as the total retail floor area proposed is 11,790 square metres, which is less than the maximum of 12,000 square metres of this guideline. </td> </tr> <tr> <th colspan="2" data-bbox="626 1341 1685 1394">1.3 Offices</th> </tr> <tr> <td data-bbox="626 1394 1130 1507"> <ul style="list-style-type: none"> Total 2,500 sqm </td> <td data-bbox="1130 1394 1685 1507"> There is opportunity within Precinct 1B to accommodate office use. A gross floor area of approximately 10,000 sqm is proposed. Refer to Appendix F. </td> </tr> <tr> <th colspan="2" data-bbox="626 1507 1685 1560">1.4 Entertainment / Short term accommodation / recreation</th> </tr> <tr> <td data-bbox="626 1560 1130 1642"> <ul style="list-style-type: none"> Hotel including bistro(s), function room, takeaway bottle shop (3,000sqm) </td> <td data-bbox="1130 1560 1685 1642"> There is opportunity for a tavern (i.e. hotel use) to be located within Precinct 1B. </td> </tr> <tr> <td data-bbox="626 1642 1130 1749"> <ul style="list-style-type: none"> Including (say) 30-50 rooms/serviced apartments </td> <td data-bbox="1130 1642 1685 1749"> The PDP provides opportunity for a range of residential land use types which may include serviced apartments within Precinct 2. </td> </tr> </table>	1.2 Retail		<ul style="list-style-type: none"> 5,300 sqm/plus car parking 	The gross lettable area of retail floor space is approximately 11,790 square metres for the Polaris Neighbourhood Activity Centre within Precinct 1B. <i>The Consolidated Retail and Commercial Economic Assessment (July 2008)</i> prepared by Charter Keck Cramer supports 11,790 square metres of gross lettable retail floor area on the site.	- Supermarket 3,000 sqm	The floor area for the supermarket is approximately 3,550 square metres.	- Speciality 2,300 sqm (say 20-25 shops including newsagent, pharmacy, restaurants (6 x 120 sqm), bakery, medical, hair dresser, video, take-away etc)	The total floor area of speciality shops is approximately 3,030 square metres. <i>The Consolidated Retail and Commercial Economic Assessment (July 2008)</i> prepared by Charter Keck Cramer supports 3,030 square metres of speciality shops on the site.	- Total site requirement approximately 8,000 – 12,000 sqm	The gross floor area of other retail shops and speciality shops totals 7,680 sqm. The PDP meets this guideline, as the total retail floor area proposed is 11,790 square metres, which is less than the maximum of 12,000 square metres of this guideline.	1.3 Offices		<ul style="list-style-type: none"> Total 2,500 sqm 	There is opportunity within Precinct 1B to accommodate office use. A gross floor area of approximately 10,000 sqm is proposed. Refer to Appendix F.	1.4 Entertainment / Short term accommodation / recreation		<ul style="list-style-type: none"> Hotel including bistro(s), function room, takeaway bottle shop (3,000sqm) 	There is opportunity for a tavern (i.e. hotel use) to be located within Precinct 1B.	<ul style="list-style-type: none"> Including (say) 30-50 rooms/serviced apartments 	The PDP provides opportunity for a range of residential land use types which may include serviced apartments within Precinct 2.	Update the table to reflect completed development in the Polaris Town Centre and acknowledge remaining capacity.
1.2 Retail																						
<ul style="list-style-type: none"> 5,300 sqm/plus car parking 	The gross lettable area of retail floor space is approximately 11,790 square metres for the Polaris Neighbourhood Activity Centre within Precinct 1B. <i>The Consolidated Retail and Commercial Economic Assessment (July 2008)</i> prepared by Charter Keck Cramer supports 11,790 square metres of gross lettable retail floor area on the site.																					
- Supermarket 3,000 sqm	The floor area for the supermarket is approximately 3,550 square metres.																					
- Speciality 2,300 sqm (say 20-25 shops including newsagent, pharmacy, restaurants (6 x 120 sqm), bakery, medical, hair dresser, video, take-away etc)	The total floor area of speciality shops is approximately 3,030 square metres. <i>The Consolidated Retail and Commercial Economic Assessment (July 2008)</i> prepared by Charter Keck Cramer supports 3,030 square metres of speciality shops on the site.																					
- Total site requirement approximately 8,000 – 12,000 sqm	The gross floor area of other retail shops and speciality shops totals 7,680 sqm. The PDP meets this guideline, as the total retail floor area proposed is 11,790 square metres, which is less than the maximum of 12,000 square metres of this guideline.																					
1.3 Offices																						
<ul style="list-style-type: none"> Total 2,500 sqm 	There is opportunity within Precinct 1B to accommodate office use. A gross floor area of approximately 10,000 sqm is proposed. Refer to Appendix F.																					
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<ul style="list-style-type: none"> Hotel including bistro(s), function room, takeaway bottle shop (3,000sqm) 	There is opportunity for a tavern (i.e. hotel use) to be located within Precinct 1B.																					
<ul style="list-style-type: none"> Including (say) 30-50 rooms/serviced apartments 	The PDP provides opportunity for a range of residential land use types which may include serviced apartments within Precinct 2.																					

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	<p>1.7 Car Parking</p> <p>Total requirement dependent on project role, function and sizing – estimate 300-400 public spaces plus appropriate on site (private spaces)</p> <ul style="list-style-type: none"> Supermarket 4.5/100 sqm (public) Speciality Shop 3.0/100 sqm (public) Office 3.0/100 sqm (70% on site) Hotel 50(public) 15 (private) <p>Refer to the <i>Integrated Transport Plan, July 2009</i> (Appendix C) prepared by Ratio Consultants for a detailed empirical assessment of the future car parking demand for the site.</p> <ul style="list-style-type: none"> Ratio estimate a rate of 5.0/100 sqm supermarket Ratio estimate a rate of 3.0/100 sqm for shops Ratio estimate a rate of 3.0/100 sqm for offices Ratio estimate a peak parking demand of 0.35 spaces per seat for a tavern. 	<p>1.7 Car Parking</p> <p>Total requirement dependent on project role, function and sizing – estimate 300-400 public spaces plus appropriate on site (private spaces)</p> <ul style="list-style-type: none"> Supermarket 4.5/100 sqm (public) Speciality Shop 3.0/100 sqm (public) Office 3.0/100 sqm (70% on site) Hotel 50(public) 15 (private) <p>Refer to the <i>Integrated Transport Plan, July 2009</i> (Appendix C) prepared by Ratio Consultants for a detailed empirical assessment of the future car parking demand for the site.</p> <ul style="list-style-type: none"> Ratio estimate a rate of 5.0/100 sqm supermarket Ratio estimate a rate of 3.0/100 sqm for shops Ratio estimate a rate of 3.0/100 sqm for offices Ratio estimate a peak parking demand of 0.35 spaces per seat for a tavern. <p><u>For land uses not listed in PDP or the Planning Scheme, an empirical assessment will be required in support of any future planning application for the use.</u></p> <p><u>In instances where the Planning Scheme and the PDP car parking rates differ, the lower of the two rates applies.</u></p>
81 / 5.3.3 Larundel Urban Village Fifth dot point	Provides for opportunity for non- residential uses to be located within existing heritage buildings (e.g. the community centre and the possibility of Linaker’s Cottage to be used as a tavern).	Provides for opportunity for non- residential uses to be located within existing heritage buildings (e.g. the community centre and the possibility of Linaker’s Cottage to be used as a tavern child care centre).
81 / 5.3.3 Larundel Urban Village	Buildings should not generally exceed three (3) storeys in height (11.5metres) above ground level.	Buildings should not generally exceed three (3) storeys in height (11.5metres) above ground level <u>unless greater height is otherwise anticipated in the PDP.</u>
82 / 5.3.4 Building Heights Third paragraph	Consideration has been given to both the NECSP and the Framework Plan. However, future indicative building heights within Polaris are also informed by, and are responsive to the physical attributes of the site (such as topography), the proximity of proposed buildings and existing buildings and roads on site and in adjoining areas (such as Lancaster Gate) and the scale, symmetry and height of existing buildings on site.	Consideration has been given to both the NECSP, and the Framework Plan and the Plenty Road Corridor Urban Design Framework and incorporation of DDO17 into the Darebin Planning Scheme in June 2017. <u>However, future indicative building heights within Polaris are also informed by, and are responsive to, the physical attributes of the site (such as topography), the proximity of proposed buildings and existing buildings, existing and future building context, and roads on site and in adjoining areas (such as Lancaster Gate) and the scale, symmetry and height of existing buildings on site.</u>
Six paragraph	The PDP provides the opportunity for a range of building heights on the site. A conceptual indication of these heights is provided in Figure 86. The variety of heights, between one and three storeys (above ground), interspaced across the site, enhances the form of the development. Three storey developments have been constructed in the adjoining Lancaster Gate development site which also varies the building height guidelines identified in The NECSP.	The PDP provides the opportunity for a range of building heights on the site. A conceptual indication of these heights is provided in Figure 86. <u>The variety of heights, Although generally anticipated to be between one and three storeys (above ground), there is capacity for greater overall building height at the south- west of the site, along Plenty Road and Main Drive (Buildings 1B-01 and 1B-02) interspaced across the site, enhances the form of the development.</u> Three storey developments have been constructed in the adjoining Lancaster Gate development site which also varies the building height guidelines identified in ¶ the NECSP.
Seventh paragraph	No four storey building above ground is proposed as part of the PDP.	No four storey building above ground is proposed as part of the PDP.
Tenth paragraph	Where it is necessary to exceed a building height of 11.5 metres in overall floor height for example, due to the slope of the land, the proposal must be accompanied by appropriate urban design support to the satisfaction of the responsible authority.	Where it is necessary to exceed a building height of 11.5 metres in overall floor height for example, due to the slope of the land <u>or the development of a focal point or gateway location</u> , the proposal must be accompanied by appropriate urban design support to the satisfaction of the responsible authority.
New 12 th and 13 th paragraphs	N/A	There is an opportunity for building height of up to eight (8) to nine (9) storeys for Building 1B-01 and five (5) to six (6) storeys for Building 1B-02. Both buildings are located in areas of low topography. They both front Plenty Road, which has an indicative 6-storey upper height proximate to the Polaris Estate site, under the Plenty Road Corridor Urban Design Framework. A 6-storey height also applies to Lot 2D under the Village Precinct Development Plan. Building 1B-01 and Building 1B-02 are also identified as potential landmarks and focal points for the Polaris Town Centre, creating a sense of arrival and place for the activity centre.



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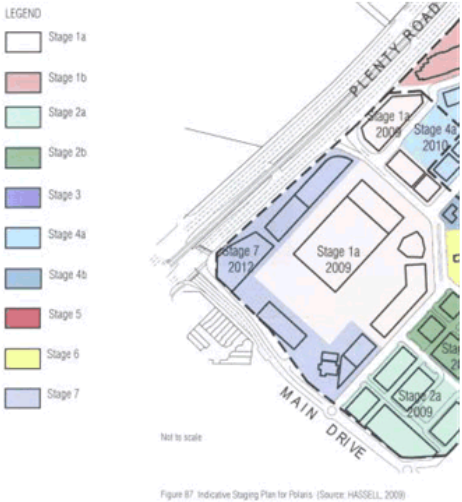
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<p>82 / 5.3.4 Building Heights Figure 86 Indicative Conceptual Building heights above ground (i.e. storeys)</p>	 <p>Figure 86 Indicative Conceptual Building heights above ground (in storeys) (Source: HASSELL, 2008)</p> <p>Note (*) Building 2C-04 Maximum two storey building height above ground is permissible provided the second storey is located within the roof space of the existing building.</p>	<p>Moreover, the built form context of the land to the south of Main Drive is evolving with the Plenty Road Corridor Urban Design Framework identifying the existing service station and townhouses as a future mixed use - commercial area and La Trobe University proposing its own town centre development.</p> <p>Building envelopes and heights amended for 1B-01 and 1B-02 to reflect current built form proposal.</p> 
<p>83 / 5.3.5 Front Setback from Plenty Road Third Paragraph</p>	<p>Front setbacks from Plenty Road for buildings located within Precinct 1B will vary between a minimum of 3 metres and a maximum of 11 metres.</p>	<p><u>Ground level</u> Front setbacks from Plenty Road for buildings located within Precinct 1B vary between a minimum of 3 metres and a maximum of 11 metres 0 metres and approximately 5.5 metres.</p>
<p>83 / 5.4 The Lancaster Gate Development Plan (2001, amended 2007) Fourth paragraph</p>	<p>In order to achieve a good design outcome and to promote the precincts status as a Neighbourhood Activity Centre, front setback of 3 to 11 metres from Plenty Road is proposed. Refer to Figure 49b on page 40. A reduced front setback at the 'corner' locations within Precinct 1B to create a sense of place and a sense of arrival to the new Main Street of the Polaris Neighbourhood Activity Centre.</p>	<p>In order to achieve a good design outcome and to promote the precincts status as a Neighbourhood Activity Centre, <u>a ground level</u> front setback of <u>between 0 metres and approximately 5.5 metres</u> 3 to 11 metres from Plenty Road is proposed. Refer to Figure 49b on page 40. A reduced front setback at the 'corner' locations within Precinct 1B to will create a sense of place and a sense of arrival to the new Main Street of the Polaris Neighbourhood Activity Centre.</p>
<p>85 / Staging Figure 87 Indicative Staging Plan for Polaris</p>		<p>Annotation added on sheet to address amendment of the building envelopes for 1B-01 and 1B-02.</p>

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86 / 6.2 Yield	<p>Precinct 1B – Accommodation A total of 39 dwellings are envisaged within Precinct 1B as follows: Home Office Apartments 19 Shop-top Apartments 20</p>	<p>Precinct 1B – Accommodation The following provides an approximate break down of potential A total of 39 dwellings are envisaged within Precinct 1B as follows: Home Office Apartments 19 Shop-top Apartments 20</p>

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Response to Council's grounds of refusal

With regard to the grounds which Council intends to reply upon at the upcoming Tribunal proceedings for Lot S3 and S9 (as resolved at its Council meeting of 16 April 2019), we offer the below comments as relevant to this amendment:

- (1) *The height, scale and massing of Building 1B-16 is excessive, fails to respond to its context and will unreasonably impact the desired built form character and amenity of the area.*

For the purposes of this application, the height, scale and massing of Building 1B-16, i.e. Lot S3, remains consistent with the endorsed PDP of January 2013.

- (2) *The amendments remove a key pedestrian link across Lot S9 between the corner of Plenty Road/Main Drive and the town centre.*

As per previous discussions with Council, the amended location for pedestrian access reflects current pedestrian traffic movement patterns. For example, pedestrians accessing the site via the signalised intersection at the corner of Main Drive and Plenty Road (where there tram stops either side of the intersection) "cut the corner" to access the stairs on Galileo Gateway, which lead to the upper deck of the activity centre car park. Further pedestrians travelling from/to the north access the activity centre using the Copernicus Crescent footpath, which is located to the north of Building B1-02. In addition, a pedestrian link between Buildings 1B-01 and 1B-02 does not lead to a destination and thus, will serve no functional purpose.

Again and as per our discussions, given the existing pedestrian movement patterns, it is more appropriate and functional for the a footpath to be formalised around the perimeter of the southern end of Building B1, which links to a footpath in Galileo Gateway with a pedestrian crossing to the activity centre access stairs. This approach is maintained as part of this amendment request for Lot S9.

As part of any future planning permit application, opportunities to provide controlled pedestrian access through the ground level tenancies of Building 1B-01 and 1B-02 may be explored.

- (3) *The proposed Polaris Development Plan (amended December 2018) fails to accurately and consistently document key details including:*

Noted, however, this should not be a substantive issue that prevents a decision being made on the request to amend the PDP. Whilst all attempts have been made to resolve these inaccuracies, these are matters which can be effectively resolved through conditions of approval.

- a) *The proposed land use of Building 1B-02 shown in Figures 56 and 57;*

Refer to **Table 1: PDP requirements for Lot S9** – Page 43 - Section 4.4.2 Plenty Road Frontage.

- b) *The extent (length) of the sheer 7 storey element of Building 1B-01;*

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Refer to **Table 1: PDP requirements for Lot S9** – Page 43a (new page to be inserted into PDP) – Indicative Building Sections – Figure 57a.

- c) *Techniques for activating the Plenty Road frontage where the basement projects notably above natural ground level;*

Refer to **Table 1: PDP requirements for Lot S9** – Page 43 - Section 4.4.2 Plenty Road Frontage.

- d) *Treatment of the Galileo Gateway South interface of Lot S9;*

Council’s concerns in relation to this matter are not understood, e.g. does this relate to the ground plain and/or the upper levels, does it relate to the Lot S9 side of the street or both? We respectfully request Council provide further detail relating to its concern. Upon provision of further detail, we can seek to amend the PDP documentation accordingly and/or deal with the matter as a condition of approval.

- e) *Inconsistencies between the text description and Figure 60 (both Page 44) regarding the use of Building 1B-16;*

Not applicable as this application only relates to Lot S9 (Building 1B-01 and 1B-02).

- f) *Details of the pedestrian environment for the Galileo Gateway South/car park route and the covered pedestrian walkway nominated in Figure 80; and*

Refer to **Table 1: PDP requirements for Lot S9** – Page 60 - Section 4.8 Landscape Master Plan, Figure 80 Landscape Concept Plan.

- g) *Failure to update tree retention/removal diagrams (Figures 81-83) to reflect outcomes clearly expressed elsewhere in the proposed in the amendments.*

Noted, however, this should not be a substantive issue that prevents a decision being made on the request to amend the PDP. Whilst all attempts have been made to resolve these inaccuracies, these are matters which can be effectively resolved through conditions of approval.

As outlined above, this PDP amendment request seeks to resolve Council’s concerns with respect to Lot S9 however, should it not, we respectfully request they dealt with via conditions of approval.

Conclusion

We trust that the above information accords with our discussions to date and is sufficient to enable Council to consider the proposed amendments for Lot S9 and in turn, commence notification of the PDP amendment request to the public without delay.

We respectfully request Council’s determination of the matter at its earliest available opportunity. This will enable DealCorp to lodge a planning permit application for Lot S9 in general accordance with the amended PDP. As discussed, it is DealCorp’s intention to lodge the planning permit application in June 2019 so that it may be considered concurrent with this PDP amendment request.

Moreover and in relation to VCAT, the intention of this request is to enable the Tribunal proceedings relating to Lot S3 and Lot S9 to continue albeit should we reach a consent position of Lot S9 via this request, we can then seek to confine the matters to be contested at VCAT to Lot S3 only. Thereafter, any resolution arising from the VCAT proceedings for Lot S3 will relate to the PDP as it was lodged in December 2018.

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SJB Planning
SJB Planning Pty Ltd ACN 007 427 554

552333 LotS9 Amended PDP

Should you have any queries in relation to the above, please do not hesitate to contact the undersigned or Aleesha Meesen on 03 8648 3500.

Regards



James Goulding
Director

jgoulding@sjbplanning.com.au

Cc Mr David Kobritz
Deal Corporation Pty Ltd

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552333 Lot59 Amended PDP

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Polaris 3083 Development Plan

2.3 Planning Scheme Policy and Statutory Context

2.3.1 Introduction

Polaris is affected by a Mixed Use Zone (MUZ), Development Plan Overlay (DPO), Heritage Overlay (HO), and a Development Contribution Plan Overlay (DCPO) of the Darebin Planning Scheme.

2.3.2 Mixed Use Zone

The entire site is affected by a MUZ under Clause 32.04 of the Darebin Planning Scheme as shown in Figure 20. The purpose of the MUZ is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework.
- To provide for a range of residential, commercial, industrial and other uses which complement the mixed-use function of the locality.
- To provide for housing at higher densities.
- To encourage development that responds to the existing or preferred neighbourhood character of the area.
- To facilitate the use, development and redevelopment of land in accordance with the objectives specified in a schedule to this zone.

The Polaris Development Plan is consistent with the objective of the MUZ as it provides for a range of residential, commercial/retail, community and business uses.

A planning permit is required for buildings and works associated with land uses such as accommodation (other than a single dwelling or dependant person's unit), leisure and recreation, office, place of assembly and retail premises (other than trade supplies) and a shop.

Advertising sign requirements are at Clause 52.05. This zone is in Category 3.

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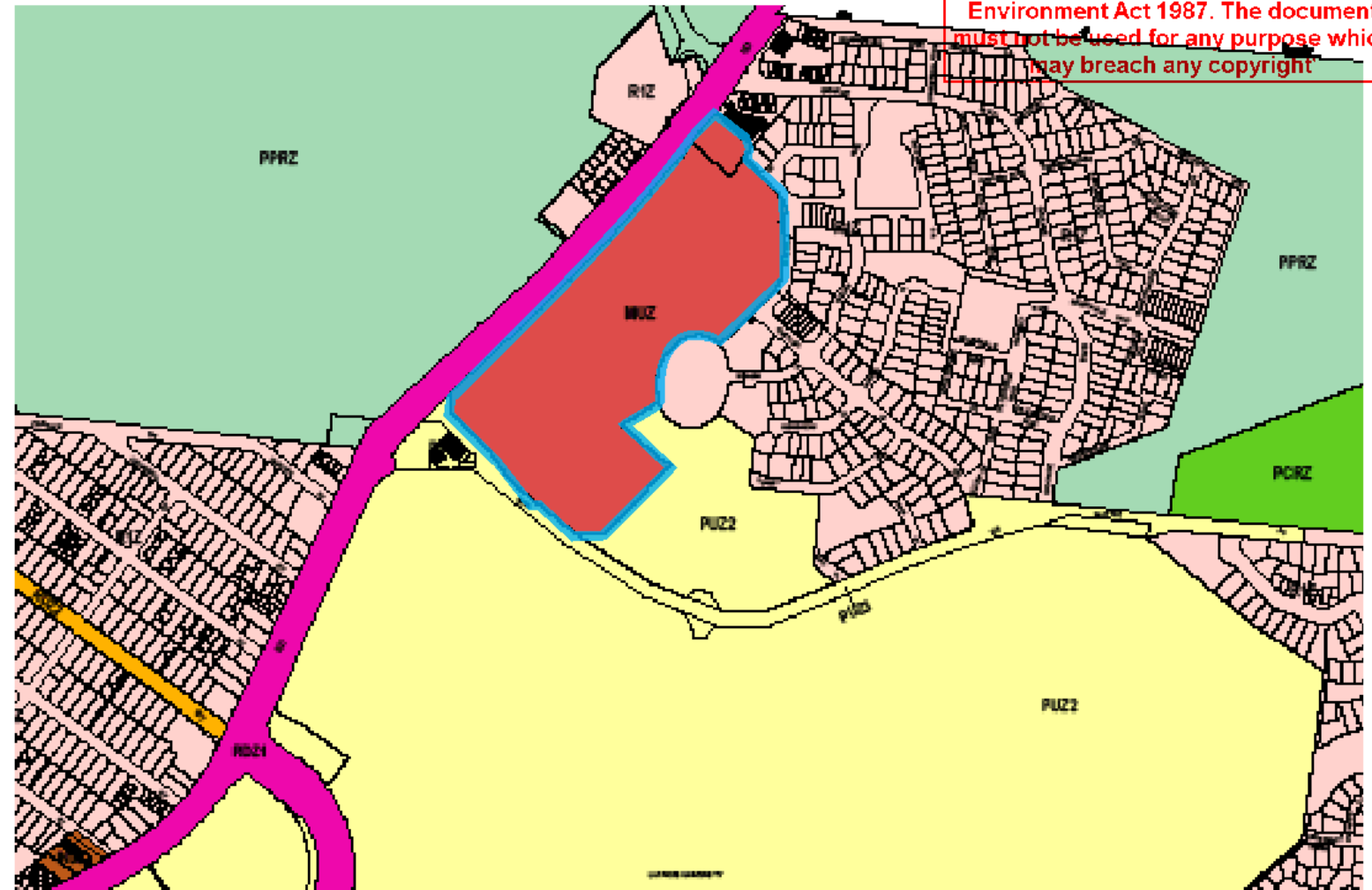


Figure 20 Mixed Use Zoning of the site. (Source: Darebin Planning Scheme, Map No 8, www.dse.vic.gov.au)

LEGEND

- MUZ Mixed Use Zone
- R1Z Residential Zone
- PPRZ Public Park & Recreation Zone
- PUZ2 Public Use Zone
- IN37 Industrial
- RDZ1 Road Zone
- PCRZ Public Conservation & Resource Zone



Polaris 3083 Development Plan

2.3 Planning Scheme Policy and Statutory Context Continued

2.3.3 Development Plan Overlay

The site is affected by Schedule 1 (Former Larundel Psychiatric Hospital) of the Development Plan Overlay under Clause 43.04 of the Darebin Planning Scheme as shown in Figure 21. The purpose of the Development Plan Overlay is:

- To implement the Municipal Planning Strategy and the Planning Policy Framework
- To identify areas which require the form and conditions of future use and development to be shown on a development plan before a permit can be granted to use or develop the land
- To exempt an application from notice and review if it is generally in accordance with a development plan

A permit must not be granted to use or subdivide land, construct a building or construct or carry out works until a development plan has been prepared to the satisfaction of the responsible authority. This does not apply if a schedule to this overlay specifically states that a permit may be granted before a development plan has been prepared to the satisfaction of the responsible authority.

A permit granted must:

- Be generally in accordance with the development plan
- Include any conditions or requirements specified in a schedule to this overlay

A development plan may be amended to the satisfaction of the responsible authority.

Compliance with the Requirements of the Development Plan

The PDP complies with the requirements outlined within the Development Plan Overlay, and Schedule 1 to this Overlay as it:

- Comprises both documents and plans
- Describes the land to which it applies
- Outlines the use and development proposed for each part of the land
- Is generally consistent with the underlying urban design principles contained within the North East Corridor Strategic Plan (1998)

- Does not propose industrial land uses
- Has incorporated the review of the Larundel and Linaker's Cottage Plenty Road, Bundoora Conservation Management Plan (2000). An additional heritage assessment has also been prepared as part of this submission
- Makes a positive contribution to the character of the area and the Plenty Road streetscape in relation to height, bulk, and location of buildings, removal of vegetation and proposed replanting/landscaping. In accordance with Clause 56 of the Scheme, residential subdivisions with more than 60 lots are encouraged to create a new identity for the future community. The PDP has been thoughtfully designed to result in a high degree of net community benefit for the new community and surrounding local catchments
- Retains identified high retention value trees on the site where practical.
- Identifies the location, layout and appearance of areas set aside for car parking access (ingress and egress), loading and unloading; and
- Respects the character of the area, adjacent buildings and the Plenty Road and Main Drive streetscape

In accordance with the specified requirements of Schedule 1 to the Development Plan Overlay, the PDP includes various plans that shows those items required under Section 1.0 of the Schedule to the Development Plan Overlay, including but not limited to the layout of existing and proposed buildings and works, all heritage buildings, the location of all passive and active open space, details of treatment of all internal roads and road connections to the adjoining road network, and proposed uses on all parts of the land.

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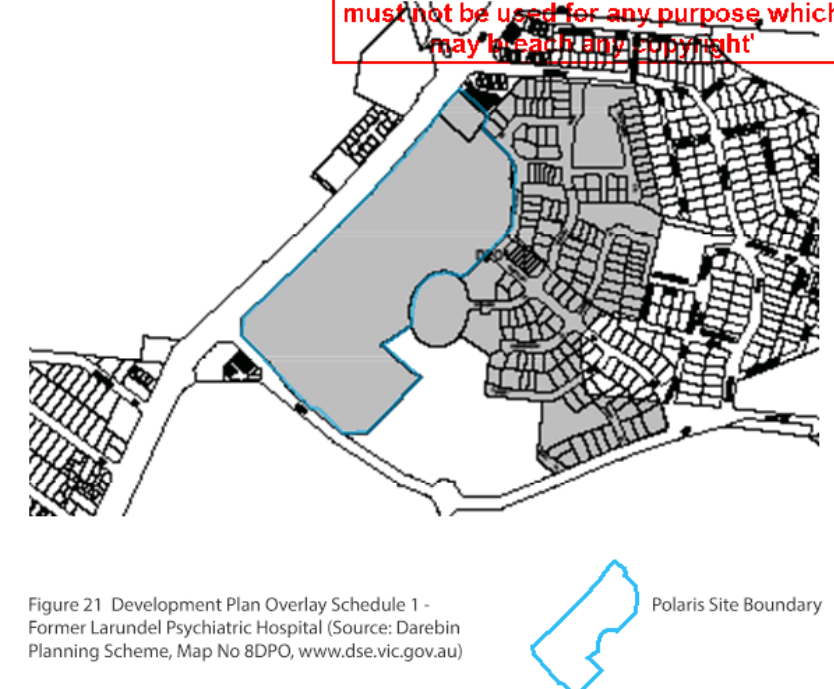


Figure 21 Development Plan Overlay Schedule 1 - Former Larundel Psychiatric Hospital (Source: Darebin Planning Scheme, Map No BDPO, www.dse.vic.gov.au)



Polaris 3083 Development Plan

4.2 Design Response Continued

4.2.10 Aspect and Main Street

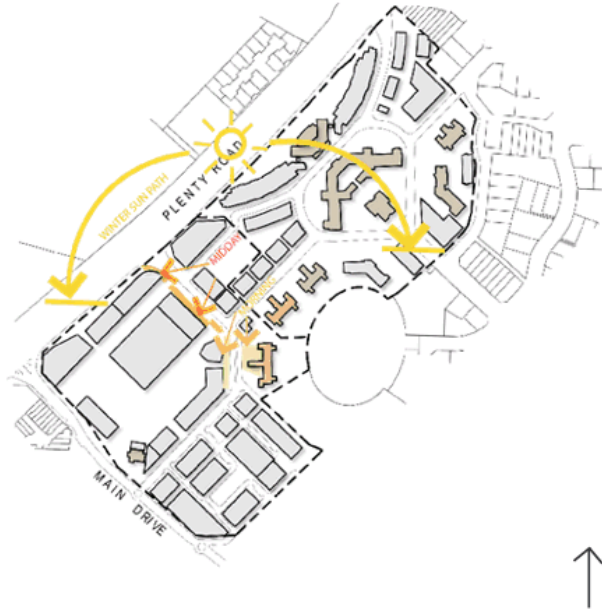


Figure 43 Aspect and Main Street (Source: HASSELL, 2008)

The new main Street takes advantage of its alignment and aspect, allowing for wide footpaths alongside the shops, providing opportunities for sunny outdoor dining.

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4.2.11 Active Frontages



Figure 44 Active Frontages (Source: HASSELL, 2008)

Within the retail/commercial area, the PDP provides for active edges abutting the public realm. This means that shop fronts, office entries etc. are all accessed via the public front with private access for loading, unloading and staff parking primarily available from the rear of those building. At-grade car parking areas are located at the rear of shops and offices so that they do not detract from the public street frontage and so that a continuous active edge along this frontage is ensured.

Within the residential areas, a similar technique is employed. Dwellings front onto public streets and where required, private lane ways provide access to garages. Internally, the dwelling design also responds to the active edge concept by placing those rooms at the street front that can contribute life to the public realm.

While recognising that buildings should have a back and front, the backs of buildings shall be designed to avoid blank facades being presented, ie for these elevations to appear as visually active. This can be achieved through the use of glazing to provide passive surveillance, as well as articulated treatments using varying materials, textures and colours, provided this is done with restraint.

4.2.12 Public Realm



Figure 45 Public Realm (Source: HASSELL, 2008)

The intention of the PDP is that most public realm areas would be managed by the local Council, including street reserves, parkland areas and the civic forecourt to the community centre. Areas that may be considered for management by private organisations, although remaining accessible to the public, include retail plazas, off-street retail parking areas and land surrounding the student housing.

Future management and ownership of the public realm will be considered and determined in consultation with the City of Darebin during the planning permit process.

Precinct 1B building envelopes updated.
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Polaris 3083 Development Plan

4.2 Design Response Continued

4.2.13 Integrated Urban Art Proposals

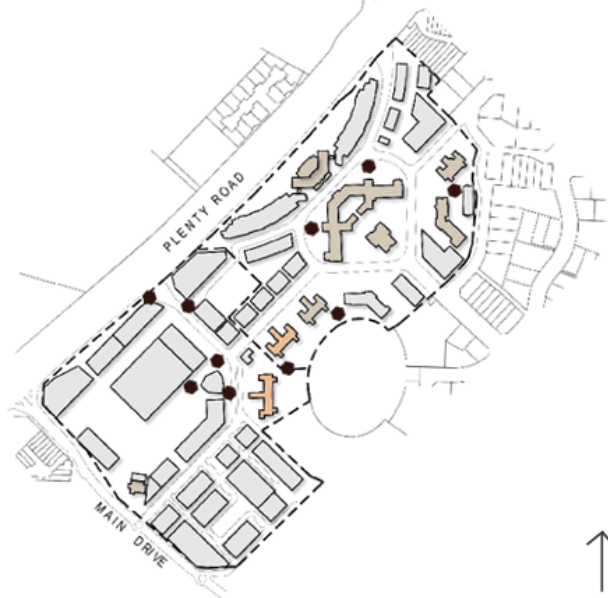


Figure 46 Integrated Urban Art Proposals (Source: HASSELL, 2009)

Provision of public art warrants an integrated process whereby community, Darebin City Council, retailers, artists and other stakeholders are consulted and engaged in the process of selection, siting and determining appropriate artwork. No specific public art components are identified at this development plan stage due to the varied nature of what this may be, other than indicating a commitment to incorporating public art in the detailed design of public realm. The provision of a new main street and community centre forecourt present two particularly likely locations for public art.

4.2.14 Landform and Heights



Figure 47 Landform and Heights (Source: HASSELL, 2009)

Buildings have been generally kept to a maximum of three-storeys so as not to exceed the heights of the existing heritage buildings, and to allow for lower cost domestic construction techniques to be used. Most buildings are between two and three storeys in height, creating a comfortable humanscale. The site's landform allows for some buildings to have basement parking or undercroft parking in semi-basement areas that will be naturally ventilated. These include the proposed supermarket and commercial office/residential buildings within Precinct 1.

4.2.15 Developable Parcels

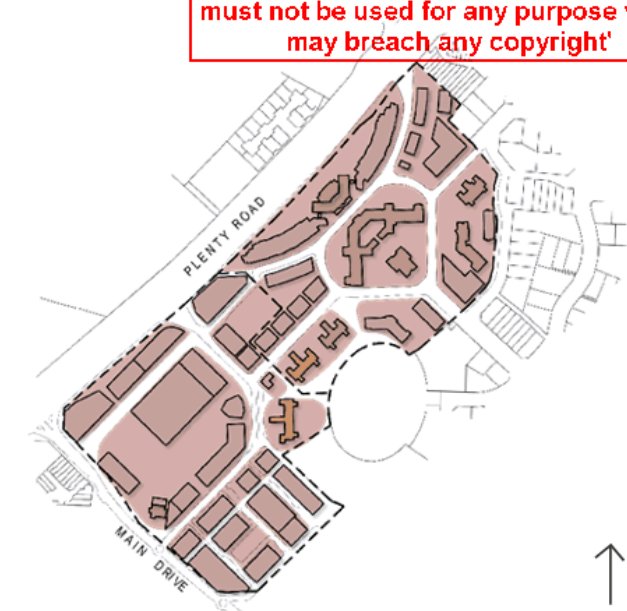


Figure 48 Developable Parcels (Source: HASSELL, 2009)

The configuration of the road alignments (both existing and proposed) results in the creation of parcels of developable land that allow the site to be constructed in a logical and staged manner. Keeping to basically rectilinear forms allows for ease of building and car park siting, in a legible and permeable urban grid.

Precinct 1B building envelopes updated. Refer to Figure 49a.
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Polaris 3083 Development Plan

4.3 Overview of Development Plan

The PDP (Figure 49a) is described in terms of two precincts, Precinct 1 and Precinct 2. The original Lancaster Gate Development Plan (2001, amended 2007) envisages Polaris to be an urban village which contains integrated residential and commercial development that aims to meet the local communities retail and service needs, as well as those of a broader community, while creating an innovative mix of residential and development opportunities.

The PDP achieves this vision.

Both of these precincts contain two sub-precincts. Precinct 1 contains sub-precincts A and B, and Precinct 2 contains sub-precincts C and D.

The design response focuses on keeping existing high retention value trees where practical, while creating a layout that encourages permeability for both vehicles and pedestrians, that maximises the views of the existing buildings on the site, and that creates a viable Neighbourhood Activity Centre on the corner of Plenty Road and Main Drive.

The building footprints indicated on the PDP are indicative only and will be refined during detailed design of future development at the planning permit stage.

4.3.1 Polaris Overall Master Plan

The Overall Master Plan for Polaris is located in Figure 49b. This plan provides an illustrative overview of proposed land uses and development opportunities with the various precincts of the Polaris site area.

Note: The number and location of car parking spaces as shown on Figure 49b Polaris Overall Master Plan, is indicative only at this stage and is subject to change.

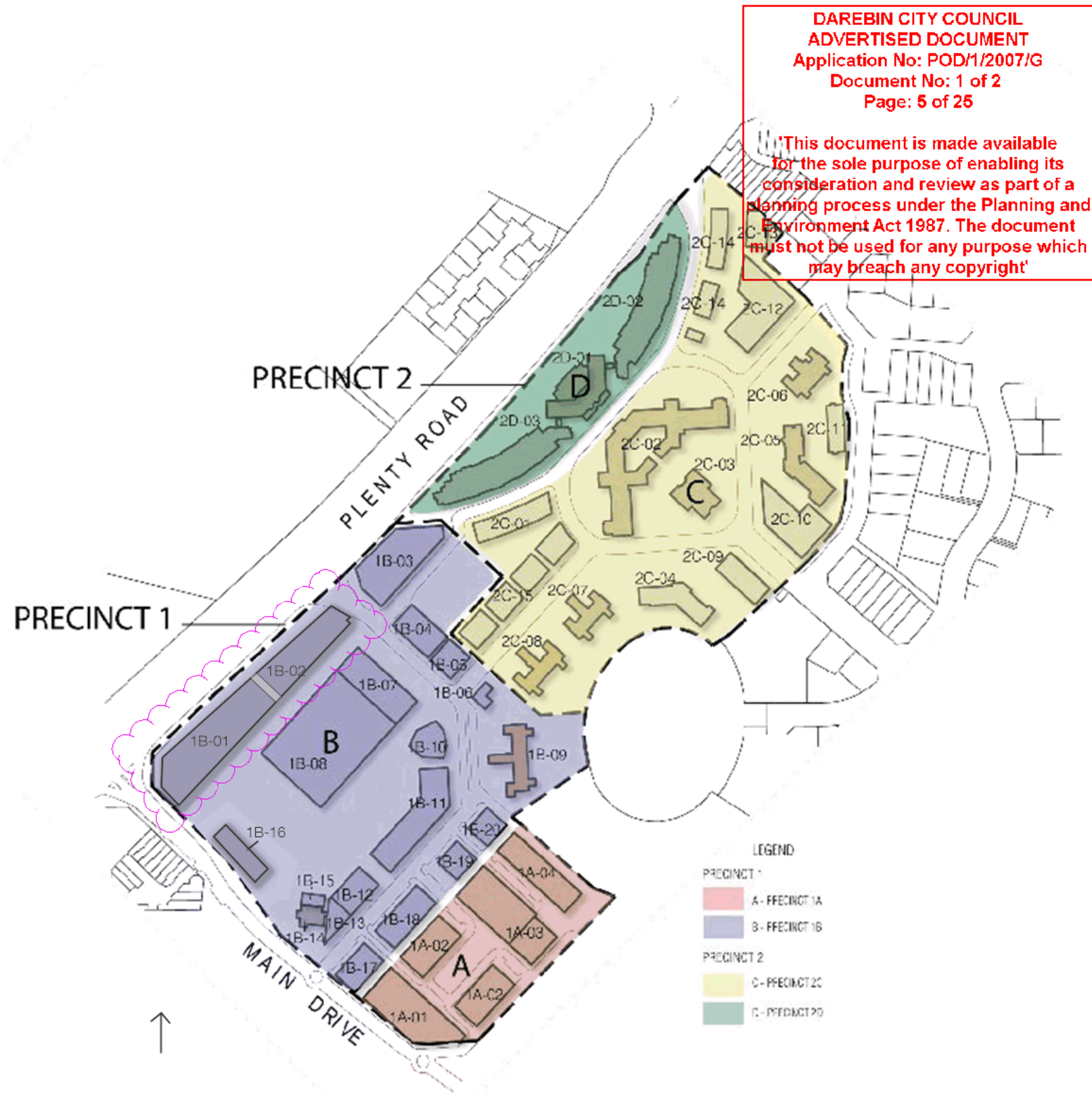


Figure 49a Polaris Development Plan
Not to scale

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- LEGEND**
- On-street parking
 - At grade parking
 - Basement/undercroft parking
 - Number of car spaces
 - Paving
 - Roads/car parking

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Not to scale
 Figure 49b Polaris Overall Master Plan
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Precinct 2D
 Accommodation land use (for example aged care, retirement village or residential)

Mixed use neighbourhood activity centre providing retail, commercial, office, supermarket, food and drink premises (take away food premises, restaurant, cafes), residential (shop-top housing, student accommodation, residential hotel) and civic community centre, plaza land uses



Polaris 3083 Development Plan

4.4 Precinct 1



Precinct 1B building envelopes updated. Refer to Figure 49a.

Figure 50 Location of Figure 51 and 52 (Source: HASSELL, 2008)

Precinct 1 provides for a mixed use Neighbourhood Activity Centre, a community centre and residential accommodation with a focus on creating a vibrant and mixed use community that is well integrated with the surrounding use and built form.

Precinct 1 provides for various different land uses, including retail, commercial, office, and food and drink premises, residential and civic. A major supermarket will be the main tenant and anchor store of the Lancaster Neighbourhood Activity Centre.

Precinct 1 comprises two sub-precincts, Precinct 1A and Precinct 1B.

4.4.1 Precinct 1A

Precinct 1A is a contemporary residential subdivision catering for a wide variety of households including students, couples without children, and families alike.

A continuous terrace house model may be used to create a medium-density precinct; combining single, double and three-storey massing to provide visual variation, to assist in allowing light penetration into private courtyards, and to maximise cross ventilation. The building mass at street corners will be carefully considered to ensure an appropriate urban scale. The building and street layout will work with the site's natural topography to minimise excavation and to ensure at-grade street addresses.

Low fencing (maximum 1.2m high) and minimal to no paving treatments except for pedestrian paths from the footpath directly to the front door in the frontage of all dwellings in Precinct 1A.

The verge abutting the western side the access street that traverses through the precinct is to have a minimum width of 4 metres. The front setbacks to the adjoining dwellings can be reduced by a minimum of 1.5m to accommodate the verge, with no reduction to the width of the access street or on-street parking spaces.

A linear park has been provided to act as a focal point for adjoining residential PMP9719

uses within Precinct 1A, and to enable retention and/or relocation of existing high value vegetation located within Precinct 1A, where practical.

The design of the dwellings will be contemporary in nature and utilise a varied palette of materials to maximise visual interest and individual dwelling identity.

The subdivision has been designed to retain high value vegetation where practical. Revegetation along internal streets and the surrounding road network is encouraged in order to create a leafy green, treed environment.

Small deciduous trees may be used as a street tree in this precinct. These trees will be appropriate for the scale of the precinct and will provide some shade in summer and allow solar penetration in winter and will also act as an interesting contrast to the established trees in this precinct.

The adjacent cross section, plan and images provide a conceptual indication of the form, character, mass and materials of future residential development within this precinct.

Detailed design and the assessment of the subdivision, road layouts and intersection geometry shall be undertaken at the planning permit and engineering design stage.

Schedule 1 of the Development Plan Overlay does not require the PDP to specify the number of housing lots to be created. This will be resolved in the design response at planning permit stage for Precinct 1A.

The proposed residential use at this location is compatible with the adjacent education use of La Trobe University, located to the east of Precinct 1A. Access connections for vehicles, pedestrians and bicycles will be provided which will integrate Precinct 1A with the surrounding uses.

The interface with the agricultural reserve of La Trobe University will be sensitively treated in respect of siting, scale and form and appearance of development and appropriate landscaping. Provision of dwelling fencing is to be a minimum 1.8m high on the South East boundary abutting La Trobe University.

Compliance with ResCode (Clause 55 of the Darebin Planning Scheme) will be required for the future medium density housing development for Precinct 1A. Compliance with ResCode will ensure that future development will be site responsive and have an appropriate design response. Refer to benchmark images A, B and C for indication regarding the future form, character, mass and materials of development within Precinct 1A.

Street Address 2-3-Bedroom Terrace Dwelling Central Courtyard Studio Dwelling Street Address Townhouse

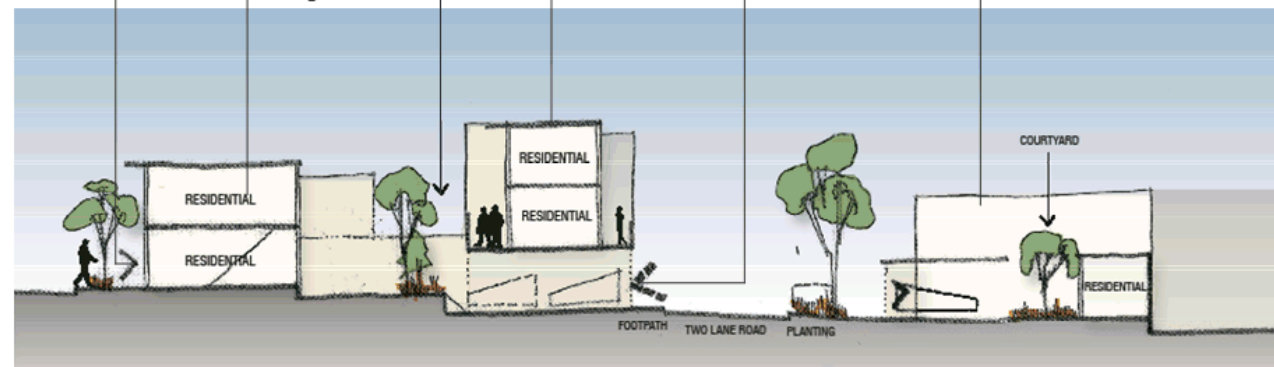


Figure 51 Indicative Townhouse Section (Source: HASSELL, 2008)



Figure 52 Indicative Townhouse Plan (Source: HASSELL, 2008)

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Benchmark Image A Contemporary design with clearly expressed street addresses



Benchmark Image B Adaptable, year round courtyards



Benchmark Image C Variety of materials to create visual richness



Polaris 3083 Development Plan

4.4 Precinct 1 Continued

4.4.2 Precinct 1B

Precinct 1B is a mixed use precinct which encompasses the Polaris Neighbourhood Activity Centre, a new main street, shop-top housing, food and drink premises, retail, commercial and office use and development and a civic plaza. These uses will be supported by non-retail uses such as the new community centre also to be located within Precinct 1B. The existing heritage buildings within this precinct are to be retained and either repaired or reconfigured to accommodate a suitable use.

Neighbourhood Activity Centre

The 'Mixed Use Precinct' identified under the Lancaster Gate Development Plan (2001, amended 2007) is referred to as Precinct 1B under the PDP. Precinct 1B is to be a vibrant mixed use precinct containing the new Polaris Neighbourhood Activity Centre (NAC). The NAC will serve the needs of the existing and future residential community of Polaris and surrounding residential communities.

The estimated Area Schedule for Precinct 1B is indicated in the following Table. These floor areas are estimates only and are provided to indicate the possible intensity of development that may occur within the Polaris NAC.

LAND USE	EST. GROSS FLOOR AREA (GFA)	EST. NET LEASABLE AREA (NLA)
Specialty Shops	4,300	3,700
Supermarket	3,700	3,700
Showroom	3,200	3,200
Large Format Specialty Shop	1,400	1,400
Residential Hotel	12,900	8,000
Tavern	950	950
Office	10,000	6,000
TOTAL	36,450	26,950

Figure 53 Estimated Area Schedule for Precinct 1B of the Polaris Development Plan

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A retail economic and commercial assessment has been undertaken by Charter Keck Cramer (July 2008) as part of the investigations undertaken for the preparation of the PDP. This report assesses the proposed NAC against the objectives and policy directions contained within Darebin City Council's Retail Activity 'Centres Strategy' (Essential Economics, March 2005). The 'Retail Economic Assessment' (Charter Keck Cramer, July 2008) for the proposed Lancaster Neighbourhood Activity Centre supports the area of retail and commercial (ie office) floorspace proposed the Polaris Development Plan.

Linaker's Cottage

Linaker's Cottage is located adjacent to the southern boundary of Precinct 1B and may possibly be developed with a tavern. Bryce Raworth has prepared a Heritage Report (2007) which assesses the proposed PDP against the heritage significance of the site. Linaker's Cottage is of primary heritage significance and is proposed to be retained as part of the PDP. The significance of this building should be respected by retaining the entry porch and the general bungalow character of the building as viewed from Main Drive. However, it is possible to make substantial alterations and additions to the east and west elevations of the building on the proviso that there is some indent or point of transition indicated between the addition and the extant outline of the cottage as shown in Figure 54 below (Bryce Raworth, Proposed Development Plan for Lancaster – Heritage Issues, 2007).

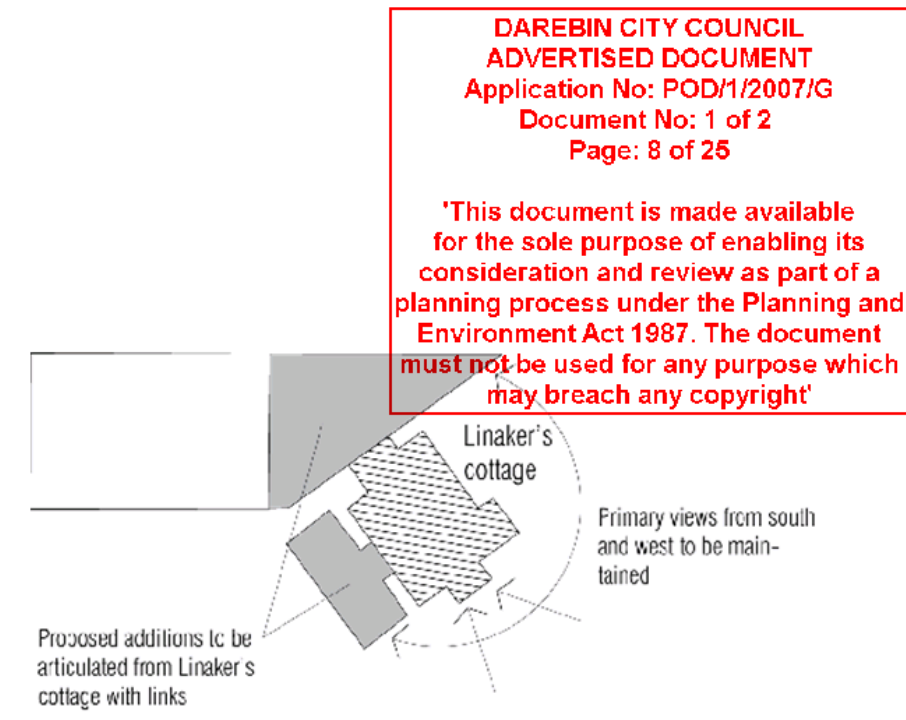


Figure 54 Indicative Future Additions to Linaker's Cottage (Source: HASSELL, 2008)

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4.4.2 Precinct 1B Continued



Figure 55 Location of Figure 56, 57 and 57a

Plenty Road Frontage

It is envisaged that the Plenty Road frontage of Precinct 1B may be developed with mixed use commercial/retail use and development. The interface of Precinct 1B with Plenty Road will be appropriately treated to create a distinctive character for the new Polaris NAC. Minimal setbacks of Precinct 1B will be encouraged due to the adjacent main arterial road and to achieve an active frontage. Sensitive uses, such as residential but excluding a residential hotel, are not considered to be appropriate along this frontage and are discouraged.

The Plenty Road frontage has the potential to support a preferred maximum building height of eight (8) to nine (9) storeys, having regard to local context considerations, including the site's relationship to surrounding development.

The functionality of buildings located within Precinct 1B, which forms part of the Polaris NAC, and the layout of the Precinct have both significantly influenced the front setback of buildings to Plenty Road.

A varied ground level setback of between 0 metres and approximately 5.5 metres from the title boundary along Plenty Road is proposed. The varied setback will create a sense of place and a sense of arrival to the Polaris Town Centre, particularly at the corner intersection of Main Street and Main Drive. The title boundary is set back 4 metres from the Plenty Road kerb.

A strong built edge that defines the urban block and punctuates the corners at landmark opportunities is a proper and valid urban design response, that promotes better activation of the street, passive surveillance, increased commercial exposure and more efficient use of land (i.e. avoidance of 'no man's land').

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The Plenty Road setback frontage (along Precincts 1B and 2D) has been designed with the view to creating a setback rhythm of buildings coming forward to mark urban corners and building setbacks in between to accentuate these landmarks. The Plenty Road setback of Precinct 1B varies between 0 metres and approximately 5.5 from the title boundary. Refer to Figure 49b for further details.

This will prevent a hard, continuous edge along Plenty Road. Buildings site proudly forward (i.e. in Precinct 1B) and others are recessed (i.e. in Precinct 2D) with appropriate landscaping treatment to accentuate their attractiveness along this frontage.

Native street trees are proposed for the Plenty Road site frontage wherever practical. This treatment is a continuation of the existing Plenty Road treatment and complements the native planting environment created by Bundoora Park. It is intended that street trees be planted within the footpath on Plenty Road and wherever practical, incorporated into rain gardens that harvest surface run off from the footpath. Trees to the car park on the east side of the commercial buildings will be native species. Refer to the Landscape Plan (Figure 80 for a list of indicative species). Rain gardens are proposed in order to capture street run-off in this area.

The adjacent conceptual plan (Figure 56) and cross section (Figures 57 and 57a) provide a conceptual indication of the form, character, mass and materials of future development as do benchmark images D, E and F.

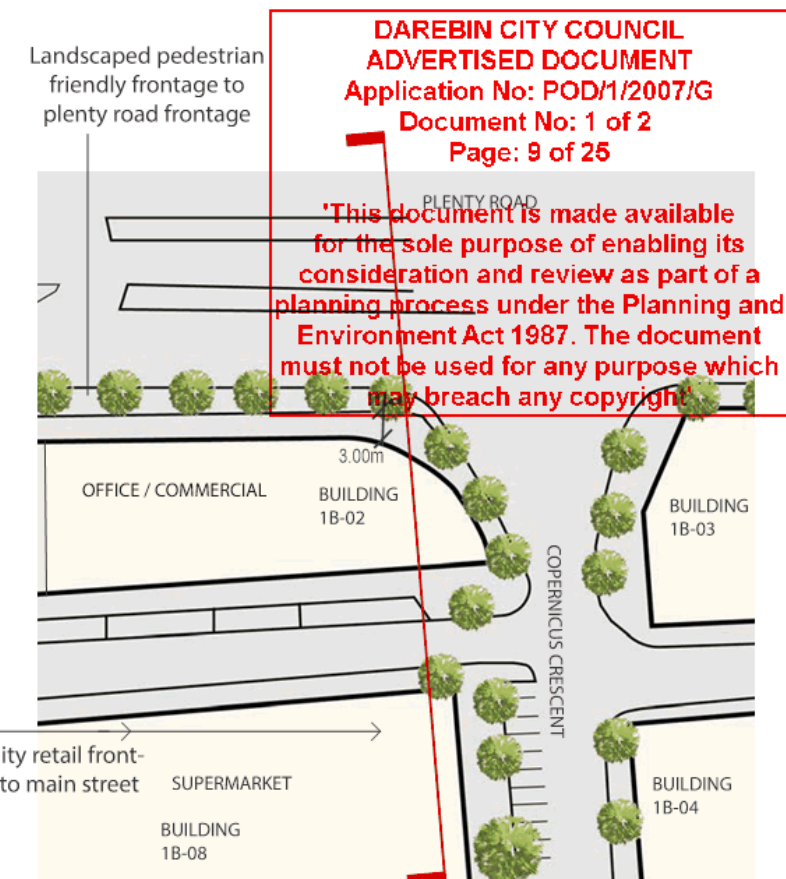


Figure 56 Indicative Plenty Road Interface



Benchmark Image D
Corner buildings should have greater height to define the corner. Buildings should be articulated and provide active edges



Benchmark Image E
Indicative landscaping treatment along the Plenty Road frontage of Precinct 1B

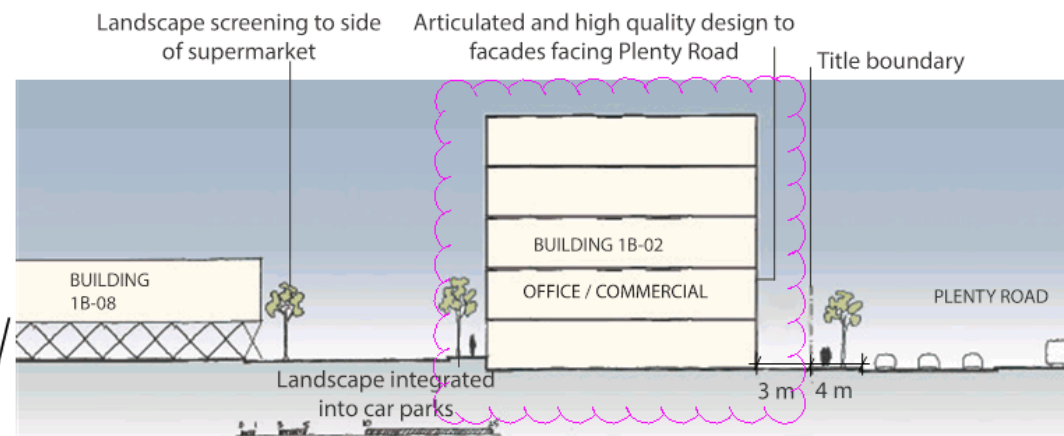


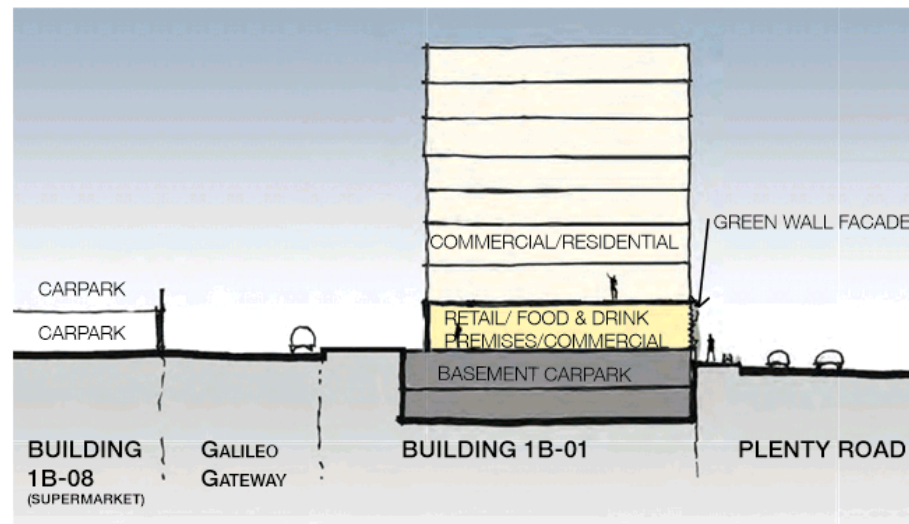
Figure 57 Indicative Section through buildings fronting onto Plenty Road

Appropriate screening to understorey of supermarket to avoid an open sided and open ended sub-basement car park below

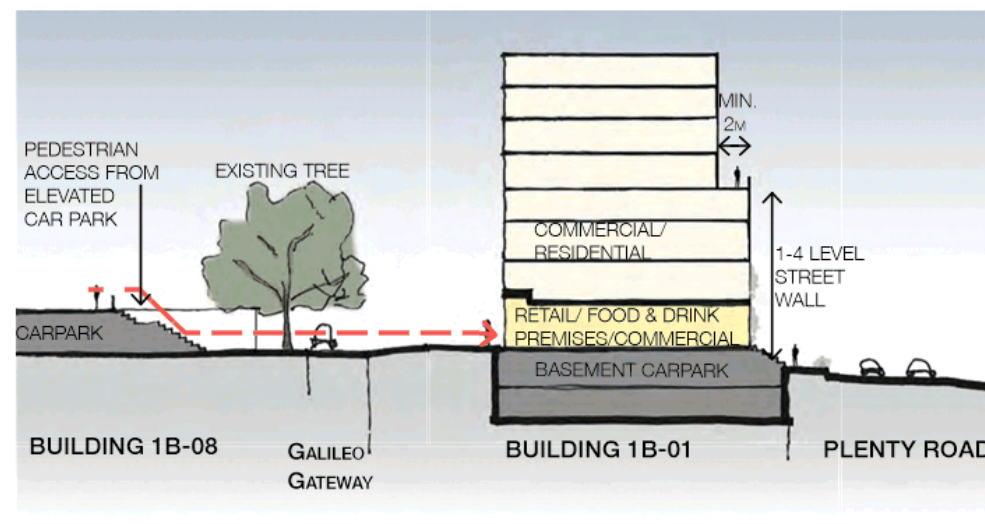


Benchmark Image F
Level changes are well handled, simple and consistent ground plane treatment and provision of shade with trees and canopies create attraction and

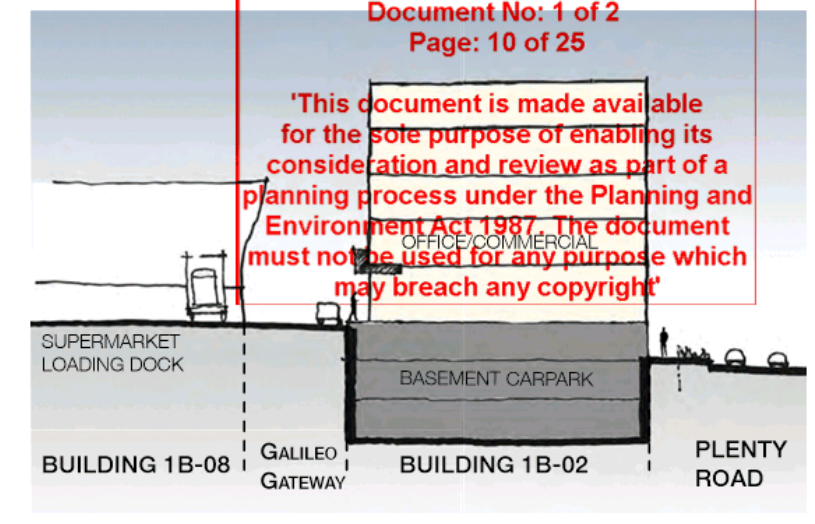




SECTION A-A



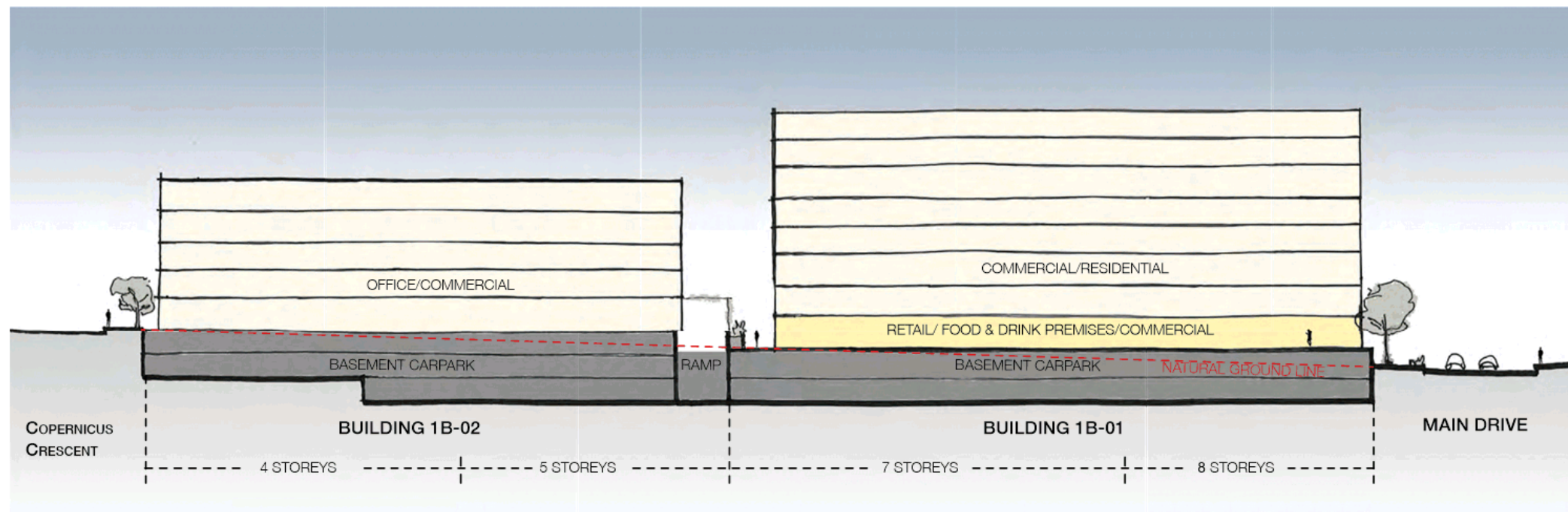
SECTION B-B



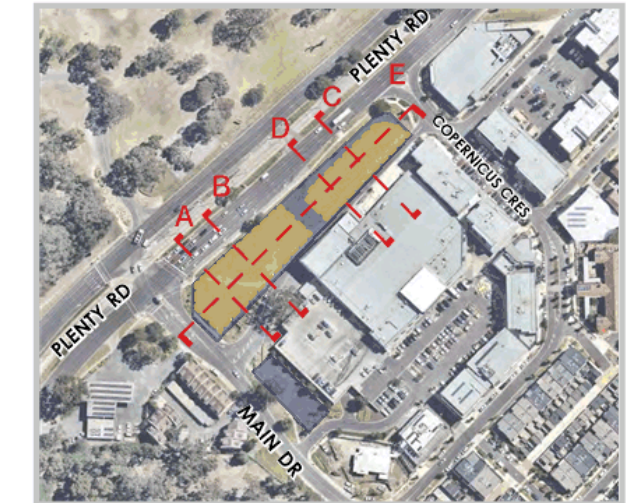
SECTION C-C & D-D

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SECTION E-E



Polaris Precinct 1B

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4.4.2 Precinct 1B Continued



Figure 58 Location of Figure 59 and 60 (Source: HASSELL, 2009)

Precinct 1B building envelopes updated. Refer to Figure 49a.

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Main Drive Frontage

The Main Drive frontage of Precinct 1B will have a continuous landscape treatment along the length of the boundary to create a sensitive interface with the adjoining use and development across Main Drive.

A building adjacent to Main Drive (located in the intervening area between Main Drive and the car park) (nominated as Building 1B-16 in Figure 49a and 59), may possibly be used for either commercial or residential uses. However, the use of this building is not determined at this stage, and will be proposed at the planning permit stage of the development. Opportunities to create an active front to the building will be encouraged and maximised where possible. This building will assist in minimising views of the car park from Main Drive and is envisaged to be single storey, with the future possibility of being two to three levels in height. Appropriate landscape treatment and building circulation of the facade will assist in minimising the visual perception of a blank wall when viewed from Main Drive.

The rear of the supermarket will be treated in a visually interesting manner to positively contribute to the presentation of the Polaris Neighbourhood Activity Centre. Contemporary built form will be encouraged where appropriate within this precinct. The materials and finishes of the rear of the supermarket will be chosen to maximise the visual interest of this elevation.

There is opportunity for at-grade car parking to be supplemented with some deck, basement and/or semi-basement car parking within Precinct 1B, to minimise the expanse and visibility of at grade parking. An appropriate landscape response to the design of car parking areas in Precinct 1B will satisfactorily mitigate any potential adverse amenity impacts from adjoining roads and uses.

Good tree cover will be achieved in the supermarket car park. Kerb and channel around the tree planting areas will be avoided, and car park surface run-off will be captured and directed into rain gardens. In addition to the tree planting, massed shrubs and ground covers will be used to provide another layer of visual interest and pedestrian scale to the space. Trees with understorey planting will also be used to delineate the private vehicular entries to shop-top dwellings. Refer to benchmark images H and G for a conceptual indication of the form, character, mass and materials of development within precinct 1B.

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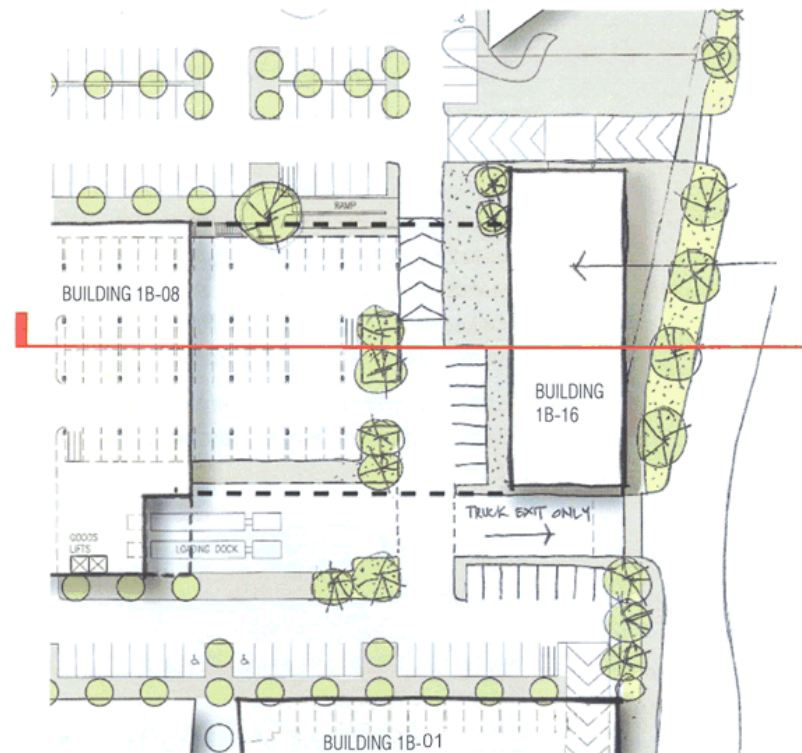


Figure 59 Indicative Part Plan of Precinct 1B (Source: HASSELL, 2008)

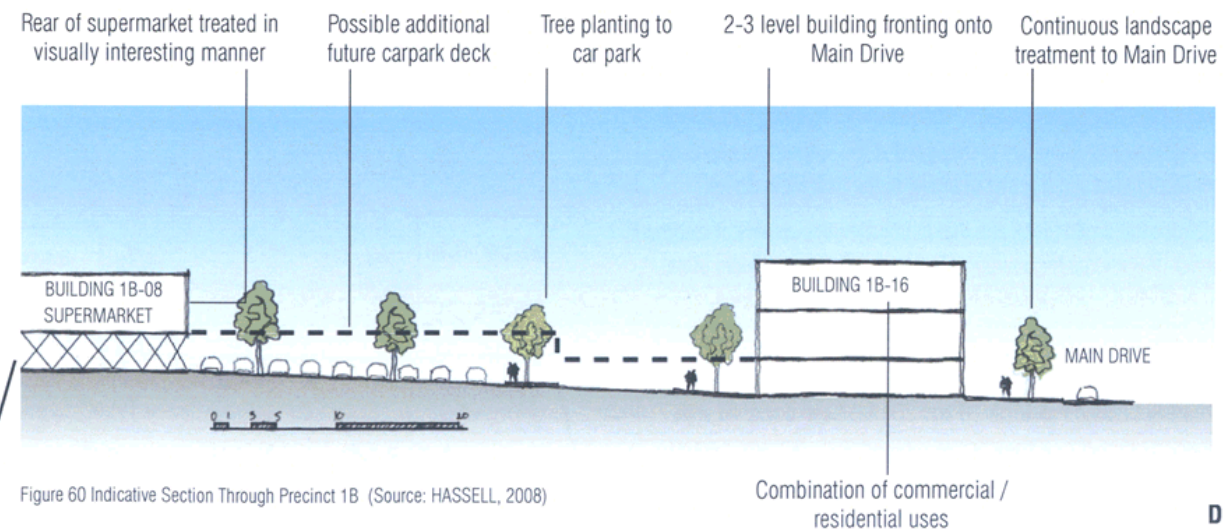


Figure 60 Indicative Section Through Precinct 1B (Source: HASSELL, 2008)

Appropriate screening to the understorey of the supermarket to avoid an open sided/open ended sub-basement car park below

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Benchmark Image G
Front facade to supermarket with external canopies for pedestrian comfort



Benchmark Image H
Signage to be integrated into the architecture

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4.6 Connections to La Trobe University

The holistic and integrated design approach adopted for the PDP includes a new pedestrian and cycle link between the Polaris Neighbourhood Activity Centre (Precinct 1B) and La Trobe University located across Main Street to the south-east within Precinct 1B. This new pedestrian crossing facilitates greater access and permeability between La Trobe University and Polaris.

The new pedestrian crossing will encourage people to use alternate, more sustainable modes of transport rather than rely on vehicles, and will promote walkability within Polaris and the surrounding area.

The developer will consult with the responsible authority and La Trobe University with a view to discuss design options for a circuit around the oval.

A two storey height limit (above ground) for buildings adjacent to the existing residential areas and the university land may be required, but can be exceeded to a maximum of three storeys (above ground) to the satisfaction of the responsible authority.

The siting, scale and form and appearance of development (including car parking) adjacent to existing residential areas and Latrobe University must display an appropriate response to the adjoining residential area and to university land and buildings.

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Figure 79C Connections to La Trobe University (Source: HASSELL, 2009)

Precinct 1B building envelopes updated.
Refer to Figure 49a
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LEGEND

-  La Trobe University
-  Future buildings
-  Existing heritage buildings affected by Heritage Overlay
-  Existing heritage buildings not affected by Heritage Overlay



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4.7 Urban Design Guidelines

The purpose of the Urban Design Guidelines is to:

- Allow for innovative viable refurbishment and re-use of the heritage buildings and the construction of infill/new elements within the site, which respect the character of these heritage buildings
- Create a sustainable Neighbourhood Activity Centre to serve service the local and broader retail/commercial needs within a high quality facility, as well as creating a mix of medium and higher density residential developments

Future use and development on the site must consider the urban design guidelines contained with the *City of Darebin Larundel Urban Village Design and Development Considerations (March 2001, revised August 2001)*.

Consideration must also be given to the following Urban Design Guidelines as follows in the next sections:

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4.7.1 Development Envelope

Front Setback

Minimum front setbacks are intended to enhance a coordinated streetscape across each precinct and will ensure adequate distances between roads and new buildings and on-street car parking.

All lots are required to have a minimum front setback from the front title boundary as follows:

Precinct 1A - Accommodation 1 - 3 metres from the boundary.

Precinct 1B - Neighbourhood Activity Centre

Generally 0 metre setback for retail and commercial buildings.

- Main Street frontage Generally 0 metre setback or retail and commercial buildings.

- Plenty Road frontage Generally varying between 0 metres and approximately 5.5 metres to the title boundary.

Precinct 2C - Accommodation Varies, but should be complementary with existing buildings.

Precinct 2D - Accommodation Varies, but should be complementary with existing buildings.

With the exception of vehicular access aisles established for the purpose of site entry, the front setback, where applicable shall be fully landscaped with paving, garden beds and/or grass as appropriate.

No building or storage shall be constructed within the setbacks above. New building setbacks from internal roads should respect the former hospital buildings on the site and the landscaped setting of the land, including provision area for the planting of canopy trees.

Side Setback

Buildings may be constructed to side boundaries. If buildings are not constructed on the boundary, the setback is to be a minimum distance of 3 metres, or as designated by Council ResCode (if residential building), or other relevant fire regulations.

Setbacks on corner lots must enable sufficient sightlines for traffic in accordance with the relevant Australian Standard (AS2980.1-1989).

Rear Setback

Buildings may be constructed to rear boundaries. If buildings are not constructed on the boundary, a minimum distance of 8 metres, or as designated by Council or other relevant fire regulations.

Building Heights

Generally, no building will exceed three storeys in height above ground level. Where it is necessary to exceed a building height of three storeys, for example due to the slope of the land, the proposal must be accompanied by appropriate urban design support to the satisfaction of the responsible authority.

In accordance with Section 3.8 and 3.9 of the PDP, there is an opportunity for building height of up to 8-9 storeys for Building 1B-01 and 5-6 storeys for Building 1B-02. The town centre's lowest topographic values are located along Main Drive and at the Main Drive and Plenty Road intersection and both building envelopes are identified as potential landmarks and focal points, creating a sense of arrival and place for the Polaris Estate.

Both buildings front Plenty Road which has a 42-metre road reserve width and has a designated upper height limit of 6 storeys proximate to the Polaris Estate site under the Design and Development Overlay Schedule 17 and in the Plenty Road Corridor Urban Design Framework. Furthermore, a 6-storey height applies to Lot 2D under the Village Precinct Development Plan.

Unless otherwise specified, buildings will generally not exceed 11.5 metres in height as measured from natural ground level to the satisfaction of the responsible authority. Where the building incorporates a pitched roof, the roof may exceed this height provided it does not contain any habitable space. Where an overall building height of 11.5 metres is exceeded, the proposal must be accompanied by appropriate urban design support to the satisfaction of the responsible authority.

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1.1 Polaris 3083

The site is located at 1056-1140 and 1142 Plenty Road, Bundoora and forms part of the Lancaster Estate (formerly the Larundel Psychiatric Hospital site). The current approved land use and development strategic master planning document for the site is the *Lancaster Gate Development Plan (2001)*. An addendum was approved by the responsible authority on 20 July 2007 to amend the *Lancaster Gate Development Plan (2001)*. This addendum relocated the location of the multi-purpose community centre from within the Residential Precinct of the Lancaster Gate Estate (which is now indicated for Stage 5 residential subdivision), to one of the former Larundel Psychiatric Hospital buildings (located to the west of the oval, within the Mixed Use Precinct) to be the location of the proposed community centre.

This master plan contains two precincts; a mixed use precinct and a village precinct. Consistent with this approach, the *Polaris 2008 Development Plan (2008)* refines and provides additional detail and guidelines to the future land use and development envisaged to occur on the site.

A significant number of specialist consultants have prepared reports relating to specific aspects of the site during the past two decades which has also been supplemented by recent specialist input. Thus, a comprehensive information base is available regarding the site. This wealth of research and information has assisted with the preparation of the master plan, and has informed the holistic and integrated design response that has been adopted.

This is evident in the mix and location of land uses, vegetation retention and removal, building layout and configuration, road design and dwelling diversity. The design is a balanced response to the physical attributes, and opportunities and constraints of the site. In all, this master plan should be considered in its entirety whereby each precinct and sub-precinct interconnect and relate with each other and with the heritage of the site.

The original *Lancaster Gate Development Plan (2001, amended 2007)* encompasses an area of approximately 25 hectares. The *Polaris 3038 Development Plan (2008)* applies to the remaining undeveloped land in the western half of the site which totals approximately 10.59 hectares to be known hereafter as Polaris 3083 and referred to as 'PDP' or 'Polaris' in this document. Refer to Figure 1 for details.

The eastern half of the original Lancaster Gate Estate has been developed with residential development generally in accordance with the *Lancaster Gate Development Plan (2001, amended 2007)*.

Deal Corporation was introduced to this site by VicUrban through their Expression of Interest process, followed by an extensive and rigorous bid assessment process. VicUrban awarded the project to Deal Corporation after assessing the overall 'Master Plan' included herein.

Polaris, which is owned by Deal Corporation (LG) Pty Ltd and managed by Deal Corporation, will benefit from Deal Corporation's twenty years of experience in property development. Their combined experience in residential and commercial developments throughout Melbourne will benefit the Polaris 3083 Mixed Use project as it comes to fruition.

We are certain that this project will be one we are all proud to be associated with.

1.2 Scope, Purpose and Objectives of the Polaris 3083 Development Plan

The scope of the Polaris 3083 Development Plan (PDP) is to prepare a strategic plan that will guide the future land use and development of the remainder of the Lancaster Gate Estate.

The purpose of the PDP is to provide broad land use and development guidelines for the remaining undeveloped portion of Lancaster Gate. The proposed PDP ensures a holistic and integrated approach is adopted for the development of the remainder of the Lancaster Gate Estate.

The PDP maximises the opportunities of the site and resolves constraints to achieve an elevated and high net community benefit for the immediate area and for the Darebin municipality.

The PDP will not replace the current Schedule 1 to the Development Plan Overlay or the planning permit requirements of the relevant zone or the Development Plan Overlay of the Darebin Planning Scheme.

The objective of the PDP is to create a vibrant and high-quality environment for its future community, surrounding residents and the wider community. The PDP employs best practice urban design, planning, architecture and landscape architecture to achieve a mixed use 'live/work/shop/play' environment that is sensitively and sensibly arranged and integrated on the subject land with respect to its own intrinsic assets and characteristics, and also in response to the established patterns of adjacent existing urban fabric.

The key aims and objectives are:

- Urban design excellence
- Community and affordability initiatives
- Environmentally sustainable development

Except as shown in an amended development plan (endorsed by a responsible authority) the layout of Precinct 1A and Precinct 1B is to be generally in accordance with Figure 49b (page 40) of the PDP.

This amendment to the Lancaster Gate Development Plan is proposed under Schedule 1 to the Development Plan Overlay of the Darebin Planning Scheme. Clause 48.03 states that the Development Plan may be amended to the satisfaction of the responsible authority. The new Development Plan must meet the requirements of Schedule 1 to the Development Plan Overlay.

1.3 Overview of the Polaris 3083 Development Plan

The PDP submission contains a total of six (6) chapters.

Chapter 1 provides a general introduction regarding the preparation, scope, purpose and objectives of the PDP.

Chapter 2 introduces the site in relation to its regional, municipal, local, historical and planning context. Characteristics and features of the site are outlined to provide the reader with a familiarity of the site. An overview of the planning scheme policy contained within the Darebin Planning Scheme and statutory planning context is provided.

Chapter 3 analyses the opportunities and constraints of the site relating to circulation and access, land uses, built form and height, vegetation and the public realm, main road exposure, heritage roads, landmarks and focal points, topography and orientation.

Chapter 4 outlines the vision and principles that underlie the PDP and outlines urban design guidelines for the future use and development of Polaris. Features of Precinct 1 and Precinct 2 (and their sub precincts) that comprise the PDP are introduced through text, conceptual images, plans and indicative benchmark images.

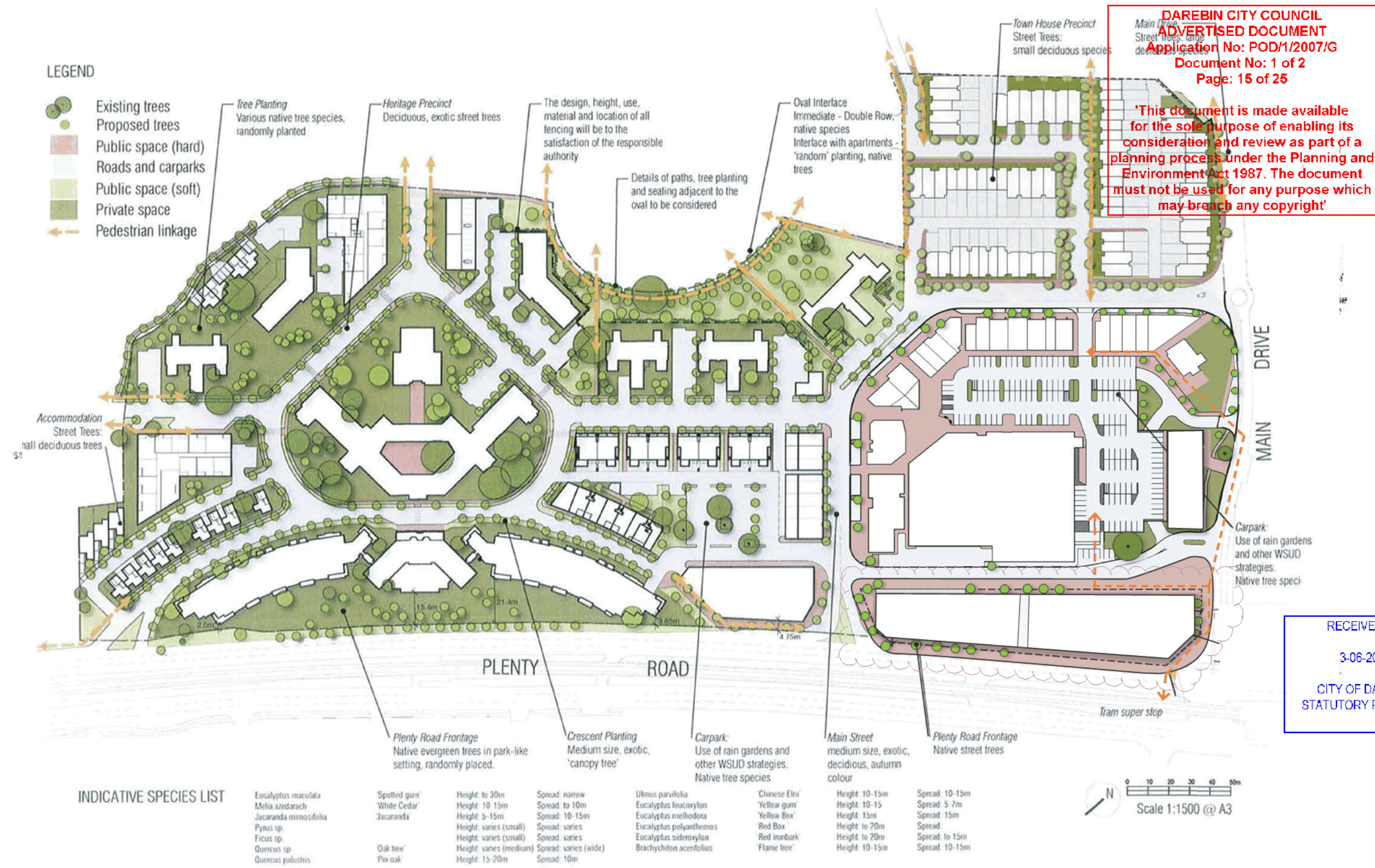
Chapter 5 provides a response to the requirements of Schedule 1 to the Development Plan Overlay, a response to the *Larundel Urban Village and Development Considerations (Revised 2001)*, to the City of Darebin's *North East Corridor Strategic Plan (1998)*, and reference to the *Lancaster Gate Development Plan (2001, amended 2007)*.

Chapter 6 provides an overview of the potential staging of the development and residential yield. It also outlines the process for implementation and the development approach process, development contribution and open space contribution and conditional approval of the PDP.

The Appendices include copies of all consultants' reports which have contributed to the PDP, including an overall site plan, integrated transport plan, heritage assessment, arborist report, engineering services report and a retail economic assessment. Certificate of Title details are also included in the Appendices.



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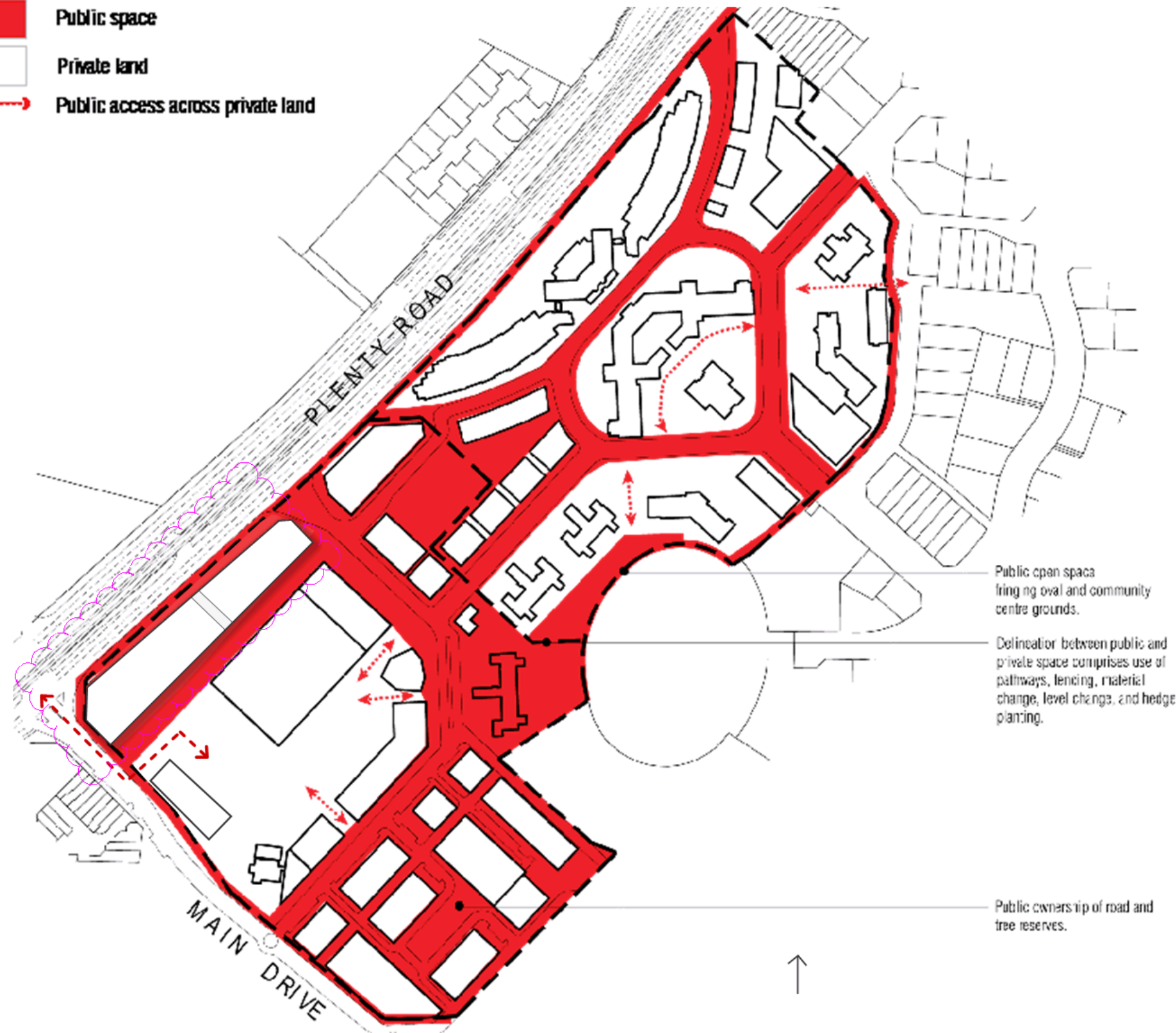
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Not to scale
Figure 80 Landscape Concept Plan / Overall Master Plan (Indicative Only)

LEGEND

- Public space
- Private land
- Public access across private land



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Public open space
 including oval and community
 centre grounds.

Delineation between public and
 private space comprises use of
 pathways, fencing, material
 change, level change, and hedge
 planting.

Public ownership of road and
 tree reserves.

Not to scale
 Figure 84 Public Private Concept Plan - Indicative Only
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4.10 Environmental Management Plan

Prior to the commencement of any development permitted by a planning permit, an Environmental Management Plan (EMP) must be prepared and submitted to the responsible authority for approval. The EMP must, as a minimum, include the following:

- Siltation, soil erosion and water quality control measures which are to be put in place before the commencement of any development and maintained during the development process
- Measures to prevent or control dust, smoke, noise, light or other potential sources of nuisance from construction works
- Details of the required standard of environmental management systems certification to be held by any contractor and to be specified in all works contracts
- Identification of all off-site impacts of construction works, and the mitigation procedures which are to be utilised to ensure such impacts do not unreasonably affect adjoining and nearby land
- Identification, assessment and removal/remediation of any contamination, including means by which any contaminated material will be contained and disposed of
- Measures to minimise/prevent soil erosion and the loss of soil to the surrounding environment, including the washing of vehicles and machinery and measures to minimise the deposit of soil from the site onto roads
- The means by which waste (including litter) will be contained, stored and disposed of
- Reference to compliance with any relevant Environment Protection Authority guidelines and State Environment Protection Policies. Construction activities must be consistent with EPA Publication 480 *Environmental Guidelines for Major Construction Sites*
- The *Environmental Management Plan for the Development of the Former Larundel Hospital Site, Plenty Road, Bundoora*, dated 12 November 2001

All development must be undertaken in accordance with the approved EMP to the satisfaction of the responsible authority.

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4.11 Polaris Integrated Transport and Car Parking Plan

Ratio Consultants has prepared an *Integrated Transport Plan (July 2009)* (hereafter referred to as the 'Plan') that addresses the transport needs of the proposed mixed-use development, with emphasis on promoting the use of sustainable transport modes for access to/from the range of proposed land uses on the site, and reviewing transport issues associated with the development of the Polaris Neighbourhood Activity Centre.

The holistic and integrated design response adopted for the site ensures the support of public transport usage.

In accordance with Clause 52.36 - Integrated Public Transport Planning of the Darebin Planning Scheme, the PDP:

- Incorporates adequate transport networks within the site
- Has access to public transport facilities
- Is integrated into the transport system
- Incorporates and proposes new pedestrian linkages to the surrounding area (refer to Sections 4.2 and 4.6 for details).

The plan also provides a detailed overview of empirically derived car parking rates generated by various land uses envisaged to occur within Polaris. The Plan is intended to function as a flexible 'base' reference document for development and uses, particularly at the future planning permit stage for each precinct of the estate, where confirmation of car parking space numbers will be provided. There is also an opportunity to review at a later stage car parking rates based on updated empirical evidence that may become evident over time, or changes to car parking rates specified by the Victoria Planning Provisions.

Indicative benchmark images for car parking areas



Benchmark Image BB
Potential for paving paint to be used in car parks to improve pedestrian legibility and add visual interest.



Benchmark Image CC
Appropriate water sensitive landscape design for effective stormwater management.

It is intended for self sufficient car parking to be achieved on site within all precincts via a combination of enclosed car parking, at grade car parking, deck, basement or semi-basement car parks and/or semi-basement car parks. Deck, basement or semi-basement car parks are likely to occur in both Precinct 1B (ie the Neighbourhood Activity Centre) and Precinct 2C. At grade car parks have been designed to be located, where practical, in the vicinity of the existing internal road system and close to buildings (intended to be re-used) and as part of new buildings. The configuration and layout of car parks are indicative only however, good design practice will ensure that the areas surrounding car parks are extensively landscaped, and will include canopy trees and water sensitive urban design methods of change. It is intended to avoid large areas to be devoted to car parks, which are obtrusively visible from main streets. Refer Section 4.7.3 for further detail and a typical car park concept plan.

Sufficient car parking for Precinct 2D will also be provided. However it is anticipated that the provision of a community bus made available to the aged residents of the retirement village in this precinct will significantly reduce the demand for on site car parks.

The design response is a balanced outcome to the features of the site and the surrounding area. The design maximises the benefit of a mixed land uses, as the car parking areas are able to be shared at different times during the day and week. In addition, the site has excellent access to the public transport system. A Green Travel Plan may be required as part of any planning permit applications.

Refer to Appendix C for details of the Plan.

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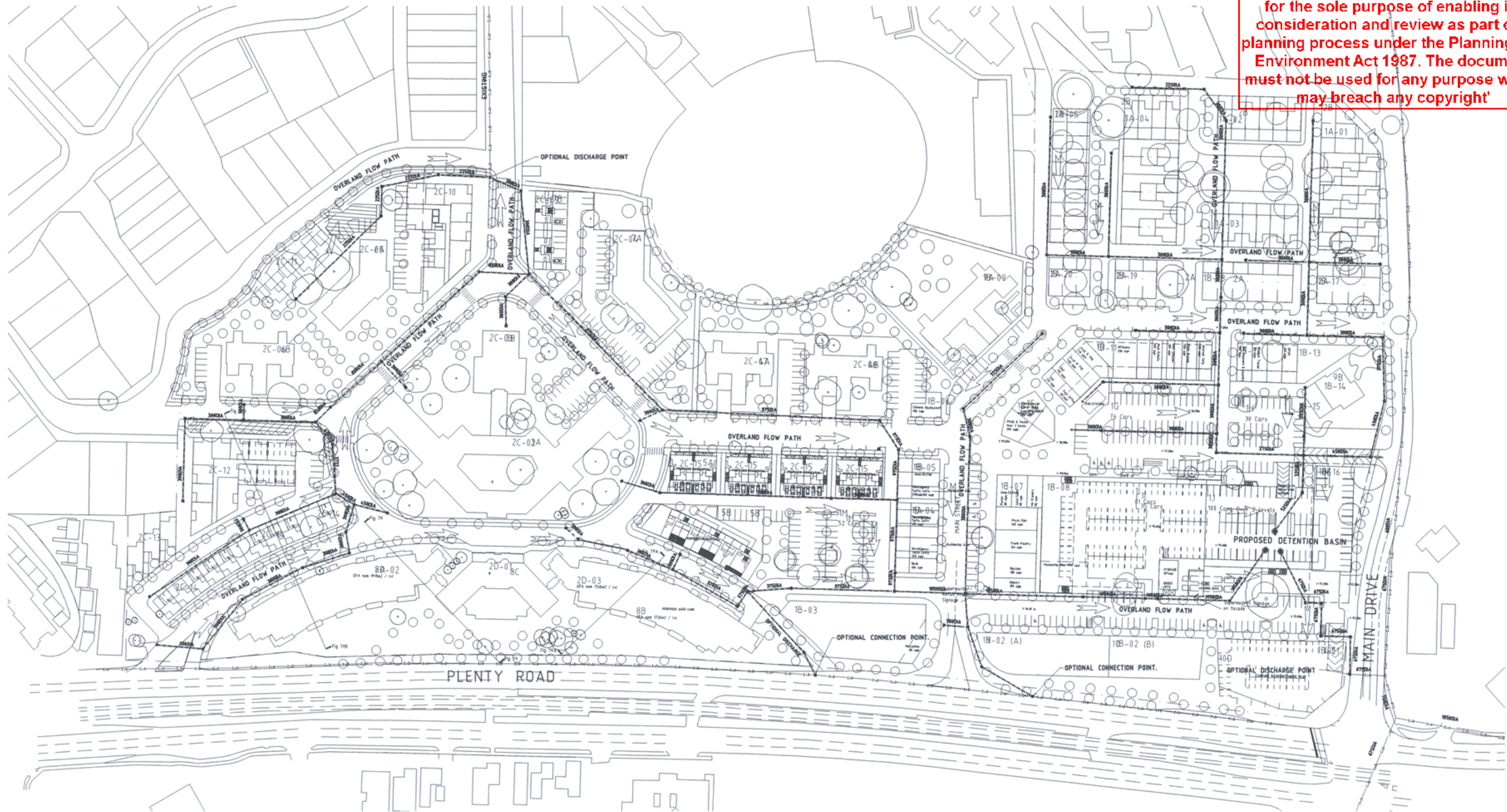
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Precinct 1B building envelopes updated
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5.2 Larundel Urban Village Design and Development Considerations March 2001 (revised August 2001) Continued

<ul style="list-style-type: none"> Other residential in residual areas of mixed use zone as permitting in land areas 	The Development Plan provides for a variety of residential housing types on the site. Refer to Section 6.2 for detail of the dwelling yield and dwelling type breakdown.
1.2 Retail	
<ul style="list-style-type: none"> 5,300 sqm/plus car parking 	The gross lettable area of retail floor space is approximately 11,790 square metres for the Polaris Neighbourhood Activity Centre within Precinct 1B. The Retail and Commercial Economic Assessment (July 2008) prepared by Charter Keck Cramer supports 11,790 square metres of gross lettable retail floor area on the site.
<ul style="list-style-type: none"> Supermarket 3,700 sqm 	The floor area for the supermarket is approximately 3,550 square metres.
<ul style="list-style-type: none"> Specialty 3,700 sqm (say 20 – 25 shops including newsagent, pharmacy, restaurants (6 x 120 sqm), bakery, medical, hairdresser, video, take-away etc) 	The total floor area of specialty shops is approximately 3,550 square metres. The Retail and Commercial Economic Assessment (July 2008) prepared by Charter Keck Cramer supports 3,030 square metres of specialty shops on the site.
<ul style="list-style-type: none"> Total site requirement approximately 8,000 – 12,000 sqm 	The gross floor area of other retail shops and speciality shops totals 7,680 sqm. The PDP meets this guideline, as the total retail floor area proposed is 11,790 square metres, which is generally in accordance with the maximum of 12,000 square metres of this guideline.
1.3 Offices	
<ul style="list-style-type: none"> First floor and some shop front opportunities 	Precinct 1B provides opportunity for a variety of future office uses on the ground floor and the first floor of new buildings.
<ul style="list-style-type: none"> First floor – 2,000 sqm services offices 	Precinct 1B provides opportunity for a variety of first floor office uses.
<ul style="list-style-type: none"> Shop front including Telstra, employment etc (500 sqm) 	The development plan provides the opportunity for Telstra to be an occupant of the site if appropriate.
<ul style="list-style-type: none"> Total 2,500 sqm 	There is opportunity within Precinct 1B to accommodate office use. A gross floor area of approximately 10,000 sqm is proposed. Refer to Appendix F.
1.4 Entertainment/Short term accommodation/recreation	

<ul style="list-style-type: none"> Hotel including bistro(s), function room, take-away bottle shop (3,000 sq) 	There is opportunity for a hotel to be located within Precinct 1B. The PDP provides for a residential hotel of up to 3,000 sqm within Precinct 1B.
<ul style="list-style-type: none"> No additional gaming machines will be allowed within the City of Darebin 	No gaming machines are proposed as part of the PDP.
<ul style="list-style-type: none"> Including (say) up to 200 rooms/serviced apartments 	The PDP provides opportunity for a range of residential land use types which may include residential hotel and/or serviced apartments within Precinct 1B.
<ul style="list-style-type: none"> Site area requirement 8,000 sqm 	There is adequate land available on site for recreation, entertainment and short term accommodation purposes.
<ul style="list-style-type: none"> Gymnasium – small scale say 300 sqm 	There is opportunity for a small gymnasium to be provided on site, perhaps ancillary to a residential or as part of another commercial use.
1.5 Open spaces	
<ul style="list-style-type: none"> Place of respite including seating, lighting, shelter, sculpture and a small range of facilities to accommodate uses of the town centre. The space should be easily identifiable, secure and integrate with town centre uses. 	Public open spaces are extensively provided through the site. The civic pavilion to be located within Precinct 1B is easily identifiable and integrates seamlessly with the adjacent uses. Public art will be located on the site, and the open space areas will be well lit, and seating and shelters will be provided.
1.6 Community facilities	
<ul style="list-style-type: none"> Best located in village area to support community needs, eg private childcare facility Allow 250sqm and site area of 500 sqm Provision of a sports pavilion in an appropriate location adjacent the existing oval will be required 	The community centre is located within Precinct 1B adjacent to the oval.

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5.2 Larundel Urban Village Design and Development Considerations March 2001 (revised August 2001) Continued

<p>The Development Plan shall identify a site for a future pavilion adjacent to and in support of public use of the oval. The size and location of the site and the provision of access to the future pavilion shall be to the Council's satisfaction. The opportunity of utilizing an existing building for the facility (such as the kiosk) shall be assessed in the first instance in the preparation of the plan.</p>	<p>Following the site analysis and design response, it is considered that the community centre and public open space adjacent to the oval provides opportunities for Darebin City Council to develop a pavilion if desired.</p>	<p>Creation of an active frontage to Plenty Road is important, to maintain a visual link to the proposed activities from the road. This interface could be managed through applying design solutions such as landscaping and 'Main Street' design. Facilities such as car parking can be designed not to dominate the road frontage. Careful design of the car parking and access to this part of the precinct will ensure that impact on future residents is minimised, and that a sympathetic interface is created with Plenty Road. All buildings located with frontage to Plenty Road must have windowed frontages, appropriate signage and landscape setbacks. Building design should be contemporary with regard to materials and finishes.</p>	<p>Refer to Section 4 of this submission for a detailed design response of the PDP. The PDP generally complies with these principles. The Precinct 1B Plenty Road frontage creates a frontage that is appropriate for a Neighbourhood Activity Centre and ensures that impacts on future residents are minimised and that a sympathetic interface is created with Plenty Road. Refer to Section 4.4.2 – Precinct 1B, for further detail. Refer to the Landscape Master Plan in Section 4.8 for further indicative details regarding the landscaping along the Plenty Road frontage. Building design will be contemporary with regard to materials and finishes as per the indication benchmark images in Section 4.0.</p>
<p>The site so identified shall be purchased by the Council at the time of completion of the relevant stage of development, subject to agreement on the price and terms of sale. The construction and or fit out of the facility may by agreement be undertaken by the developer to the Council's specifications. The construction and/or fitout of the facility shall be at the Council's expense.</p>	<p>Further discussions with Council are required in relation to this.</p>	<p>All new buildings should include sustainability principles in their design, including achieving a 5 star energy efficiency rating.</p>	<p>Refer to Section 4.13 for Environmentally Sustainable Development Principles that will guide the future design and development of each precinct.</p>
<p>1.7 Car parking</p>		<p>Uses on the boundary between the Village Precinct and mixed use precinct should be sensitive to the nature of the Village Precinct, particularly the heritage component. The Village Precinct encourages high quality building design and architecture, and this will also apply to development within the Mixed Use Precinct. Building heights and setbacks must take into account the nature of nearby buildings within the Village Precinct.</p>	
<p>Total requirement dependent on project role, function and sizing – estimate 300 – 400 public spaces plus appropriate on site (private) spaces.</p> <ul style="list-style-type: none"> ▪ Supermarket 4.5/100 sqm (public) ▪ Specialty shop 3.0/100 sqm (public) ▪ Office 3.0/100 sqm (70% on site) ▪ Hotel 50 (public), 15 (private) 	<p>Refer to the Integrated Transport Plan, July 2009 (Appendix C) prepared by Ratio Consultants for a detailed empirical assessment of the future car parking demand for the site.</p> <ul style="list-style-type: none"> ▪ Ratio estimate a rate of 5.0/100 sqm for a supermarket ▪ Ratio estimate a rate of 3.0/100 sqm for shops ▪ Ratio estimate a rate of 3.0/100 sqm for offices ▪ Ratio estimate a peak parking demand of 0.35 spaces per seat for a tavern. <p>For land uses not listed in PDP or the Planning Scheme, an empirical assessment will be required in support of any future planning application for the use.</p> <p>In instances where the Planning Scheme and the PDP carparking rates differ, the lower of the two rates applies.</p>	<p>Uses on the boundary between the Village Precinct and Mixed Use Precinct and La Trobe University site should be sensitive to the nature of the university site particularly the heritage and significant vegetation and landscape component. High quality building design and architecture, is required adjacent this interface which will ensure minimal conflict of land uses and appropriate building development which is not of an excessive height (i.e. not above 2 storey). Location of car park areas should be appropriately located so as not to adversely impact on the university site's landscape environs.</p>	<p>Uses envisaged for each precinct incorporate sensitive interfaces where appropriate (i.e. – with the surrounding residential estates to the north and east) and 'urban rhythm' interfaces where appropriate (i.e. with Plenty Road, and to a lesser extent, Main Drive). Refer to Section 4 of this submission for the design response and further detail. Refer to Section 5.3.3 for indicative building heights of each building. Consideration has been given to the significance of the existing heritage buildings on the site and the site's topography, with the aim of increasing, maintaining and enhancing views of the existing heritage buildings.</p> <p>Precinct 1A has an interface with La Trobe University. Refer to Section 4.6 for details regarding this interface. The future residential use and development of Precinct 1A will not have a detrimental impact on the use of the adjacent land with La Trobe University. Future detailed design will ensure the development adjacent to this interface will be treated appropriately. High quality built from building design and architecture will characterise future development of this precinct. Car parking and road layouts will be integrated into the future development of Precinct 1A. Refer to Section 4 for the design response and future detail regarding Precinct 1A and La Trobe University.</p>
<ul style="list-style-type: none"> • A rate of 0.35 spaces (evening) and 0.2 spaces per seat (lunch) is recommended for Restaurants. • A peak rate of 0.45 spaces per room is recommended for Residential Hotel. • A peak rate of 0.2 spaces per room is recommended for Student Accommodation. <p>A review of applicable car parking rates and temporal demand and supply in the town centre will be undertaken at the planning permit stage for each site.</p>			
<p>1.8 Design considerations</p>			

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5.3.3 Larundel Urban Village

Section 7 of the NECSP provides guidance for the 'Larundel Urban Village.' The PDP is consistent with the fundamental land use and development guidelines contained within the NECSP as it:

- Includes a mixed-use development (predominately located next to Plenty Road), medium density housing and a variety of residential land use types and a new activity centre on the site
- Provides for shop-top residential or office accommodation, with a retail use located on the ground floor along Main Street within Precinct 1B
- Allows opportunity for student housing to be located within the existing buildings within Precinct 2C or Precinct 1B (e.g. 1B-16)
- Facilitates high quality urban design and architectural integrity with a contemporary character
- Provides for opportunity for non-residential uses to be located within existing heritage buildings (e.g. the community centre use and the possibility of Linaker's Cottage to be used as a child care centre)
- Encourages higher density development that could be located within Precinct 1A and Precinct 2. The height of this development will respect the height and scale of the adjacent development. The height and scale of development will be assessed at the future planning permit stage of each precinct
- Provides for new and existing buildings to overlook public open spaces, including recreational spaces, streets, pedestrian and bicycle paths. Access will be provided to all buildings from the internal street network
- Encourages new buildings to be developed with a high degree of energy efficiency in accordance with current legislative requirements
- Nominates for Precinct 1B, the Polaris Neighbourhood Activity Centre, to be the first stage developed on the site in accordance with the Staging Plan located within Section 6.1 of this submission. This is consistent with the objective of the North East Corridor Plan which is for the early stages of development to create an attractive gateway to the site from Plenty Road
- Creates a permeable, legible, safe and attractive street network. The existing roads will be reused to allow the retention of trees alongside the site where possible to connect the new community with the history of the site
- Minimises expansive views of car parking and of the loading bays which serve commercial uses

- Allows for consideration to be given to the retention of exotic trees unless, as specified in the North East Corridor Strategy Plan, these trees place a significant restriction on development
- Retains the oval and the land surrounding the oval will be suitably landscaped and treated to provide an effective recreation space
- Adopts a flexible approach to the future use of the heritage buildings, in order to ensure their long term preservation
- Incorporates adequate stormwater drainage measures and the developer will provide appropriate improvements to the physical infrastructure
- Provides for a new community centre located within an existing heritage building adjacent to the civic plaza, neighbourhood activity centre and oval.

It is noted that Linaker's Cottage is not included in the NECSP. However, the PDP retains and incorporates this existing building.

The NECSP Framework Plan for Lancaster Gate nominates trees with a moderate or high conservation status to be retained and incorporated into developments. The Framework Plan within the NECSP does not identify any trees to be retained on the site.

The mixed-use 'work, shop, live, play' nature of the development necessitates a variety of building heights; from single level shops, to triple storey accommodation.

Buildings should not generally exceed three (3) storeys in height (11.5 metres) above ground level. Precinct 1A buildings should generally be of two (2) storeys above ground level. In Precinct 2C the building height should generally be of two (2) storeys above ground level so as to provide an appropriate transition to the nearby existing residential areas.

Refer to Section 5.3.4 for further details pertaining to Building Heights.

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5.3.4 Building Heights

The guidelines of the NECSP relating to building heights advises that buildings should be no higher than three storeys along Plenty Road and two storeys elsewhere as indicated in the Framework Plan (p.31).

The Larundel Urban Village Framework Plan is based on a past design and development vision encompassing a wider area including the Lancaster Gate site and part of the La Trobe University site. This vision, as well as state planning policy has changed over time, including that for Polaris. The NECSP and Larundel Urban Village Framework Plan are meant to provide guidance only and are not intended to apply prescriptive control to future development within this area.

Consideration has been given to the NECSP, the Framework Plan and the Plenty Road Corridor Urban Design Framework and incorporation of DDO17 into the Darebin Planning Scheme in June 2017. Future indicative building heights within Polaris are also informed by, and are responsive to, the physical attributes of the site (such as topography), the proximity of proposed buildings and existing buildings, existing and future building context, roads on site and in adjoining areas (such as Lancaster Gate) and the scale, symmetry and height of existing buildings on site.

Future indicative building heights within Polaris are also informed by, and are responsive to the physical attributes of the site (such as topography), the proximity of proposed buildings, existing and future building context and roads on site and in adjoining areas (such as Lancaster Gate) and the scale, symmetry and height of existing heritage buildings on the site.

Importantly, the building heights of PDP have been informed by the contemporary, holistic and integrated design adopted for the entire site, rather than the application of a piecemeal precinct by precinct development response.

The PDP provides the opportunity for a range of building heights on the site. A conceptual indication of these heights is provided in Figure 86. Although generally anticipated to be between one and three storeys (above ground), there is capacity for greater overall building height at the south-west of the site, along Plenty Road and Main Drive (Buildings 1B-01 and 1B-02). Three storey developments have been constructed in the adjoining Lancaster Gate development site which also varies the building height guidelines identified in the NECSP.

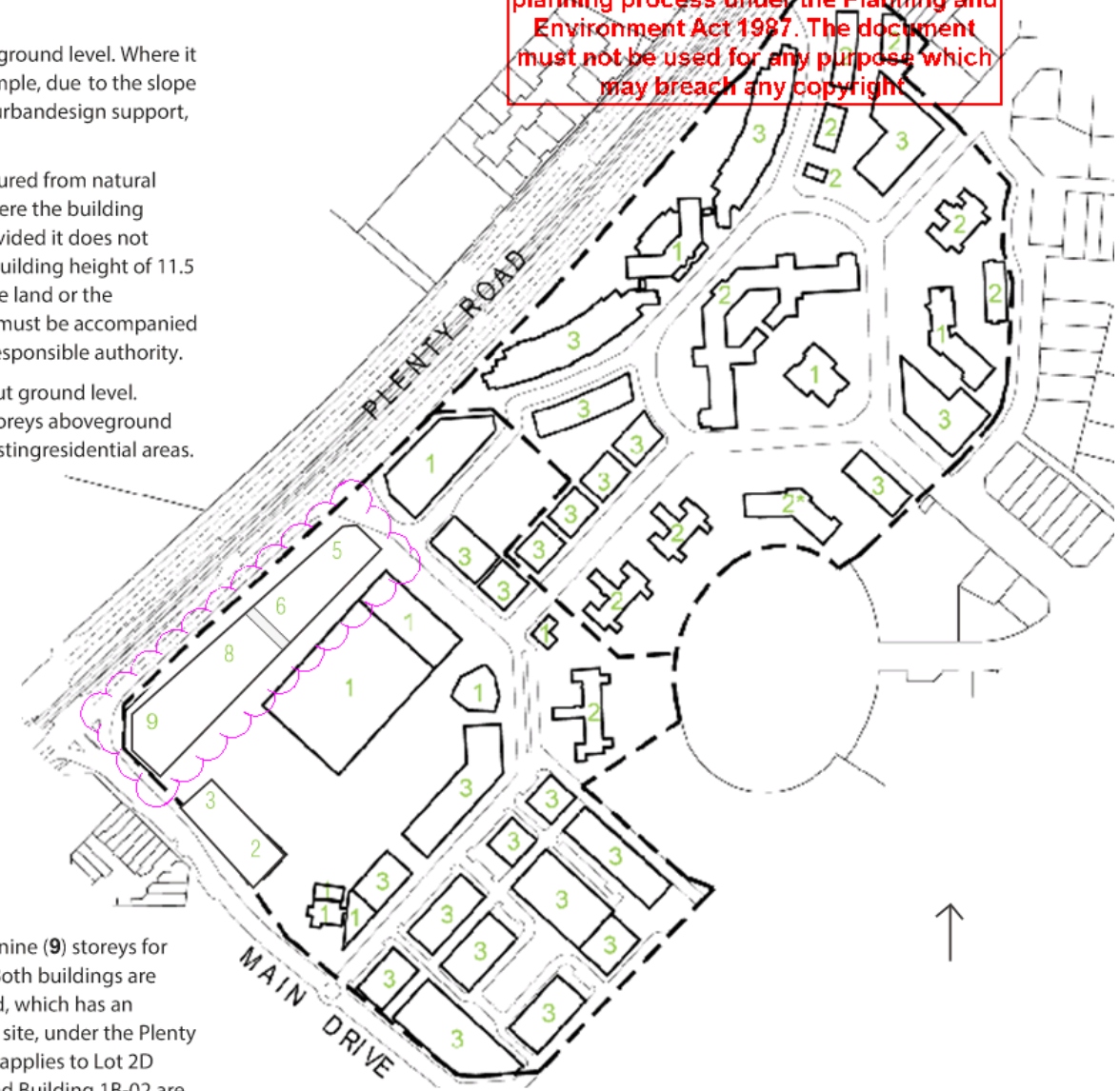
The significant level changes of the topography over the site contribute to this varied building height. Significant view lines of the existing heritage buildings will be protected, and the building heights will integrate with the built form and scale of built form on adjoining land.

The indicative building heights as shown in Figure 86 have been developed with the objective to respect the significance of the existing heritage buildings. These buildings are generally two storey in height, however are equivalent or comparable in height to a modern three or four storey building due to their high ceiling to floor dimensions. Steep pitched roofs, raised ground floor level above natural ground level and architectural symmetry and scale.

Generally, no building will exceed three storeys in height above ground level. Where it is necessary to exceed a building height of three storeys for example, due to the slope of the land, the proposal must be accompanied by appropriate urban design support, to the satisfaction of the responsible authority.

Generally, no building will exceed 11.5 metres in height as measured from natural ground level to the satisfaction of the responsible authority. Where the building incorporates a pitched roof, the roof may exceed this height provided it does not contain any habitable space. Where it is necessary to exceed a building height of 11.5 metres in overall floor height for example, due to the slope of the land or the development of a focal point or gateway location, the proposal must be accompanied by appropriate urban design support to the satisfaction of the responsible authority.

Precinct 1A buildings should generally be of two (2) storeys about ground level. In Precinct 2C the building height should generally be two (2) storeys aboveground level so as to provide an appropriate transition to the nearby existing residential areas.



There is an opportunity for building height of up to eight (8) to nine (9) storeys for Building 1B-01 and five (5) to six (6) storeys for Building 1B-02. Both buildings are located in areas of low topography. They both front Plenty Road, which has an indicative 6-storey upper height proximate to the Polaris Estate site, under the Plenty Road Corridor Urban Design Framework. A 6-storey height also applies to Lot 2D under the Village Precinct Development Plan. Building 1B-01 and Building 1B-02 are also identified as potential landmarks and focal points for the Polaris Town Centre, creating a sense of arrival and place for the activity centre.

Moreover, the built form context of the land to the south of Main Drive is evolving with the Plenty Road Corridor Urban Design Framework identifying the existing service station and townhouses as a future mixed use - commercial area and La Trobe University proposing its own town centre development.

Figure 86 Indicative Conceptual Building Heights above ground (ie storeys)

Note (*)

Building 2C-04: Maximum two storey building height above ground is permissible provided the second storey is located within the roof space of the existing building.

Polaris 3083 Development Plan

5.3.5 Front Setback from Plenty Road

Future buildings will be designed generally in accordance with the Urban Design Guidelines contained within Section 4.7 of this submission. The building heights shown in Figure 86 are indicative only and are subject to future detailed design and development which will be at planning permit stage, subject to the Responsible Authority's approval.

The NESCP (1998) does not nominate a specific front building setback to Plenty Road. However, the PDP is generally in accordance with the urban design guidelines of the NESCP (1998) as a high quality building frontage is proposed along Plenty Road, as varied front setbacks are proposed for all buildings fronting Plenty Road.

Ground level front setbacks from Plenty Road for buildings located within Precinct 1B vary between 0 metres and approximately 5.5 metres.

Front setbacks from Plenty Road for buildings located within Precinct 2D vary between a minimum of 2.5 metres to a maximum of 21.4 metres.

These front setbacks are indicative at this stage and are subject to further detailed design which will be included and assessed as part of future planning permit applications.

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5.4 The Lancaster Gate Development Plan (2001, amended 2007)

It is the intention of the PDP to amend and replace parts of the *Lancaster Gate Development Plan (1998)* (LGDP) specific to the Polaris site. As such, development and design elements relating to Precinct 1B (formerly Mixed Use Precinct under the Lancaster Gate Development Plan), in relation to front setbacks from Plenty Road have been considered in context to the current holistic and integrated design approach of the PDP.

Under the LGDP it is nominated that buildings should be setback at least 10 metres from Plenty Road (p53). No specific front setback is nominated for buildings located within (proposed) Precinct 2D under the LGDP (formerly the Village Precinct under the LGDP).

The functionality of buildings located within Precinct 1B (ie the Polaris Neighbourhood Activity Centre), the layout and configuration of buildings and roads (both within the Precinct and across the entire estate), and the context of the precinct as part of the whole of the Lancaster development site significantly influences the front setback of buildings along Plenty Road.

In order to achieve a good design outcome and to promote the precinct's status as a Neighbourhood Activity Centre, a ground level front setback of between 0 and approximately 5.5 metres from Plenty Road is proposed. Refer to Figure 49b on page 40. A reduced front setback at the 'corner' locations within Precinct 1B creates a sense of place and a sense of arrival to the new Main Street of the Polaris Neighbourhood Activity Centre.

The very wide Plenty Road reserve fronting Precinct 1B demands some form of containment, as it is the 'front' of the Polaris Neighbourhood Activity Centre.

The Plenty Road setback frontage (along Precincts 1B and 2D) creates a setback rhythm of buildings coming forward to mark urban corners and buildings setback in between to further accentuate these landmarks. This setback response will ensure better activation of the street, promote passive surveillance, increase commercial opportunities for the Neighbourhood Activity Centre and ensure a more efficient use of land (ie a more sustainable outcome rather than the creation of a 'no man's land'), and a better and vibrant urban village character appropriate to this mixed use precinct.

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6.1 Staging

It is anticipated that the site will be developed over approximately six (6) years from late 2007 and that development will commence in 2008. The site will be developed in a number of stages, as indicated in Figure 87.

The Staging Plan as depicted in Figure 87 is indicative only and is envisaged to commence with the Polaris Neighbourhood Activity Centre followed by the development of Precinct 2D in 2009. The development of the accommodation land use and development located within Precinct 1A and Precinct 2C will follow.

The staging of development may vary over time depending on market conditions.

The implementation of the sequence as shown in Figure 87 will aim to:

- Ensure that the essential services for a new residential community are provided
- Provide a diversity of housing styles to maximise housing choice
- Create sustainable and exceptional community environments
- Create acceptable living environments for the new residents.

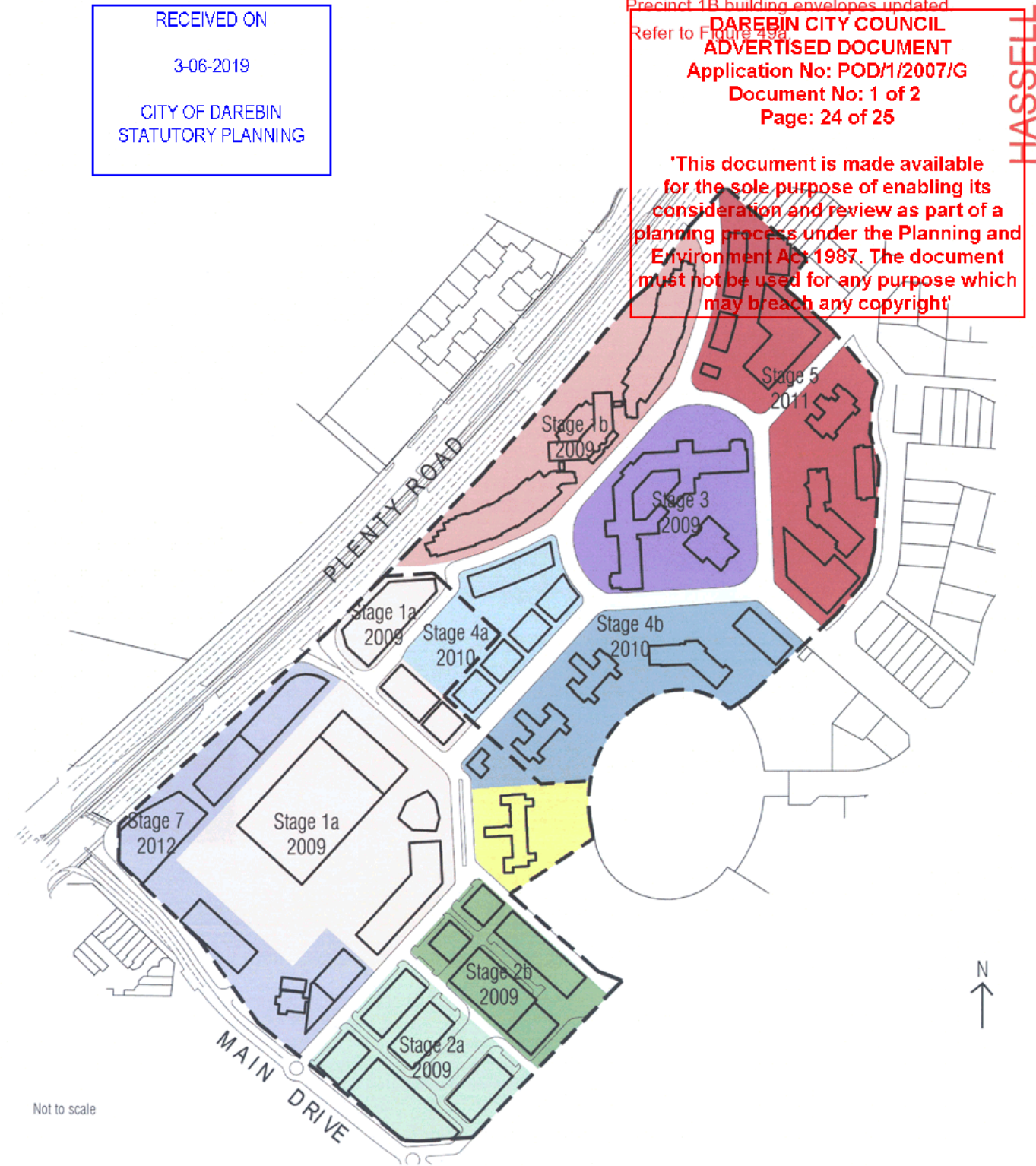
There are various methods that may be used to create an attractive presentation on the site during construction activities. As the development will progress in stages, there will be areas of the site where no construction is occurring. These areas will be bounded from construction activities by the use of temporary fencing, bunting or hoarding as appropriate. The grounds which are currently grassed and treed will be maintained in this condition during construction activities. Grass areas will be mowed and litter collected on a regular basis.

The use of temporary landscaping may be appropriate in certain areas to ensure an attractive site presentation to surrounding and adjoining areas. This will most likely be used following completion of early stages of the infrastructure development and prior to commencement of subsequent stage.

Contractors working on the site will also be expected to implement a Site Management Plan that covers includes mitigation of such as contamination of dust from construction, delivery times, parking location etc, to the satisfaction of the responsible authority.

LEGEND

	Stage 1a
	Stage 1b
	Stage 2a
	Stage 2b
	Stage 3
	Stage 4a
	Stage 4b
	Stage 5
	Stage 6
	Stage 7



Polaris 3083 Development Plan

6.2 Yield

It is envisaged that the future land use and development of the site will provide the following dwelling yields. These yields are indicative only and are subject to change. The final yield will be determined following detailed design of each building, and will be finalised at the planning permit stage of the development.

Precinct 1A - Accommodation

Approximately 69 dwellings, comprising both 2 and 3 storey townhouses with a variety of dwelling types (i.e. a variety of a number of bedrooms) is proposed within this precinct.

Precinct 1B - Accommodation

The following provides an approximate break down of potential dwellings envisaged within Precinct 1B:

Home Office Apartments 19
 Shop-top apartments 20

The home office apartments and shop-top apartments will be located adjacent to Main Street.

Precinct 2C - Accommodation

Student Accommodation: 125 beds

Dwellings/Apartments: A total of approximately 191 dwellings are to be provided within Precinct 2. This total will include a variety of dwelling types, including, 1, 2 and 3 bedroom dwellings.

A break down of the envisaged number of dwelling types is provided in the table below:

1 bedroom	56
2 bedroom	95
3 bedroom	40

Table 6.1.1a: Indicative Dwelling Type breakdown for Precinct 2C (Source: HASSELL, 2008)

Precinct 2D - Accommodation

Precinct 2D is comprised of a variety of room types within the future retirement village to be developed within the precinct.

	Studio	1 Bed	2 Bed	Total
GND	9	24	5	38
L1	10	27	6	43
L2	10	28	6	44
Managers	-	1	1	2
TOTAL UNITS	29	80	18	127
TOTAL BEDS	29	80	36	145

Table 6.1.1b: Indicative Room Type breakdown for Precinct 2D (Source: Gracious Living/Petrac, 2007)

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8.3 FUTURE OF FESTIVALS CONSULTATION**Author:** Festival and Events Coordinator**Reviewed By:** General Manager Community

EXECUTIVE SUMMARY

At its 14 December 2018 meeting, Council resolved to give in-principle support to deliver a new model for festivals in Darebin from 2019–20. Council requested officers to undertake a public consultation process to determine community sentiment regarding the new model. This report is to provide further detail on the public consultation process, outcomes and analysis.

The new model is based around two festival seasons that provide up to eight weeks of arts activation across the municipality each year. The two seasonal festivals enable and deliver:

- An umbrella for existing, emerging and new events (Council produced as well as community produced)
- A focal point and inspiration for developing and testing new ideas and sharing these with the broader community
- Creative and multidiscipline partnerships and art-making initiatives
- Opportunities that connect communities, places, spaces and locations across Darebin.

This model was tested with the community through various consultations from March to May 2019, and was based around a discussion paper, “Festivals in Darebin: The Way Forward”. (attached at **Appendix A**). The consultation showed strong community support for the new model.

There were also some counter voices and concerns arising from the consultation and the focus was predominately on how Council will deliver the model. Themes such as employment and fees for local artists, expense related to venue hire, festivals hubs and value and how diversity is ensured within the design and outputs of the festivals emerged.

As a direct result of the consultation officers are recommending additions to the festivals framework around multiple curators from varied backgrounds and with different art form expertise; embedding diversity; fair payment for artists; and talking to communities at the places they meet and gather.

Recommendation

That Council adopts the new model for the delivery of festivals and events in Darebin for implementation in 2019–20 financial year, as set out in ‘Festivals in Darebin: The Way Forward’, with the following additions:

- (a) the need for multiple curators from varied backgrounds and with different art form expertise
- (b) the need to embed diversity into all planning with measurable activities
- (c) the need to advocate and ensure fair payment for artists
- (d) the need to keep talking to communities in the places where they live and gather.

BACKGROUND / KEY INFORMATION

In 2018, Council commissioned a report into the Future of Festivals in Darebin.

Council resolved in December 2018 to adopt *Option 3 - Two festivals per year* to run seasonally in spring and autumn, delivered as key markers in the annual calendar.

A public consultation process was then developed and delivered, concluding May 2019.

In February 2019 a discussion paper was created, *Festivals in Darebin: The Way Forward* (Appendix A). There were communications across Council social media channels, website and networks introduced the proposed new model.

Your Say Darebin became the destination for all matters related to the consultation. The Your Say Darebin survey engaged up to 463 people, who visited the project page, read the discussion paper and engaged with the model. The survey solicited 71 responses.

In addition, a number of in-person consultations and workshops were delivered:

- A face-to-face survey of festival goers at the Darebin Community and Kite Festival engaged 264 community members.
- An intensive public workshop at Darebin Arts Centre that engaged 12 community members.
- A Darebin Ethnic Communities Council meeting that engaged 18 community stakeholders.
- Officers conducted 20 face -to -face interviews with key stakeholders.
- Ongoing engagement with Darebin's Arts Ambassadors.
- Up to 20 City of Darebin internal conversations, including an open workshop for staff, individual discussions, and department meetings where at least 50 staff and associated departments were engaged.

The consultation was very well subscribed and internal and external contributors included artists, creative businesses, festival goers, community representatives and other stakeholders, such as the Darebin Ethnic Communities Council. All offered great insights, numerous suggestions, as well as expressing doubts and concerns mainly to do with how the model would be implemented.

The consultation clearly demonstrated that the Darebin community values festivals and events as a way of coming together and a sense of belonging, as a forum for creative development and expression, and as a way of offering new and interesting experiences.

Previous Council Resolution

At its meeting held on 14 December 2018, Council resolved:

'That Council:

- (1) *Notes the Future of Festivals report*
- (2) *Adopts in principle Option Three (annual Autumn and Spring festivals), so that officers can develop a draft Future of Festivals Framework for the purpose of public consultation on the draft during January and February of 2019*

- (3) *Receives a report on the Draft Future of Festivals Framework and outcomes of the consultation for Council consideration in April 2019'*

COMMUNICATIONS AND ENGAGEMENT

Consultation

Broad consultation began earlier in 2018 where discussions about festivals, their sustainability and flexibility, collaborative programming, and activation were on the agenda for the Arts Strategy consultation which attracted over eighty people from various arts and creative sectors.

Your Say Darebin – survey and workshops

The Future of Festivals in Darebin community consultation was undertaken from March – May 2019 and has used various methodologies to speak to and listen to constituents and community members.

Central to the public consultation was the Your Say survey and subsequent workshop with respondents who were interested in a more in-depth conversation.

The way forward survey was open on Your Say Darebin from 21 March to 24 April.

The survey was promoted through Council's social media channels, newsletters, email networks, corporate website and Darebin Arts website. It was designed to test out the proposed new model and also served as an awareness raising tool to introduce the possibility of changes to the current delivery model of festivals delivery to a broad audience of local community members and visitors to Darebin.

During the period of the survey there were a total of 584 visits to the site with an average of 64 visits per day. There were 463 'aware participants' indicating that 463 people visited the project page which included a summary of the proposed new model. There were 188 'informed participants' meaning that 116 people downloaded the Festivals in Darebin: The way forward Discussion Paper, whilst others returned to the project page multiple times.

Respondents were from a cross-section of the community with most identifying as 'festival goers' and 'community members' whilst 33 respondents identified as 'artists' and 31 as a 'creative industry'.

Five propositions about the new model were tested and the responses to all five were overwhelmingly positive. As you can see from the below charts, responses averaged 75% for agreement or strong agreement with the propositions that were put.

Consultation methodology

- 71 Online Surveys
- 264 face to face surveys
- 80 Sector Professionals at Arts Hack 2018
- Workshops delivered for: 24 Internal (Inter-department) stakeholders
- 19 Arts Ambassadors and local creative industry

Total: 458 community members.

Consultation findings

The main aspects that are to be a part of the new Festival Framework that will encourage festival attendance for patrons are:

- Family friendly
- New experiences
- Showcasing diverse cultures
- Participatory activities
- Inclusivity / welcoming nature
- Food & wine events
- Affordability
- Location
- Accessible

The three strongest factors encouraging future attendance were 'family friendly' at 66%, 'new experiences' at 23% and 'being able to participate in activities' at 17%. These responses will all feed into the future festival design as we work to retain and reshape much loved aspects of current festivals.

Almost half (49.6%) of the respondents reported that they had attended between two and five festivals or events in the last twelve months. This is an encouraging number reflecting an engaged community. The new model will potentially open up new audiences in new localities and will require good communications and marketing to encourage increased festival going.

Other aspects of the consultation included in-depth interviews with key stakeholders, artists and community representatives; ongoing consultations and presentations with advisory groups including Arts Ambassadors, Darebin Ethnic Communities Council, and upcoming Darebin Aboriginal Advisory Council. It has become clear that there is an appetite for change, a longing for more open communications, a desire for flexibility and an excitement about opportunity.

A Darebin-wide workshop was offered in May and attended by twenty-five staff from sixteen Council areas. The opportunity for year-round marketing, umbrella activities, resource alignment and co-design of events met with enthusiastic response. Whilst there were some concerns about the change there was genuine engagement with the concepts and frameworks being discussed.

Communications

Communications were driven by a campaign based around the Discussion Paper and included various communications as set out below.

Social Media Posts over a month long timeframe (21 March – 24 April) across various social media channels:

- Darebin City Council corporate Social Media including Facebook, Instagram and Twitter
- Darebin Arts Social Media including Facebook and Instagram
- Homemade Food and Wine Festival Facebook

- Music Feast Facebook
- Speakeasy Facebook
- Darebin Arts Centre Facebook
- Northcote Town Hall Arts Centre Facebook
- Bundoora Homestead Arts Centre Facebook
- Darebin Libraries Facebook and Instagram
- Darebin Youth Music Facebook and Instagram
- Darebin Youth Facebook
- Economic Development Facebook
- Active Spaces Facebook

Information was distributed in various Council-published newsletters.

Information was sent to email Networks including: Creative Culture and Events Coordinators, Darebin Community Awards, Leadership Forum, Advisory Groups, Darebin Ethnic Communities Council.

There was also internal engagement with staff across the organisation through a workshop.

ANALYSIS

Alignment to Council Plan / Council policy

The Council Plan 2017–21 includes six goals that will drive overall Council activity for the next four years. Five of these have a direct relationship to the cultivation of a vibrant and prosperous creative and cultural industries sector and are relevant to the festivals and events delivery by Council.

- Goal 1 - A sustainable city
- Goal 2 – Opportunities to live well
- Goal 3 – A liveable City of Darebin
- Goal 4 – A strong economy
- Goal 5 – Involving our diverse community

Other Council Strategies that this Review works towards are:

- Creative Darebin Arts Strategy 2014-20
- Creative and Cultural Infrastructure Framework 2018
- Darebin Tourism Strategy 2016-2021
- Elimination of Single Use Plastic Policy
- Electronic Gaming Machines policy 2016=2019

Environmental Sustainability Considerations

Environmental considerations are a key part of the delivery of festivals and events in Darebin. Current delivery approaches have been consistently incorporating more and more environmental considerations into programming, production and promotions.

This includes sustainable transport options, as well as bike services being provided on site, waste minimisation strategies, including water provision, water bottle hire, recycling stations, green ticketing and composting toilets, for example.

The proposed new model offers major opportunities for environmental sustainability, climate emergency and climate change to be built into programming and logistics. Co-design and collaboration provide pathways towards working more directly with these themes, and with artists who are focussing on these issues, in places where people are working on them, at the coalface and on solutions bringing connections, production expertise, artistic vision and festival marketing, into play.

Climate Emergency

There will be opportunity to build in climate emergency considerations into programming and logistics.

Equity, Inclusion and Wellbeing Considerations

At the heart of the strategic vision of the proposed new model is the objective of greater activation and diversification of participants and audiences so that these become more representative of Darebin's diverse and dynamic community. The future direction of Festivals and Events needs to reflect and respond to the communities and industries in Darebin by adopting a more co-designed approach with a developed equity lens.

During conversations with the Darebin Ethnic Communities Council it was noted that there are numerous cultural activities that take place in the City of Darebin that are overlooked in the current model for festivals delivery in Darebin. Committee members felt that the new model had the potential to enable these kinds of activities to be better represented. It was also noted that there would need to be deep community engagement around the realisation of the proposed new model. Ongoing consultations will be key to the success of the new model to ensure, equity, inclusion and wellbeing.

Cultural Considerations

Ensuring that cultural diversity is a programming driver for the new model which will embed practice as second nature. This new model must reflect the voices, stories and protocols of our rich cultural landscape. Presentations have been made to Darebin Ethnic Communities Council to positive response and they will continue to advise on how best to reach specific communities across the municipality. Festivals will include a First Nations programming element and will work in with the Darebin Aboriginal Advisory Committee. A presentation is scheduled.

Economic Development Considerations

In May 2016, Geografia was commissioned to conduct an impact study of the Economic Value and Social Benefit of the Arts and Creative Sector in Darebin. It is specifically noted that Council's delivery of festivals and events is a key contributor the sector, but also a key attractor to the municipality, thereby increasing expenditure in Darebin. Specific mention is made in this report to the "clustering effect" providing a strong draw factor. The proposed new model will enable collaboration between artists, creative industries, residents and businesses who are seeking complimentary activities. The economic benefits will be spread across a much broader footprint in the municipality and can be targeted to activate particular areas, and to address particular needs.

Financial and Resource Implications

Funding has been allocated in Council's 2019–20 budget for festivals and events based on the outcomes of this review and the proposed new model of delivery.

Legal and Risk Implications

The proposed new model is predicated on the legal and risk implications of holding large scale events safely in public places and is designed to address the increasing costs of compliance and risk management. Smaller footprints and more careful programming will enable the minimisation of the need for large-scale structures and associated compliance requirements. Risks will be reduced by more niche-neighbourhood programming, smaller concentrations of audiences, and can be mitigated at the programming stage.

DISCUSSION

Proposed New Model for Festivals Delivery

The Council Plan 2017–21 recognises that 37% of residents attend our festivals and events, and that festivals and events are key drivers in terms of community wellbeing, economic stimulus and arts participation, across the municipality.

In addition The Darebin Arts Strategy is predicated on the idea that Darebin is a 'creative city' and a hub for arts and culture, for creative industries, and for artists, in which they can live, work, show and practice. A creative city needs to be visible in its outputs and to provide points of connection across all of its neighbourhoods and cultures.

The proposed new model has been developed to address these issues and to create a more mobile, more responsive and more collaborative way of producing and programming festivals in Darebin.

Key features of the model are:

- Artform diversity and commissioning of new work
- Responsive programming and long-term engagement
- Maintaining the best of the current suite of outputs and events
- Multiple curators from varied backgrounds and with different artform expertise
- Diversity embedded into all planning with measurable activities
- Advocate and ensure fair payment for artists
- Cycles of development and exhibition
- Integration of events across the entire municipality
- Year-round marketing and engagement of the consultation officers have reflected on and will incorporate the following into festival design:
- Keep talking to communities in the places where they live and gather

The recommended model was taken to Council for consideration in Decemeber 2018 and Council gave in principle support contingent on a consultation about the proposed new model with the community followed by a Council Briefing on 29 July 2019.

That initial consultation is now complete.

The nature of the project will require ongoing consultation. It is within this spirit that we now seek full endorsement of the model into the future.

Consultation and Communication on the Proposed New Model

The consultation, and associated communications, was undertaken from March to May 2019 and is now complete.

The consultation involved:

- A Discussion Paper outlining the proposed new model
- A survey on Your Say Darebin engaging with 463 participants
- A survey at the Darebin Community and Kite Festival engaging with 264 respondents
- Consultation with community stakeholders, such as the Darebin Ethnic Communities Council, the Darebin Arts Ambassadors
- Communications with Council Advisory Groups and staff networks through newsletters and email
- Face to face conversations between Festivals and Events staff and key stakeholders
- A public workshop

OPTIONS FOR CONSIDERATION

Option 1: That Council adopts the proposed new model for the delivery of festivals and events in Darebin, with some changes arising from the consultation. (Recommended)

Option 2: Council adopts the proposed new model for the delivery of festivals and events, with additional changes determined by Council.

Option 3: Council does not adopt the proposed new model for the delivery of festivals and events.

IMPLEMENTATION STRATEGY

In anticipation of the need to roll out of the proposed new model in Autumn 2020 a festival framework has been designed and discussed as part of this consultation process. This includes:

- Programming logic
- Curatorial frame
- Scaling up Delivery plan
- Access Points for Artists and Communities
- Festival Recipe
- Potential Partnerships
- Proposed Festival Dates

Scaling up Delivery

Adoption of the new model would see the Festivals and Events team deliver at least a two-week festival, twice in the first year whilst in a seeding and R&D phase with the community, artists and local venues and scaling up in subsequent years.

2020 – 2 x 2 week festivals

- Grow capacity for delivery within Council and develop long term conversations for long term projects with the community

2021 – 2 x 3 week festivals

- Increase the number of presenting partners including: community driven engagements and council-led projects

2022 – 2 x 4 week festivals

- Fully matured suite of events and long term engagement with community

The following table details Points of Access for Artists and Communities.

Table: Arts Participation - Points of Entry for artists and the community

By Invitation	By Application	Registration	Schools/Education	Participatory
<p>Commissioned work that sits outside of the formal application or open access processes.</p> <p>Typically forms keynote festival programming.</p> <p>Work development in partnership/consultation with Council</p>	<p>Supported presentation opportunities</p> <p>Pitch model, which is a public event- pitch in one festival to deliver project outcome in the next festival</p> <p>Community-led partnerships</p>	<p>Open Access program that operates to seasonal framework</p> <p>Engagement with artists,venues,other departments to encourage registrations</p>	<p>Potential for one primary plus one secondary/tertiary outcome</p> <p>Two streams, one for creative content, one for professional development</p> <p>Potentially with its own curator</p> <p>Encourage long term engagement</p>	<p>Workshops, Formal industry programming</p> <p>Programming content/events from other Council departments</p>

Research and Development Phase

Communication will rely on face to face contact, and may include roadshows, pop-ups, and presentations at meetings, groups, and with communities and artists across Darebin. This first stage of engagement will include detailed outlines of the new model and points of access for participation which will be designed to align with the research and development imperative.

Additional communication will include the following elements:

- Extensive communications, relationship building, project prototyping, seeding and commissions
- Ongoing relationship building and project development within the organisation and across Council departments
- Marketing – immediate consideration of the marketing requirements for the first two festival offerings

Timeline

Preliminary Timeline:

Date	Milestone	Notes
July 2019	New model planning	Staff take a curatorial approach and go on the road to inform and liaise with community where they live.
October/ November 2019	Music Feast	Transition will be underway, and aspects of the new model are tested at Music Feast 2019.
July – December 2019	Community outreach Selected points of access are implemented towards the first festival in Autumn 2020. Research and development phase. Early commissions in place.	Festival development for the first iteration will be underway. Festival development for the second iteration will be underway.
December 2019 – March 2020	Festival and events program finalisation	First festival delivered end March 2020. Pitches and seeding occurring for next festival.
March – October 2020	Program scale-up and embedding of co-design approach	Spring festival delivered in October 2020.

RELATED DOCUMENTS

- Future of Festivals Darebin Review by Ros Abercrombie 2018
- Kite Festival Survey Report 2019
- Your Say Darebin Survey Report (plus engagement report) 2019

Attachments

- Festivals in Darebin - The Way Forward (**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.



the place
to live

Discussion Paper

FESTIVALS IN DAREBIN

The way forward

CONTEMPORARY, BOLD, SEASONAL

Photo of P-UniQue by Nicole Cleary

In keeping with the aspirations of a dynamic contemporary city, Darebin is proposing a new model for the creation and delivery of festivals and events in our city.

In 2018, Council commissioned a review of its festivals and events to consider the overall strategic direction, methods of delivery, alignment with community aspirations and needs, and long term sustainability.

We also looked at how other local governments in Australia, and around the world, deliver festivals and events.

Based on this review and research, Darebin Council has decided on a fresh approach.

We are proud of our community because it is diverse, creative and active in many different ways, and this is what we want to nurture, share and celebrate. We also want to bring fresh new talent into our region to inspire creative and artistic practices. Our community is growing and changing all the time, traditions flourish whilst new ways of thinking and living spark creativity. The city is home to creative artists and industries, exhibition sites, arts venues, music venues, a revitalising retail sector, beautiful and interesting green spaces, and energetic and diverse communities.

Darebin Council understands that art and creativity are crucial to quality of life, and are more fully lived and realised in our community through celebration, space activation, and connectedness.

What do we all think of when we say 'only in Darebin'? What is the unique flavour or rich character of Darebin? How do we encounter it, celebrate it, and tell stories about it? What draws us here? What do we love about our neighbourhoods? How do we make and nurture our creative connections locally and globally? How do we thrive as a livable city with a vibrant arts and culture sensibility fulfilling creative aspirations and ambitions?

And how do we create festivals that make a huge impact on our community, that activate our city with new ideas and innovations, and that are sustainable and have a low impact on our planet?

These questions are the building blocks of our new plan and future thinking.

Our new framework for festivals and events in Darebin has been developed to be socially, environmentally and creatively sustainable. We believe that it is a model that builds on what we already do well and looks to the future of festivals.

WHERE WE ARE GOING

Council’s new model is bold and focused on local arts production and presentation.

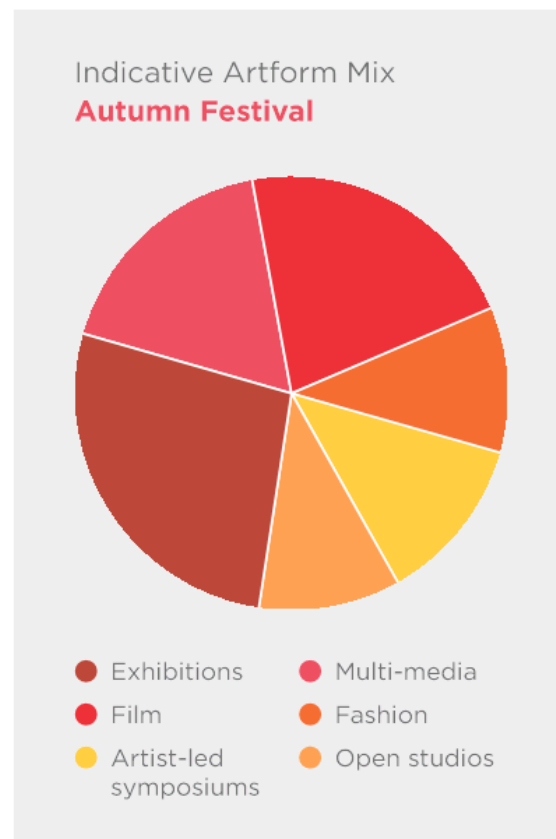
There will be **2 seasonal festivals** a year as key markers of celebration in an annual calendar. They will feature multiple artforms delivered in a range of formats from the small and bespoke to larger scale and signature events.

Art and creativity will be elevated as both driving forces and occasions for performance and celebration. Darebin will come alive in the usual venues and open spaces, and in the less explored and unusual places that also make up our unique character, in mobile and online worlds, and other spaces, places and platforms.

The Autumn Festival will run for up to 4 weeks per year and will feature:

- **Art and Design** - this season embraces visual art, public art, digital media, film, and fashion whilst also providing a space for signature food and wine events as a fusion of art, food and practice. Exhibitions, installations, artist-led symposiums and happenings. A large-scale opening night might include a street-based celebration that connects multiple exhibitions, utilises shop fronts, streets and public spaces, and facilitates new works, commissions and acquisitions.

Key venues will include Northcote Town Hall, Darebin Arts Centre, Bundoora Homestead, parks and gardens, partnerships with local galleries, shop fronts, artist-run spaces and studios, for example.



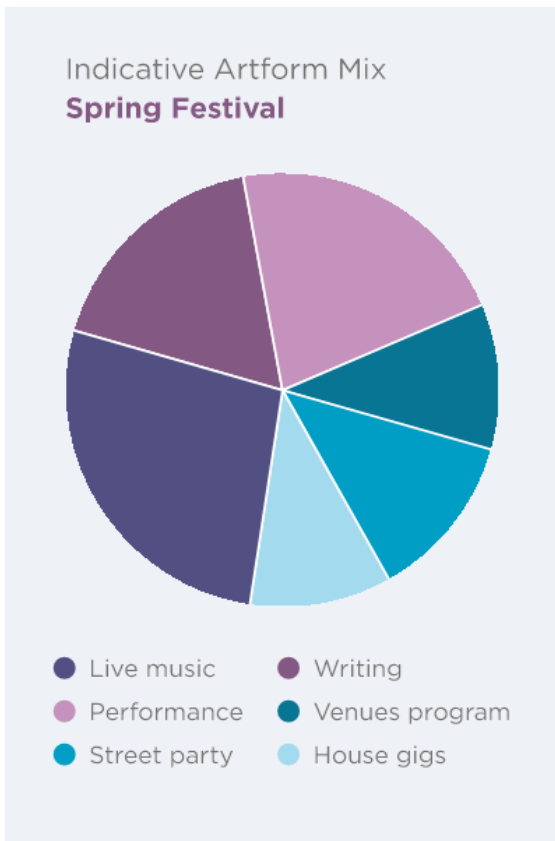
The Spring Festival will also run for up to 4 weeks per year and will feature:

- **Music and Literature** - this is a music-led festival building on the strengths of Music Feast that also includes performance, live art, literature, theatre and community programming. Street parties, gigs, compositions, writing and literature, song writing, and a venues program. Large-scale signature events such as opening night and gala events with future facing musical experiences.

Key venues will include Northcote Town Hall, Darebin Arts Centre, parks and gardens, and partnerships with other venues, such as live music venues, cafes, bars, and educational institutions.

Signature food and wine events will be developed and integrated into both festivals, celebrating Darebin’s finest and opening up opportunities for more pop-up style programming across the city.

Festival seasons will be guided by a guest curator.

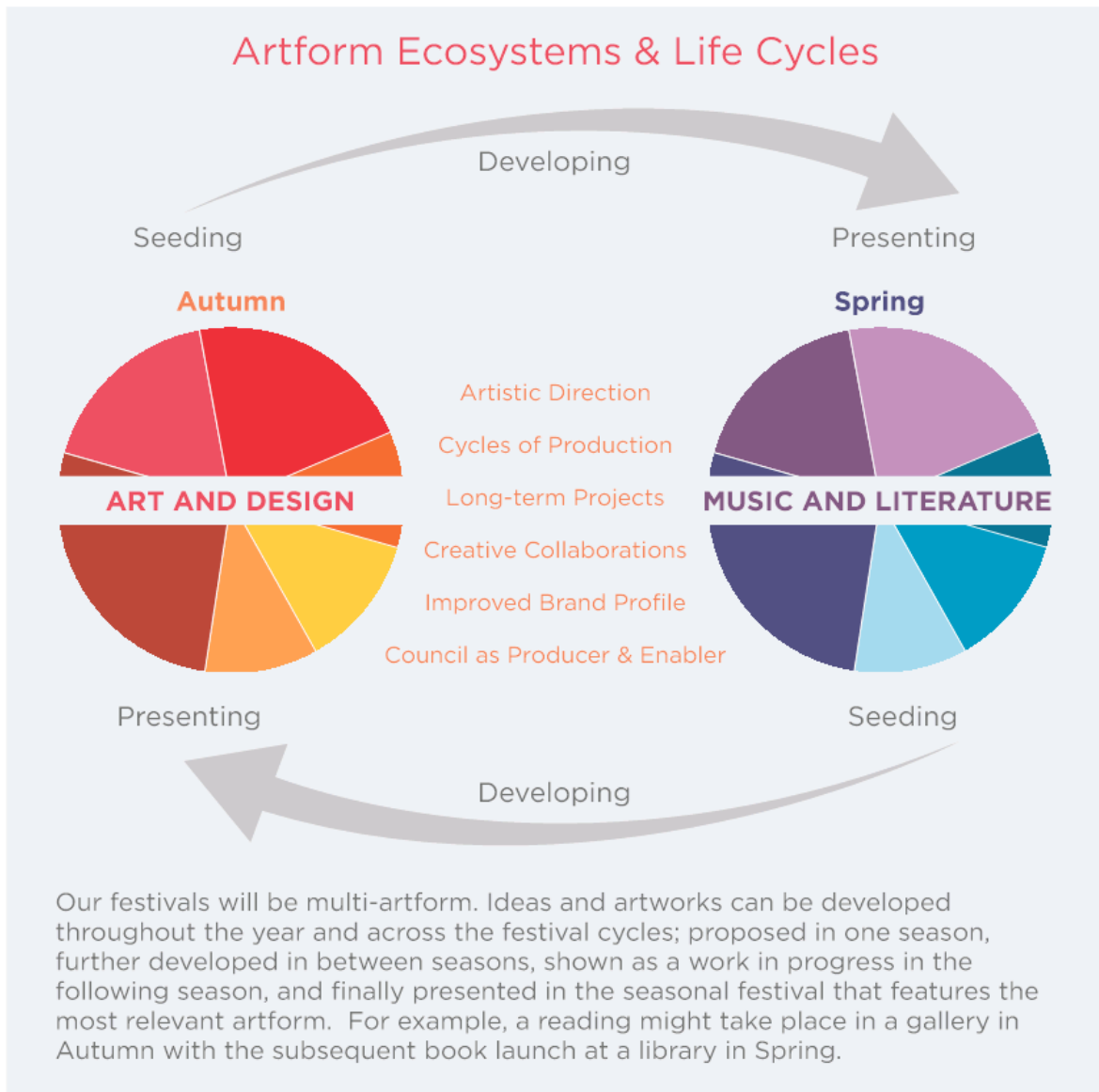


The new model for the programming and delivery of festivals will incorporate much-loved elements of existing festivals but enable collaborations, commissioning and the creation of new works. This model allows for more partnerships and collaborations, with the outcome being new art and new audiences.

This model encourages cross-disciplinary and cross-community engagement from inception, through

to design and delivery.

The seasons will talk to each other and ongoing cycles of creative engagement and development will flow from the Autumn Festival to the Spring Festival, over the years, and across the tenure of successive guest curators. Curators will be contracted for a sequence of three festivals in a row, including a shared transition period of one festival, to ensure design continuity.



Each seasonal festival will deliver a vision that has been designed to bring disparate and diffuse activities and signature events together under one banner and in response to a theme that links and inspires, without compromising the integrity of individual parts.

This model promotes collaboration and co-design between the guest curator, the festivals and events team,

the Council, and the community, including; artists, producers, venue owner-operators, technical production staff, businesses and other stakeholders. Support from Council might include funding, logistics, governance, permits, marketing, venues, and additional in-kind resources.



KEY FEATURES OF THE NEW APPROACH

- Multiple guest curators from varied backgrounds and with different artform expertise are invited to guide the festivals. They will craft a vision for each season and for the festival year as a whole. The content will be co-designed with the artists, businesses and residents of Darebin.
- Council becomes more of an enabler, driving co-designed programming, growing capacity where it is needed, seeding, mentoring and facilitating.
- Diversity is embedded into all planning with measurable activities.
- Both short-term and long-term creative projects that can be developed in one part of the year and showcased in the next season.
- Investment in developing local capacity, fostering community support and building Darebin's artistic and cultural reputation.
- Advocacy and fair payment for artists.
- Artistic collaborations, partnerships and commissions, and creative engagement with Darebin's diverse communities.
- Dynamic and flexible programming led by artists, community and businesses.
- Festivals that celebrate the community, artists and places of Darebin, and are inclusive of age, gender, ethnicity, sexuality and ability.
- Elements of signature historical events are retained and provide a framework within which new activities can be created and promoted.
- Darebin continues to be a significant and valued home of choice for artists and creative industries and a much loved place to live for local residents.
- Keep talking to communities in the places where they live and gather.

SUMMARY

The new model is intended to build a deeper level of engagement and collaboration across the length and breadth of the City and over time. This is a responsive approach that relies much more heavily on input from all of our community.

Relationships will lead to partnerships and to producing and co-producing arrangements between artists, communities, Council and other stakeholders, in a much more flexible model that is liberated from static programming patterns and predictable locations.

This is not about building a bigger program but about being smarter, more carefully crafted and more sustainable in how we program, over each year and over time.

Diversity will be ensured through attention to existing and emerging community identities, through the multiple artform approach, and a co-designed approach to programming.

We want to activate more places, support more artists and engage our community in dynamic and interesting ways.

By always nurturing new talent, the best artists, and championing creativity whilst constantly seeking innovations, every festival becomes a playground for our community to be challenged and to enjoy.

The new model will create a program of festivals and events that reflect our uniqueness and that can embrace the best of what Darebin is and can be: a vibrant, inclusive, creative and contemporary city.


FOR MORE INFORMATION ON FESTIVALS IN DAREBIN

CITY OF DAREBIN

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 PO Box 91, Preston, Vic 3072
 T 8470 8888 F 8470 8877
 E mailbox@darebin.vic.gov.au
darebin.vic.gov.au

 **National Relay Service**
relayservice.gov.au

If you are deaf, or have a hearing or speech impairment, contact us through the National Relay Service.

 **Speak your language**
 T 8470 8470

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8.4 OCTOPUS SCHOOL PANEL SELECTION**Author:** Safe Travel Officer**Reviewed By:** General Manager City Sustainability and Strategy

EXECUTIVE SUMMARY

This report recommends appointing a Councillor to the Octopus School program advisory selection panel for 2019/20, alongside the Coordinator Transport Strategy and Safe Travel Officer. The Councillor is to be appointed by Council in an advisory capacity. It also recommends delegating the General Manager City Sustainability and Strategy the power to review the advice from the selection panel and select the school to participate in the Octopus School Program.

The Octopus School framework aims to create a 'safe school precinct' for increasing the number of students walking and cycling to and from school, through the implementation of a range of physical infrastructure and behaviour change projects. This was piloted in 2017/18 with Reservoir West the first Octopus School. Newlands Primary School was selected as the second Octopus School for 2018/19.

In 2017/18 and in 2018/19 the councillor appointed to the Octopus School program selection panel was Councillor Steph Amir.

As part of the selection panel, the councillor would help in advising on the next school that council will work closely with to support them with programs and infrastructure work to make it safer to walk and cycle.

Work with the successful Octopus School will include physical infrastructure in the nearby streets, such as raised wombat crossings, traffic management and other interventions to make it safer to walk and cycle, and behaviour change programs such as active travel counts, Bike Ed programs, and the development of active travel maps for families.

The Octopus School framework consists of 8 levels of achievement with the lower levels being short-term, lower cost options, and the higher levels requiring more funding and engagement. In addition to the two Octopus Schools selected so far, two other schools are working through actions to achieve modules.

Recommendation

That Council:

1. Appoints Cr _____, the Coordinator Transport Strategy and the Safe Travel Officer to be on the advisory panel for the selection of a school to participate in the pilot program for Octopus Schools.
 2. Delegates to the General Manager City Sustainability & Strategy the power to select the school to participate in Round 3 of the Octopus School Program.
-

BACKGROUND

The Transport Strategy and Programs team have been working with Darebin primary schools since 2011 to determine safe travel routes to school with the purpose of encouraging walking and cycling to and from school. 31 of 35 relevant primary schools, and 1 high school (a trial), have been audited since 2011, and these audits have identified improvements such as new school crossings and other raised crossings, refuge islands, and footpath repair/replacement. Many of the major works, such as raised crossings have been implemented to date.

Aligned with this, the Octopus School project seeks to work with one school during 2019/20 to develop a model school for safe travel. The program will improve pedestrian and cyclist safety around the school with provision for engagement, supporting school programs, signage, line marking, physical works and project management, with a budget of \$140,417. Before and after monitoring, and evaluation throughout the program will determine the effectiveness of the approach.

School staff are often at capacity making engagement with safe travel to school programs a lower priority. Schools will be offered support from Council to gain 8 star status, as well as funding for teacher time release so the model school can have a dedicated Safe Travel Champion (approx. \$2,000 a year – one period TA per week for first year, with school committing to ongoing coverage where needed after initial implementation).

The Octopus School model is intended to outline a range of activities and infrastructure improvements that can be made on a range of budgets and time constraints, offering the opportunity to achieve early success and encourage ongoing participation regardless of changes in resourcing and funding capacity within Council and schools.

The 2019/20 Octopus School program will include a range of infrastructure improvements identified through safe travel to school audits to support walking and cycling access.

Current and Previous Octopus School Update

Council's active engagement with the pilot Octopus School Reservoir West is complete, the construction of an improved bike route and 2 raised thresholds will be completed by August 2019. Evaluation of the program outcomes for this school will be undertaken in late 2019.

The Octopus School council is currently actively working with, Newlands Primary School, has received new bike and scooter parking (under cover parking that can hold up to 18 bikes and 18 scooters), an art project on active travel around the school fence, and a parent workshop with the aim to encourage behaviour change and parent-led projects on active travel. Detailed designs for a raised threshold and speed humps (with improvements to 2 school crossings) have been finalised, and these will be constructed in 2019/20. Further investigation is being done on changes to vehicle priority to the east of the school.

Although Thornbury PS and William Ruthven PS were not selected to be Octopus Schools in 2018/19, it was recognised that they were committed to improving safe travel outcomes. Along with Newlands PS, Council worked with the schools to identify 3 routes to each school which were then mapped, and a brochure produced. Decals have been designed (including inputs from students) and installed along these routes for students to travel actively and safely to and from the schools.

Previous Council Resolution

At the meeting held on 18 September 2017, Council resolved:

'That Council

Appoint Cr. Steph Amir to be on the panel for the selection of a school to participate in the pilot program for Octopus Schools (Minute no. 17-321).'

At the meeting held on 3 September 2018, Council resolved:

'That Council

Appoints Cr. Steph Amir to be on the panel for the selection of a school to participate in Round 2 of the Octopus School Program (Minute no. 18-235).'

COMMUNICATIONS AND ENGAGEMENT

Consultation

No community consultation is proposed as part of this project. Consultation with the school community has been ongoing. The communications plan (detailed below) will outline how the Octopus School program is advertised. Engagement with the successful Octopus School community is conducted through the school.

Communications

A detailed communications and engagement plan was prepared for the past two Octopus Schools. Councillors were advised of forthcoming engagement efforts and project milestones through e-Bulletins.

Selection criteria and an application will be sent to all schools in Darebin (excluding the two schools that have been Octopus Schools previously). This will be promoted directly to schools, through social media and news media to maximise the likelihood of strong school participation.

The ultimate vision and goal of this project is to address sustainability and traffic congestion issues by getting more students to actively travel to and from school and by creating a safe school precinct.

ANALYSIS

Alignment to Council Plan / Council Policy

1. Goal 1 - A sustainable city

The Council Plan 2017-2021 sets the overarching vision for “a greener, bolder, more connected city.” The Octopus School program clearly aligns with this overarching vision, as well as Council Plan Goal 1, 2, 3 and 5, and many other endorsed Council Strategies.

2. Goal 1 - A sustainable city
3. Goal 2 - Opportunities to live well
4. Goal 3 - A liveable city

Goal 5 - Involving our diverse community

The Octopus School program also closely aligns with the expected outcomes of a number of Council policies/strategies, including the Darebin Transport Strategy, Walking Strategy, Safe Travel Strategy, Darebin Cycling Strategy, and Climate Emergency Plan.

Environmental Sustainability Considerations

The Octopus School program will increase environmental sustainability in the precinct by facilitating and managing a transport mode shift from car to active travel.

Climate Emergency

The Octopus School program focuses on behaviour change and improving around the school precinct to increase the number of students who travel actively to and from school, while minimising the use and impact of vehicles. This focus has a clear alignment with Key direction 4 of the *Climate Emergency Plan 2017-2022*, 'Zero Emissions Transport', in particular Objective 1 "Reduce the number of private vehicle kilometres travelled in Darebin by increasing the share of public transport use, walking and cycling".

Equity, Inclusion and Wellbeing Considerations

Sustainable transport supports equity, as many low-income earners rely on more sustainable modes of transport due to cost. Therefore, safety for sustainable transport is an equity issue.

The selection criteria will maintain equity for those schools unable to address all selection criteria by providing an opportunity to describe past barriers to program inclusion. During the process for this year's Octopus school, it was highlighted that some schools require extra assistance in completing an application. During the next round of EOIs, Council will continue to assist low-resourced schools that require help and if unsuccessful, will continue to support these schools to complete some of the less-resource intense module activities.

Cultural Considerations

The Octopus School program is open to all primary schools in Darebin. If required, translations of information can be provided by Council to schools that request this. The selection criteria will provide an opportunity to describe any cultural considerations that the school feels may be of importance.

This year with the installation of the decals we consulted with schools on languages spoken or taught at schools including Woivurrung language at Thornbury PS and Spanish at Newlands PS. We will continue to do explore options for this with future schools.

Economic Development Considerations

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

Financial and Resource Implications

There are no financial implications of appointing a Councillor to the selection panel. Council has budgeted \$140,417 for working with one additional school on the Octopus School program in 2019-20. It has also budgeted for completion of works near Reservoir West Primary and Newlands Primary.

Legal and Risk Implications

The selection criteria and panel will be designed to manage low level risks around reputation and relationships, that is, risks associated with the selection of the school that may result in dissatisfaction from the unsuccessful schools.

This process also seeks to identify highly engaged schools and minimise risk of council commitment and investment without reciprocal action from the school. The selection criteria and panel will be transparent through the selection process.

This report clarifies that the role of the selection panel, including the role of the Councillor appointed, is solely advisory, and that the final decision on the selection of the next Octopus School would sit with the General Manager City Sustainability and Strategy.

DISCUSSION

Addressing the challenges:

- The 2019/20 Octopus School program will include a range of infrastructure improvements identified through safe travel to school audits to support walking and cycling access.
- School staff are often at capacity making engagement with safe travel to school programs a lower priority. Schools will be offered support from Council to gain 8 star status, as well as funding for teacher time release so the model school can have a dedicated Safe Travel Champion (approx. \$2,000 a year – one period TA per week for first year, with school committing to ongoing coverage where needed after initial implementation).
- The Octopus School model is intended to outline a range of activities and infrastructure improvements that can be made on a range of budgets and time constraints, offering the opportunity to achieve early success and encourage ongoing participation regardless of changes in resourcing and funding capacity within Council and schools.

Process to engage an Octopus School:

- Information sent to schools outlining scope of project and levels of achievement aligned to current programs including Walk to School Month, Bike Ed etc. Invite questions from schools.
- Build selection criteria. Selection criteria will include current engagement with active travel, ability and willingness to actively commit to the program, and demonstration of support from parents.
- Finalise selection process and committee. Preparation of Memorandum of Understanding.
- Invite schools to submit an expression of interest. Promote directly to schools, through social media and news media to maximise the likelihood of strong school participation. Selection of pilot school.
- Finalise MoU agreement with pilot school. Notify unsuccessful schools.
- Publish details of successful school and arrange media release.

What the selected school needs to commit to:

- Designated Safe Travel Champion – a staff member who leads school participation.
- Participation in at least 4 active/safe transport programs in first year
- Have a column in each newsletter promoting active/safe travel to school

- Promote activities on social media
- Engage School Council and Student Council in activities and achieving aims
- Meet with STO once a term for ongoing evaluation and support
- Work with STO to develop a guide for other schools
- Act as mentor to other schools in the municipality
- Weekly/monthly counts (hands up survey)

OPTIONS FOR CONSIDERATION

1. A Councillor is appointed to be on the selection panel for the Octopus School pilot program, and the General Manager City Sustainability and Strategy is delegated to select the school based on the panel's recommendation
This is the preferred option.
2. An officer panel to be used for selection of the school for the Octopus School pilot program, and the General Manager City Sustainability and Strategy approves the selection of the school based on the panel's recommendation.

IMPLEMENTATION STRATEGY

Details

The communications process to advertise the Octopus School program to schools will begin at the start of August, and close at the end of August.

The selection process will require approximately two hours of the selected Councillor's time to perform the following duties:

- 1 hour to review applications and short-list the preferred schools
- 1 hour to participate in a panel discussion of the short-listed schools and to select the school for the pilot program.

Communication

A detailed communications and engagement plan will be completed. Councillors will be advised of the successful school, forthcoming engagement efforts and project milestones through e-Bulletins.

Timeline

- 5 August - Expression of interest released to all schools.
- 30 August - Expression of interest closing date.
- Early September - Panel decides pilot school.
- 21 September to 6 October - School Holidays.
- Mid-September - Start working with selected school, undertake any further infrastructure audits of school.

RELATED DOCUMENTS

- Safe Travel Strategy.
- Darebin Transport Strategy.

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.

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

Nil

10. NOTICES OF MOTION**10.1 LOCAL PARKS IN HIGHEST NEEDS AREAS****Councillor:** Tim LAURENCE**NoM No.:** 430

Take notice that at the Council Meeting to be held on 12 August 2019, it is my intention to move:

That Council resolves to develop plans for the development of three new local parks in the three most park-disadvantaged areas that Council's reports have identified as having high concentrations of 15% to 25% of homes not having 500-metre access to local parks.

Notice Received: 30 July 2019**Notice Given to Councillors** 5 August 2019**Date of Meeting:** 12 August 2019**Attachments**

Nil

10.2 DONATH RESERVE OVAL NO.1 PLAYING SURFACE**Councillor: Tim LAURENCE****NoM No.: 431**

Take notice that at the Council Meeting to be held on 12 August 2019, it is my intention to move:

***That** Council requests officers to prepare a report for our next full Council meeting regarding the urgent need to upgrade the Donath Oval No.1 playing surface with an upgrade to the top soil that has become degraded due to high rain events and use, and that officers also supply in that report a budget estimate to provide an adequate compliant spoon drain and a painted black fence around the playing field.*

Notice Received: 30 July 2019**Notice Given to Councillors 5 August 2019****Date of Meeting: 12 August 2019****Attachments**

Nil

10.3 **SAVE RESERVOIR POLICE STATION****Councillor:** **Tim LAURENCE****NoM No.:** **432**

Take notice that at the Council Meeting to be held on 12 August 2019, it is my intention to move:

***That** Council forms a committee of Councillors, traders and residents to plan a community response to the possible loss of Reservoir Police Station from central Reservoir, to address community and trader concerns for safety on the Broadway and Edwardes Street shopping strip areas to limit alcohol consumption and street violence.*

Notice Received: **30 July 2019****Notice Given to Councillors** **5 August 2019****Date of Meeting:** **12 August 2019****Attachments**

Nil

11. REPORTS OF STANDING COMMITTEES

Nil

12. RECORDS OF ASSEMBLIES OF COUNCILLORS

12.1 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 - 8 July 2019
- Darebin Aboriginal Advisory Committee - 24 July 2019
- Councillor Briefing Session - 29 July 2019
- Darebin Disability Advisory Committee - 5 August 2019
- Councillor Briefing Session - 5 August 2019

Recommendation

That the record of the Assembly of Councillors held on 8, 24, 29 July and 5 August and attached as **Appendix A** to this report, be noted and incorporated in the minutes of this meeting.

Attachments

- Item 1201 Assembly of Councillors (**Appendix A**)





ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing Session
	Date:	Monday 8 July 2019
	Location:	Council Chamber
PRESENT:	Councillors:	Mayor Susan Rennie (Chairperson), Cr. Susanne Newton (Deputy Mayor), Cr. Lina Messina, Cr. Steph Amir, Cr. Trent McCarthy, Cr. Julie Williams, Cr. Tim Laurence
	Council Staff:	Sue Wilkinson, Ingrid Bishop, Felicity Leahy, Cathy Henderson, Rachel Ollivier, Melinda Viksne, Sunny Haynes, Brennan Carlson, Andrew George, Shanaka Perera, Robyn Edwards, Nathan Korotkov, Stevie Meyer, Josie MacCartney
	Other:	
APOLOGIES:		David Jeffrey, Ben Hart, Jeanette Pope
	Absent:	Cr. Gaetano Greco, Cr. Kim Le Cerf

The Assembly commenced at 6:30pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Age Friendly Darebin – Draft recommendations	Cr. Lina Messina declared a conflict and left the room
2	Preston Market Community engagement Update	No disclosures were made
3	Football Victoria Home of Football EOJ process	No disclosures were made
4	Community Engagement Strategy and Framework overview and CAC/CRG review	No disclosures were made
5	General Business Darebin RSL Open Space Strategy Community Grants update	Mayor Susan Rennie (Chairperson) declared a conflict and left the room No disclosures were made No disclosures were made

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
	Recycling Facility	No disclosures were made

The Assembly concluded at 10.17pm

RECORD COMPLETED BY:	Officer Name:	Ingrid Bishop
	Officer Title:	GM Governance and Engagement



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Darebin Aboriginal Advisory Committee
	Date:	Wednesday 24 July 2019 4.00pm-6.00pm
	Location:	Council Conference Room
PRESENT:	Councillors:	Mayor Susan Rennie (Chairperson) Cr. Susanne Newton (Deputy Mayor)
	Council Staff:	Mandy Bathgate, Stuart McFarlane, Ryan Hale, Jodee Mundy, Tammy Crupi, Brandon Bains
	Other:	5 Members of the Darebin Aboriginal Advisory Committee - Alan Brown, Carol Harrison, Jenaya Kastamonitis, Charles Pakana, Elliejean Singh
APOLOGIES:		Cr. Gaetano Greco, Alexandra Stewart, Erica Higgins, Jess Fraser, Cathy Henderson

The Assembly commenced at 4.00pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
	(Special Inclusive Event meeting)	No disclosures were made
1	Inclusive Event Working group update	No disclosures were made
2	Event Planning - Presentation	No disclosures were made
3	Next Steps, Feedback and sign off	No disclosures were made
4	Other Business	No disclosures were made
5	Event Planning <ul style="list-style-type: none"> • Providing background to date on the exclusive Event progress • Presentation to members - Bringing Life to the idea: Showcasing event by power point presentation • Feedback and comments 	No disclosures were made No disclosures were made

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
	<ul style="list-style-type: none">Summary of outcomes and signoff on project with minor changes	No disclosures were made
7	Other Business	No disclosures were made
8	Meeting Close by Mayor Rennie (Chairperson)	

The Assembly concluded at 6.00pm

RECORD COMPLETED BY:	Officer Name:	Stuart McFarlane
	Officer Title:	Aboriginal Contact Officer



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing
	Date:	Monday 29 July 2019
	Location:	Council Chamber
PRESENT:	Councillors:	Mayor Susan Rennie (Chairperson), Cr. Susanne Newton (Deputy Mayor), Cr. Trent McCarthy, Cr. Tim Laurence, Cr. Steph Amir
	Council Staff:	Sue Wilkinson, Cathy Henderson, Sam Hewett, Rachel Ollivier, Sophie Jordan, Stevie Meyer, Felicity Leahy, Wendy Dinning, Enna Giampiccolo, Sally Moxham, Che Sutherland, Jennifer McIntyre, Andrew George, Vicky Guglielmo, Jodee Mundy
	Other:	David Jeffery (Consultant Preston Market)
APOLOGIES:		Cr. Lina Messina, Cr. Gaetano Greco, Cr. Kim Le Cerf

The Assembly commenced at 5pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Preston Market	No disclosures were made.
2	Recycling	No disclosures were made.
3	Streets for the people Reservoir	No disclosures were made.
4	Free exercise in the Park	No disclosures were made.
5	Future of Festivals consultation	No disclosures were made.

The Assembly concluded at 8.30pm

RECORD COMPLETED BY:	Officer Name:	Sue Wilkinson
	Officer Title:	Chief Executive Officer



ASSEMBLY DETAILS:	Title:	Darebin Disability Advisory Committee
	Date:	Monday 5 August 2019
	Location:	Council Chamber
PRESENT:	Councillors:	Cr. Julie Williams, Cr. Susanne Newton
	Council Staff:	Shadi Hanna, Katherine Kiley, Zoe Howard, Ania Sieracka, Jade Myconos, Allan Middlemast
	Other:	Darebin Disability Advisory Committee members – community representatives
APOLOGIES:		Community representatives, service providers

The Assembly commenced at 11.00 am

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Present and apologies	No disclosures were made.
2	Matters arising from previous minutes / drop off zone items	No disclosures were made.
3	Round table check in	No disclosures were made.
4	Accessible Parking Bays in Darebin	No disclosures were made.
5	International Day of People with Disability	No disclosures were made.
6	Economic Participation Role focus	No disclosures were made. 12:08pm Cr. Julie Williams entered the meeting
7	Darebin Disability Access and Inclusion Plan	No disclosures were made.
8	General Business	No disclosures were made.
9	Meeting feedback	No disclosures were made.

The Assembly concluded at 12:40pm

RECORD COMPLETED BY:	Officer Name:	Katherine Kiley
	Officer Title:	Senior Team Leader Access and Inclusion Team



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing Session
	Date:	Monday 5 August 2019
	Location:	Council Chamber
PRESENT:	Councillors:	Mayor Susan Rennie (Chairperson), Cr. Susanne Newton (Deputy Mayor), Cr. Lina Messina, Cr. Steph Amir, Cr. Trent McCarthy, Cr. Julie Williams, Cr. Gaetano Greco, Cr. Kim Le Cerf
	Council Staff:	Ingrid Bishop, Felicity Leahy, Cathy Henderson, Rachel Ollivier, Sam Hewett, Sunny Haynes, Brendan Moore, Stevie Meyer, Teneille Summers, Jess Fraser, Peter Rollis, Helen Day, Jules Thomson-Martin, Darren Rudd, Brett Grambau, Sunny Haynes, Sophie Jordan
APOLOGIES:	Other:	David Jeffrey, Ben Hart
	Absent:	Cr. Tim Laurence

The Assembly commenced at 5:30 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Graffiti Management Strategy 2019-2023	No disclosures were made
2	East Preston Community Centre Governance 2020/21	No disclosures were made
3	Preston Market Precinct Update	No disclosures were made
4	LXRP Preston-Bell – advocacy for good urban design and liveability	No disclosures were made
5	Polaris Development Plan – VCAT matter	
6	General Business: Increase in tree canopy data Councillor Code of Conduct Dumbarton Street – ROW update	Cr. Kim Le Cerf declared a conflict for recycling contract update and left the room at 8.52pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
	Darebin Community News update Developers removing trees after hours/dark Operational complaint Recycling contract update 5G roll out	

The Assembly concluded at 9.26 pm

RECORD COMPLETED BY:	Officer Name:	Ingrid Bishop
	Officer Title:	GM Governance and Engagement

13. REPORTS BY MAYOR AND COUNCILLORS

Recommendation

That Council note the Reports by Mayor and Councillors.

14. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

The Chief Executive Officer, pursuant to section 77(2)(c) of the *Local Government Act 1989* (the Act), has designated the following items to be confidential:

14.1 Recycling Contract

This item is designated confidential because it includes legal advice pursuant to Section 89(2) (f) of the Act.

This item is designated confidential because it is a matter which the Council or special committee considers would prejudice the Council or any person pursuant to Section 89(2) (h) of the Act.

14.2 Right of Way Contained Within State Government Land Located at 16-20 Dumbarton Street, Reservoir

This item is designated confidential because it includes legal advice pursuant to Section 89(2) (f) of the Act.

This item is designated confidential because it is a matter which the Council or special committee considers would prejudice the Council or any person pursuant to Section 89(2) (h) of the Act.

CLOSE OF MEETING

Recommendation

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 items designated confidential by the Chief Executive Officer.

RE-OPENING OF MEETING

Recommendation

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


15. CLOSE OF MEETING

**CITY OF
DAREBIN**

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