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AGENDA

Council meeting to be held
at Darebin Civic Centre,
350 High Street Preston
on Monday, 15 August 2016
at 7.00 pm.

Public question time will
commence shortly after 7.00 pm



ACKNOWLEDGEMENT OF DAREBIN'S ABORIGINAL AND TORRES STRAIT ISLANDER COMMUNITY

**(Council adopted this Acknowledgment on 1 July 2013 in order
to confirm the commitment of Council to the process of
Reconciliation)**

Darebin City Council acknowledges the Wurundjeri people and the Kulin Nations as the traditional landowners and the historical and contemporary custodians of the land on which the City of Darebin and surrounding municipalities are located.

Council recognises, and pays tribute to, the diversity of Darebin's Aboriginal and Torres Strait Islander community, valuing the unique and important role Aboriginal and Torres Strait Islander community members play in progressing reconciliation, respect and the building of mutual understanding across the City, amongst its people, and in the achievement of shared aspirations. Council recognises and pays tribute to, and celebrates, Darebin's long standing Aboriginal and Torres Strait Islander culture and heritage.



Italian

Questo è l'ordine del giorno della riunione del Consiglio Comunale di Darebin per la data che compare sulla prima pagina di questo documento. Se desiderate informazioni in lingua italiana sugli argomenti dell'ordine del giorno, siete pregati di chiamare la Linea Telefonica Multilingue del Comune al 8470 8888.

Greek

Αυτή είναι η ημερήσια διάταξη για τη συνεδρίαση του Δημοτικού Συμβουλίου Darebin, για την ημερομηνία που φαίνεται στο εξώφυλλο αυτού του εγγράφου. Αν θα θέλατε πληροφορίες στα Ελληνικά σχετικά με τα θέματα σ' αυτή την ημερήσια διάταξη, παρακαλούμε καλέστε την Πολυγλωσσική Τηλεφωνική Γραμμή του Δήμου στον αριθμό 8470 8888.

Chinese

這是一份戴瑞濱市議會議程表，其開會日期顯示於此文件之封面。如果您欲索取有關此議程表的中文資料，敬請致電 8470 8888 聯絡市議會的多語種電話專線。

Arabic

هذا هو جدول أعمال اجتماع مجلس بلدية داربيبن والذي سيحدد في التاريخ الوارد في الصفحة الأولى من هذه الوثيقة. إذا أردت الحصول على مزيد من المعلومات في اللغة العربية حول المواضيع المذكورة في جدول الأعمال، فيرجى الاتصال برقم هاتف البلدية المتعدد اللغات
8470 8888

Macedonian

Ова е дневниот ред за состанокот на Општината на Градот Даребин, која ќе биде на датумот покажан на предната корица од овој документ. Ако Вие сакате некои информации на Македонски јазик, за предметите на овој дневен ред, Ве молиме повикајте ја Општинската Повеќејазична Телефонска Линија на 8470 8888.

Vietnamese

Đây là nghị trình cho cuộc họp của Hội đồng Thành phố Darebin; ngày họp có ghi ở trang bìà tài liệu này. Muốn biết thêm về chương trình nghị sự bằng Việt ngữ, xin gọi cho Đường dây Điện thoại Đa Ngôn ngữ của Hội đồng Thành phố qua số 8470 8888.

Bosnian

Ovo je dnevni red za sastanak Gradske općine Darebin čiji je datum održavanja naznačen na prvoj strani ovog dokumenta. Ako želite više informacija o tačkama ovog dnevnog reda na bosanskom jeziku, molimo nazovite općinsku višjezičnu telefonsku službu na 8470 8888.

Croatian

Ovo je dnevni red sastanka u Darebin City Council za dan koji je naveden na prednjem ovitku ovog dokumenta. Ako želite informacije o tačkama ovog dnevnog reda na hrvatskom jeziku, molimo da nazovete Council Multilingual Telephone Line (Višjezičnu telefonsku liniju) na 8470 8888.

Portuguese

Esta é a pauta para a reunião da Câmara Municipal de Darebin a ser realizada na data que consta na capa deste documento. Se você deseja informação em Português sobre os itens desta pauta, por favor ligue para a Linha Telefônica Multilíngue da Câmara no 8470 8888.

Serbian

Ово је дневни ред за састанак Darebin City Council-а (Градско веће Darebin) који ће се одржати на дан који је наведен на насловној страни овог документа. Ако желите информације на српском о тачкама дневног реда, молимо вас да назовете Council Multilingual Telephone Line (Вишејезичку телефонску линију Већа), на 8470 8888.

Somali

Kuwani waa qodobada shirka lagaga wada hadli doono ee Degmada Degaanka Darebin ee taariikhda lagu xusey boga ugu sareeya ee qoraalkan. Haddii aad doonysid wararka ku saabsan qodobadan oo ku qoran Af-Somali, fadlan ka wac Khadka Taleefanka Afafka ee Golaha oo ah 8470 8888.

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Agenda

1. MEMBERSHIP

Cr. Vince Fontana (Mayor) (Chairperson)

Cr. Gaetano Greco

Cr. Tim Laurence

Cr. Bo Li

Cr. Trent McCarthy

Cr. Steven Tsitas

Cr. Angela Vilella

Cr. Oliver Walsh

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 1 August 2016 be confirmed as a correct record of business transacted.

5. PUBLIC QUESTION TIME

PLEASE NOTE: Questions from the public must be submitted prior to the commencement of Council meetings.

- Questions can be submitted online up to 4.00 pm on the day of the meeting:
 - At darebin.vic.gov.au/publicquestiontime; or
 - By email to PQT@darebin.vic.gov.au
- Questions can also be submitted in person:
 - At the counter of the Preston Customer Service, 274 Gower Street, Preston until 5.00 pm on the day of the meeting
 - At the Council Chamber from 6.45 pm to 7.00 pm on the day of the meeting (including from residents who seek to directly ask their question from the gallery)

No questions will be accepted after 7.00 pm on the night of the Council meeting. This includes questions from residents who seek to directly ask their questions from the gallery, which must first be submitted to officers for review prior to the meeting.

Questions that:

- Relate to items that are listed on the Agenda; or
- Are of an operational nature; or
- Relate to personnel matters, contractual matters or legal advice; or
- Are aimed at embarrassing a councillor or a member of council staff or is political in nature

will not be responded to.

Further, in accordance with section 54(5) of the Darebin Governance Local Law, a member of the gallery cannot ask more than two (2) questions.

The Mayor, in the first instance, will read questions and provide a response to those submitted online before taking questions from members in the gallery. If a question cannot be answered at the meeting, a written response will be prepared and forwarded to the person raising the question. Any question responded to verbally at the meeting, will not be responded to in writing.

Residents do not need to attend the meeting for a question to be answered.

A period of up to 30 minutes will be set aside to enable the Chairperson to read out the questions submitted by the public in accordance with the above guidelines and to provide responses.

6. CONSIDERATION OF REPORTS

6.1 SAY NO TO RACISM TRAINING PACKAGE

Author: Manager, Children, Family and Community Development

Reviewed By: Director, Community Development

Report Background

This report provides an update in relation to the promotion and marketing of the Say NO to Racism Training (SNTR0 package as resolved at the council meeting held on 6 June 2016.)

Previous Council Resolution

At its meeting on 6 June 2016, Council resolved:

'That Council:

.....

- (5) *Write to Mr Robin Scott MP, State Minister for Multiculturalism, to consider using the training package to facilitate anti-racism training for staff in the Victorian public sector and for the Victorian community generally as proposed by the South Australian government.*
- (6) *Request a further report be provided at the first Council meeting in August 2016 on how to promote the use of the successful training package to Federal Government departments and other organisations and groups.'*

Previous Briefing

This matter has not previously been to a Councillor briefing.

Council Plan Goal/Endorsed Strategy

Darebin Anti-Racism Strategy 2012-2017

Summary

Following the development of the training package, 19 training sessions over the past 18 months have been delivered through local Councils and education providers, realising approximately one Say NO to Racism training session has been delivered every 4 weeks in the Victorian community since 2015.

Further work is now underway to respond to the reach of the program specifically with sporting clubs and state government agencies and departments. Council has begun working with Polykala on developing a Communication and Marketing plan to support efforts to increase the uptake of the program.

Council has written to Mr Robin Scott, Minister of Multicultural Affairs to encourage use of the training package across the Victorian Public Sector.

Recommendation

That Council, note the activities to date and proposed future activities to support the ongoing promotion of the Say No to Racism training package into other sectors including sporting clubs, associations and Federal and State Government agencies and departments.

Introduction

As an outworking of Darebin's strong commitment to social inclusion and a strong stance against racial discrimination, the *Say NO to Racism* training package was developed by Darebin City Council and Polykala in 2014. The aim was to equip community members, local organisations and public sector staff with the skills necessary to respond to racist incidents in a public place in safe and constructive ways. A key goal is to encourage and enable individuals to respond more effectively to incidents of racism by providing them with practical tools and strategies to take bystander action against racism. The need for this training was one of the main findings of Darebin's Racism Inquiry conducted during 2012.

Issues and Discussion

Summary of Say NO to Racism training sessions delivered

The following training has been conducted over this period:

2015-2016 Financial Year: 8 sessions completed to approximately 120 individuals

- 5 x Darebin City Council with Council staff and community members
- 1x Yarra City Council with Council staff and community members
- 1x Port Phillip City Council with Council staff and community members
- 1x Mitchel Shire with Council staff and community members

2016 July – Dec: 11 sessions booked with a maximum of 285 individuals

- 1 x Darebin City Council
- 3 x Monash University with 25 students and staff in each
- 1x Moonee Valley with staff and community members
- 1x Hobson's Bay City Council with staff and community members
- 1x Whittlesea City Council with Council staff from both Darebin and Whittlesea
- 2x Faith Communities Council of Victoria with faith-based community members to 45 people in a workshop as well as an additional full-day training session with 20 participants
- 1x Swinburne University with 25 students
- 2 x Supporting Loddon Campaspe to deliver two sessions in the local community of Bendigo

Trends in Demand - new audiences and responding to emerging areas:

The following platforms have emerged and will be incorporated into future planning.

- Sports focused – A pilot session will be delivered specifically for sporting clubs and associations on Tuesday 6 September at the Darebin Intercultural Centre and will role this out to further sporting groups into the future.

- School-based training – An application has been made to OMAC for a Darebin Schools Project funding application that will work with identified schools to deliver tailored Say NO to Racism training to students to encourage bystander anti-racism.
- Train-the-trainer model for teachers, training providers and youth workers – Polykala has identified the need for a train-the-trainer model to provide ongoing, sustainable bystander anti-racism provided by local services and agencies. Polykala are willing to develop a train-the-trainer model and work closely with grassroots services to implement this.

Communication and Promotion

From Polykala's perspective, word of mouth has to date been the most effective form of promotion for the Say NO to Racism training. With minimal cold promotion, 19 sessions over 18 months have been delivered through local Councils and education providers equalling approximately one Say NO to Racism session every 4 weeks being delivered in the community.

The aim now is to widen the promotion and awareness of the training into other sectors including sporting clubs and associations and state government agencies and departments (including Victoria Police, the Melbourne Fire Brigade, VicHealth, etc).

Darebin Council Officers working with Polykala have commenced work on the development of a Communication and Marketing Plan.

It is anticipated that supporters of the Say NO to Racism training package, including the Municipal Association of Victoria, the Victorian Human Rights and Equal Opportunity Commission, the Australian Human Rights Commission and Deakin University will assist promoting the training to wider audiences and networks.

As resolved at the Council meeting on 6 June, 2016 Council has also now written to Minister Robin Scott with a request to consider using the training package to facilitate anti-racism training for staff in the Victorian public service. A response is yet to be received.

Evaluation

Officers continue to monitor roll out of the Say NO to Racism training with evaluation feedback received on regular basis by Polykala. Council will also be receiving regular evaluation feedback from the South Australian Department of Communities and Social Cohesion as per our Licence Agreement.

Polykala will continue to monitor the evaluation and findings of the Say NO to Racism training for the year of 2016 using the current evaluation form. At the end of the year, Polykala will review the data collected and collated highlighting useful evaluation findings as well as identify any gaps in the data. Following this review, Polykala will provide an updated version of the evaluation process for Darebin's input and approval.

Options for Consideration

There are no options for consideration beyond those in the report. The report provides an update of activities reflecting the resolution of 6 June 2016.

Financial and Resource Implications

There are no financial and resource implications from this report. All program costs will be within the 2016/2017 operating budget.

Risk Management

With increase demand the need for a train the trainer program has arisen.

Policy Implications**Economic Development**

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

Environmental Sustainability

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

Human Rights, Equity and Inclusion

Empowering communities to effectively and safely respond to incidents of racism is a key strategy in reducing the negative impacts that racism has on community health and wellbeing.

Other

There are no other policy implications from this report.

Future Actions

Council, in partnership with Polykala, will work on developing a comprehensive Communications and Marketing Plan to support future delivery of Say NO to Racism training. A key aim will be to expand reach and scope to include State and Federal Public Service sectors.

Consultation and Advocacy

- Polykala
- Coordinator Equity and Diversity
- Multicultural Affairs Officer (Acting)

Related Documents

- Darebin Anti-Racism Strategy
- Darebin Equity and Inclusion
- Say NO to Racism training package
- Council Minutes – 6 June 2016

Disclosure of Interest

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

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

6.2 DAREBIN ELECTRONIC GAMING MACHINE POLICY – UPDATE ON ADVOCACY ACTIVITIES AND COMMUNITY EDUCATION / PREVENTION PROGRAMS

Author: Manager Children, Families and Community

Reviewed By: Director, Community Development

Report Background

Council endorsed the Darebin Electronic Gaming Machine Policy 2016-2019 on 18 April 2016. This report provides the details of the significant advocacy and community education activities that have taken place in support of the Policy.

Previous Council Resolution

There has been no previous Council resolution.

Previous Briefing(s)

Councillor E-Bulletin March 2016: 'Council's response to State Government's 'EGM Entitlements review'.

Councillor E-Bulletin May 2016: 'Council's contribution to the Alliance for Gambling Reform advocacy campaign'.

Council Plan Goal/Endorsed Strategy

Darebin Electronic Gaming Machine Policy 2016-2019

Summary

Council is engaged in a range of advocacy activities and community education and prevention programs to maximise the communities' capacity to prevent and address the harms associated with problem gambling including:

- A \$5,000 contribution to the Alliance for Gambling Reform (AGR) to continue their advocacy campaign;
- Becoming a signatory to the Gambling Alliance open letter to the Prime Minister Malcolm Turnbull and Federal Opposition Leader Bill Shorten supporting gambling reforms (**Appendix A**);
- Awareness raising and distribution of information resources in support of the Chinese Peer Connection program for problem gamblers; and
- The distribution of thirty (30) Ka – Ching education kits to local schools and community agencies as part of Council's preventative approach.

Recommendation

That Council note the report and the activities that support the Darebin Electronic Gaming Machine Policy 2016-2019.

Introduction

Gambling through EGMs has had and will continue to have a negative effect to individuals, families and communities. The cumulative detriment caused by the consistent high annual losses incurred in Darebin is reflected in a range of socio economic and health and wellbeing indicators.

As an arm of Government Darebin Council can have the most influence by;

- Advocating for legislative change;
- Resourcing and supporting local community based agencies to continue programs and services for people vulnerable to the addictions of gambling; and
- Minimising harm when considering any planning applications for new EGM's or the transfer of EGM's within the city.

Issues and Discussion

Two key goals of the Darebin Electronic Gaming Machine Policy 2016 -2019 are:

1. **Social Inclusion and Economic Sustainability.**

To maximise the community's capacity to prevent and address the harms associated with problem gambling by;

- Maximising the social and economic benefits to the Darebin community from EGM gambling;
- Protecting Darebin's most vulnerable communities and areas impacted by the harms associated with problem gambling;
- Informing The community; and
- Strengthening partnerships with all key stakeholders including, venue operators, service providers, local governments and the State Government.

2. **Advocacy**

To demonstrate leadership in advocating for necessary changes to the legislative and policy framework in order to reduce the harmful impacts of problem gambling by;

- Advocating for the strengthening of National and State Government initiatives that focus on preventing and minimising the social, economic and health harms.

In support of these goals the following work is of note:

Advocacy Activities

- \$5,000 contribution to the Alliance for Gambling Reform (AGR) to continue their advocacy campaign. For example the AGR has commissioned a leading national law firm to lodge documents in the Federal Court in Melbourne to make a legal argument that would centre on the notion that poker machines breach consumer law because they are designed to create addiction and deceive users;

- Submission to State Government on the proposal to increase EGM licence entitlements in perpetuity;
- Signatory to the Gambling Alliance open letter to the Prime Minister Malcolm Turnbull and Federal Opposition Leader Bill Shorten supporting proposals for gambling reform proposal put forward by Senator Nick Xenophon, Andrew Wilkie MP, The Alliance for Gambling Reform and Rev Tim Costello on 14 July 2016 (**Appendix A**);
- In conjunction with Councils in the North West region made a submission to the Victorian Auditor General Office's (VAGO) to examine VCGLR's regulatory practices, including the licensing and compliance monitoring of venues with a particular focus on:
 - The inconsistencies of the VCGLR implementation of the "no net detriment" test for EGM planning applications;
 - How well they apply due diligence to the design of new poker machines to ensure they meet Australian consumer law; and
- Contribute to a major project led by the Gambling Resource and Information Office (VRGF) and the VLGA that will audit current gaming policies. The project will review where gambling fits into Council action plans, document new evidence on gambling-related harm, review current legislation and regulation, and establish and plan for the future support needs in relation to gambling information and data.

Community Education and Prevention Programs

- Raise awareness and distribute information resources of the Chinese Peer Connection program for problem gamblers through libraries, community centres schools, neighbourhood houses and council events;
- In conjunction with Health West Plan, design and implement a social program strategy for older adults as alternatives to 'pokies trips';
- Contribute to a new report 'Assessing gambling-related harm in Victoria: a public health perspective' which provides evidence that gambling harm can result from lower levels of consumption, and is not confined to a small group who are experiencing addiction. Notably, the researchers found that only 15% of gambling harm results from so called 'problem gambling';
- Purchase and distribute thirty (30) Ka – Ching education kits to local schools and community agencies as part of Council's preventative approach. The kits will include assistance by Council to host forums, discussions and other events to complement the screening of the Ka – Ching documentary; and
- Contributed to the development of referral protocols between the family violence agencies and problem gambling services.

Options for Consideration

This is an update report detailing advocacy and educative activities only.

Financial and Resource Implications

The advocacy activities and community education/prevention programs outlined in this report will be funded within current operating budgets.

Risk Management

Advocacy activities and community education/prevention programs will require a sustained approach in order to gain the cumulative leverage that leads to change.

Policy Implications

Economic Development

Venues with EGMs generate the majority of their profits from EGMs. This is partly due to the efficiency of EGMs and requiring less direct staff and lower qualified staff compared to other venue functions.

Summary Income Sources

60% - EGMs; 25% - Bar, 10% - Food, 5% - Other (Productivity Commission Report on Gambling)

Environmental Sustainability

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

Human Rights, Equity and Inclusion

The fundamental driver for the EGM policy and associated strategic actions is to lend the greatest protection to those communities and families who are vulnerable to the greatest harm associated with EGMs. The most vulnerable groups are people on low income, public housing tenants and Aboriginal and Torres Strait Islanders.

Other

There are no other policy implications from this report.

Future Actions

The ongoing implementation of advocacy and education activities and programs.

Consultation and Advocacy

- The Alliance for Gambling Reform
- Victorian State Government
- Commonwealth Government
- VLGA
- Victorian Auditor General Office's
- Gambling Resource and Information Office
- Health West

Related Documents

Darebin Electronic Gaming Machine Policy 2016 -2019

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.



Dear Prime Minister Malcom Turnbull and Opposition Leader Bill Shorten,

You have an opportunity to make a difference to the lives of hundreds of thousands of Australians by supporting proposals for gambling reform that Senator Nick Xenophon, Andrew Wilkie MP, The Alliance for Gambling Reform and Rev Tim Costello put forward on 14 July 2016:

1. A ban on sports betting advertising during G-rated time periods;
2. A Joint Select Committee on Gambling Reform to build on existing knowledge of the problems and solutions; and
3. Legislation that limits poker machine harm to a maximum \$1 bet and maximum loss of \$120 per hour.

These are the first steps towards reducing the devastation caused by gambling harm in Australia. Australians lose \$21 billion through gambling every year, with 500,000 Australians experiencing financial stress, mental illness and relationship breakdown as a direct result. Gambling causes twice as much harm to the health of Australians as diabetes, bipolar disorder and cannabis dependence combined.

These first steps have been supported by the Greens and other cross benchers, now they need your support.

The Alliance for Gambling Reform brings together over 60 organisations that are deeply concerned with the damage caused by predatory gambling in our clubs, pubs and sporting events.

We support an evidence based, public health approach to preventing and minimising harm from gambling, coupled with giving communities a real say on poker machines and gambling in their communities.

[Signed Tim Costello]

[Alliance organisation names and logos]

6.3 INCREASING THE PROVISION OF NETBALL COURTS IN DAREBIN - A VICTORIAN STATE GOVERNMENT PROGRAM

Author: Manager Leisure and Public Realm

Reviewed By: Director Community Development

Report Background

To provide information to Council on the delivery of a \$9.6 million Victorian State Government program to build 64 compliant, competition ready outdoor netball courts in inner Melbourne.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

Previous Briefing(s)

Councillor Briefing: 25 July 2016

Council Plan Goal/Endorsed Strategy

- **Council plan 2013 – 2017** strategies - 2.6 Community health and fitness; and access to opportunities; 2.10 Social and physical connectedness; 2.13 equitable access for all; 2.15 equity in sport; 5.2 access and inclusion
- **Darebin Health and Wellbeing Plan 2013 – 2017** goal 4 – build healthy, safe and accessible places for people to play and connect; goal 5 protect and promote Darebin people's physical health (5.3 – increase regular physical activity for all)
- **Darebin Leisure Strategy and Leisure Services Action Plan 2015 - 2020**

Summary

The Victorian State Government committed \$9.6 million in their pre-election commitments to the delivery of 64 compliant, competition ready outdoor netball courts across the municipalities of Melbourne, Moreland, Yarra and Darebin. It should be noted that this funding is specifically for the delivery of outdoor netball courts.

In conjunction with Sport and Recreation Victoria (SRV), Council officers are part of the Inner City Netball Steering Committee that has been working to deliver the election commitment and increase the provision of netball courts in Darebin. It is likely that Darebin can accommodate up to 23 compliant netball courts under this funding commitment, which equates to approximately \$3,450,000 in grant funding being received by Council across the financial years of 2016/2017, 2017/2018 and beyond. This grant funding is a once-off opportunity.

This report details the proposed locations for additional sports courts, subject to community consultation. Site investigation, detailed design and construction of the identified courts will commence from 1 July 2016.

The delivery of courts in Darebin has already occurred under this funding, with the full reconstruction of three outdoor courts at Darebin Community Sports Centre in 2015-2016.

Recommendation

That Council:

- (1) Notes the report detailing the State Government program to increase the provision of netball courts in Darebin.
 - (2) Endorses the sites nominated in the report and notes the contribution additional courts will make in supporting Council's goal of increasing participation of girls and women in sporting activity.
-

Introduction

- The Victorian State Government committed to \$9.6 million in their pre-election commitments towards the delivery of 64 compliant, competition ready netball courts across the municipalities of Melbourne, Moreland, Yarra and Darebin.
- The netball participation rate in Darebin is 0.70%, which is significantly less than both the national (2.1%) and state (2.3%) participation rates. It is likely this is directly linked to current critical shortage of netball courts, both indoor and outdoor in Darebin.
- The funding allocation is being managed by Sport and Recreation Victoria (SRV) who formed the Inner City Netball Steering Committee to agree upon projects to be funded under this commitment. Council officers sit on this committee with the purpose of reaching agreement on the process to identify projects and allocate funding.
- It is a requirement of the funding that compliant, competition ready netball courts are constructed. The Netball Victoria Netball Compliance Fact Sheet attached (**Appendix A**).
- A key point to note is that a compliant court requires a minimum surface area of 37.6m x 22.35m for each court. This results in many sites being excluded from consideration due to size constraints.
- Some of the sites identified will see installation of a new court; whilst others require upgrade and reconstruction of existing netball facilities which do not currently meet the Netball Victoria Facilities Guidelines.
- Detailed scoping of the netball/multi-sport court distribution in Darebin has been undertaken (see map of assets at **Appendix B**) which identified 23 sites suitable for construction/reconstruction of netball courts. Details of proposed new sites are listed at **Appendix C**. Should all 23 proceed this will equate to approximately \$3,450,000 in grant funding being received by Council.
- Three courts have already been delivered in Darebin under this funding commitment. Council received \$346,000 to reconstruct three existing courts at Darebin Community Sports Stadium that were in very poor condition and install competition standard lighting. Construction was completed in July 2016 and these new courts are now operational.
- To increase court usage by the Darebin community, line markings for other sports including basketball, tennis and volleyball can be considered.
- Funding provided through this program will primarily be for construction of netball courts. There may be some Council funding required for construction of supporting infrastructure such as toilets, storage, paths and water taps. Budget bids for supporting infrastructure will be lodged for consideration in the 2017/2018 or subsequent budgets.

- Sites identified as feasible for construction of courts have been subject to a suitability and engineering assessment audit undertaken by SportEng on behalf of the Victorian State Government. Several other sites in Darebin were assessed for the development of courts and deemed unsuitable. These sites are noted later in the report.

Issues and Discussion

This report identifies sites that are suitable for the development of up to 23 compliant outdoor netball courts.

A summary of suitable sites is listed below. **Appendix C** provides comprehensive information on these sites.

	SITE	NUMBER OF COURTS	INDICATIVE TIMELINE
1	Northcote High School , St Georges Rd, Northcote	2 COURTS - 1 new court - 1 reconstruction of existing court	2016/2017
2	J.E Moore Park Gilbert Rd, Reservoir	2 COURTS - 2 new courts	2016/2017
3	Donath Reserve , Wagga Rd, Reservoir	3 COURTS - Reconstruction of existing tennis courts to multi-purpose plexipave	2016/2017
4	Fairfield Primary School , Wingrove Street, Fairfield	1 COURT - 1 new court	2016/2017
5	Thornbury High School	3 COURTS - 3 new courts	2016/2017
6	Sir Douglas Nicholls Reserve , St Georges Rd, Preston	2 COURTS - 2 new courts	2017/2018 +
7	NARC/McDonnell Park , Victoria Rd, Northcote	4 COURTS - Reconstruction of existing tennis courts to multi-purpose plexipave	2017/2018 +
8	*Darebin Multi-Sports Stadium , Darebin Rd, Thornbury	4 COURTS - 4 new courts	TBC
9	Darebin Community Sports Stadium , Plenty Rd, Reservoir	3 COURTS - Reconstruction of existing 3 courts	PROJECT COMPLETE

*project on hold pending negotiations with the State Government

All courts will be constructed as high quality plexipave surfaces with sports lighting and appropriate fencing. Projects 1-3 will be delivered by Council in 2016/2017. Projects 4 and 5 will be delivered by the Department of Education and Training. Timing and project management responsibility of projects 6, 7 and 8 are to be determined.

Construction of additional netball infrastructure in Darebin will be a vital pillar in achieving the aims of the 2015 to 2020 Leisure Services Action Plan which focuses on increasing the participation of women and girls participation in sport and recreation, over the next five years.

Other sites considered but assessed as unsuitable

The following sites were audited by SportEng, on behalf of the Victorian State Government, for their suitability to develop netball court(s) and deemed as unsuitable:

- WR Ruthven Reserve
- Judith Scott Memorial Reserve
- Preston Girls Secondary College
- Santa Maria College

A number of other sites were also considered as part of the initial site assessment process but were identified as not being of sufficient size for a compliant netball court.

Background to the shortage of netball courts in Darebin

The Darebin Major Regional Leisure Facilities (MRLF) study undertaken in 2014 cited a significantly lesser uptake of netball in Darebin when compared to State and National averages; netball participation in Darebin is 0.70%; compared to the national (2.1%) and state (2.3%) average participation rates. It is likely this is directly linked to the lack of netball courts in the Darebin region.

The MRLF study and other literature suggests that the majority of Darebin residents who play netball travel outside of Darebin to play in competitions, predominately at Parkville, Macleod and Clifton Hill. The demand for additional indoor and outdoor sports courts far outstrips capacity, particularly in the south of the municipality. This has a significant limiting effect on growth of females in sport.

Based on the demographic profile of Darebin, growing population, and state participation averages it is expected that netball participation rates in Darebin will increase by an estimated 2,600 participants over the next 10 years. However, discussion with the Darebin Netball and Basketball Associations indicate that addressing that growth is increasingly difficult due to limited availability of courts. This indicates our ability to meet future needs will be severely limited. The Victorian State Government program to increase the provision of netball courts throughout Darebin is extremely timely to begin to address the identified demand.

Several complaints are received each month from local clubs regarding the lack of court availability. **Appendix D** discusses several local netball clubs and identifies how the lack of netball court capacity impacts their clubs' ability to grow.

Provision of supporting facilities

The 2014 Darebin Outdoor Multi Court Feasibility study (OMCF) recommended that Council should consider the provision of supporting infrastructure such as clubrooms (administration, change rooms, amenities, kiosk, etc.), lighting, shelter and car parking in the future development of any courts. Development of the proposed courts needs to take into account these recommendations, which may require Council funding for provision of ancillary and support infrastructure. This may be considered as part of future capital works budget bids. Local sporting clubs may also provide funding to assist in development of such supporting facilities.

Options for Consideration

This report provides information to Council on the delivery of a Victorian State Government program to develop up to 23 compliant outdoor netball courts within Darebin.

Financial and Resource Implications

- Detailed scoping of the netball/multi-sport court distribution in Darebin has been undertaken which identified 23 sites suitable for construction/reconstruction of netball courts. Should all projects proceed this will equate to approximately \$3,450,000 in grant funding being received by Council in 2016/2017 and in subsequent budget years.
- Should Council not support the proposed projects, grant monies will be unable to be accepted from the Victorian State Government for spend on other projects.
- Sport and Recreation Victoria have committed to funding the full cost of undertaking work to develop detailed design specifications, geotechnical investigation and develop procurement documentation for courts identified to be delivered by Council in 2016/2017.
- Sport and Recreation Victoria have indicated their intention to fund 100% of the design and construction costs for the identified 23 courts. This has been allocated at an assumed cost of \$140,000 per court. However, in the instance that site or other conditions render higher costs that cannot be met by the State Government, budget bids for a council co-contribution to enable the project(s) to proceed with be submitted as part of the 2017/2018 and subsequent budget processes.
- Funding provided through this program will primarily be for construction of outdoor netball / multi-purpose courts. There may be some Council funding required for construction of supporting infrastructure such as toilets, storage, paths and water taps. Budget bids for supporting infrastructure will be lodged for consideration in subsequent budget processes.

Risk Management

Risks will be identified, monitored and managed through risk management and mitigation plans for each respective project.

Policy Implications

Economic Development

Increasing the provision of netball facilities in Darebin will result in increased opportunities for the Darebin community, in particular women and girls, to participate in physical activity, healthier, happier and more productive communities.

Environmental Sustainability

Any trees removed to accommodate netball courts will see the equivalent number of trees replanted.

Human Rights, Equity and Inclusion

Increased provision of sporting facilities for women in Darebin will create greater equity for women in sport. It will improve participation rates and contribute towards Council's target of seeing 30% of participants in organised sport held at Darebin sporting facilities sport being women and girls. In 2012 the participation rate was less than 10%.

Other

There are no other policy implications from this report.

Future Actions

- Technical design of courts and preparation of tender documentation, to be fully funded by SRV, has commenced. Procurement of contractors will take place in October 2016.
- It is anticipated that construction of courts in 2016/2017 will commence from late 2016.
- Projects identified as being delivered by Council in 2016/2017 are intended to be completed by 30 June 2017, subject to site conditions. These projects are courts at Northcote High School, J.E Moore Park, and Donath Reserve.

Consultation and Advocacy

- Director, Assets and Business Services
- Coordinator, Leisure Services
- Sport and Recreation Victoria
- Inner City Netball Steering Committee
- Northcote High School
- Thornbury High School
- Reservoir High School
- Fairfield Primary School
- Keon Park Tennis Club
- Keon Park Stars Junior Football Club
- Lakeside West Preston Sporting Club
- Parkside Sporting Club
- Darebin Netball Association
- Aboriginal Advancement League

Related Documents

- Netball Victoria - Netball Compliance Fact Sheet (**Appendix A**)
- Map of netball / multi-sport court asset distribution in Darebin (**Appendix B**)
- Netball courts in Darebin – details of location of courts proposed for development under SRV Netball Election Commitment Funding (**Appendix C**)
- Darebin netball clubs – Growing but lacking courts (**Appendix D**)

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.

Appendix A - Netball Victoria Netball Compliance Fact Sheet

Compliance Fact Sheet



Netball Victoria (NV) has developed this fact sheet to provide Clubs, Associations, Leagues, Councils & Contractors with the most up to date standards required by NV when redeveloping or constructing new netball court facilities.

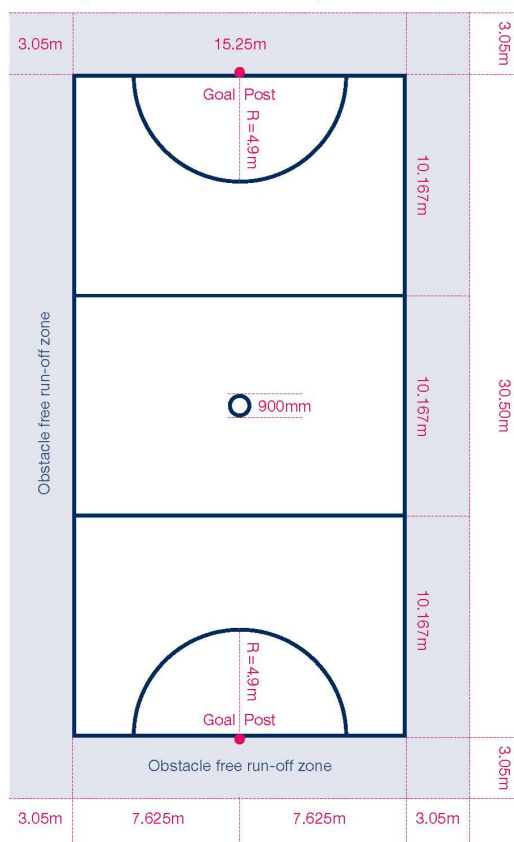
Netball courts are a major investment & an important community asset.

Netball courts should be built following the best industry construction standards for a long term outcome. NV offers a technical advisory service & encourages all stakeholders (Clubs, Associations, Leagues & Councils) to liaise & consult directly with NV in the first instance and throughout the planning & construction of netball courts & facilities.

! All specifications, on page 1 & 2, form part of this fact sheet

SEPT 2015 – V2

Compliant Netball Court Specifications



Court Dimensions

- Length:** 30.50m
- Width:** 15.25m
- Court Thirds:** 10.167m
- Goal Circle Radius:** 4.9m
- Centre Circle:** 900mm
- All Line Widths:** 50mm
- Gradient:**
Outdoor Courts – 1% cross fall in both directions or 1% fall diagonally on one single constant plane.
Indoor Courts – Flat

Ceiling Height (court & run-off areas): Minimum 8.3m. This includes indoor & outdoor facilities.

All lines must be a textured water based acrylic, straight & have clean, crisp edges.
Important: All above measurements are to the outside edge of lines.

Court Condition

- The court must:**
- have a firm consistent surface on a constant plane without gradient change. This includes court and run-off zones.
 - not pose a trip or slip hazard in either the court or run-off zones.
 - comply with the current Slip Resistance Classification (see over).
 - be fit for purpose.

Run-off Dimensions

Minimum obstacle free space required:
On all sidelines and baselines: 3.05m
Between multiple courts: 3.65m (see reverse)

Run-off zones must be free of all obstacles & be of the same surface type & consistent level as the court.

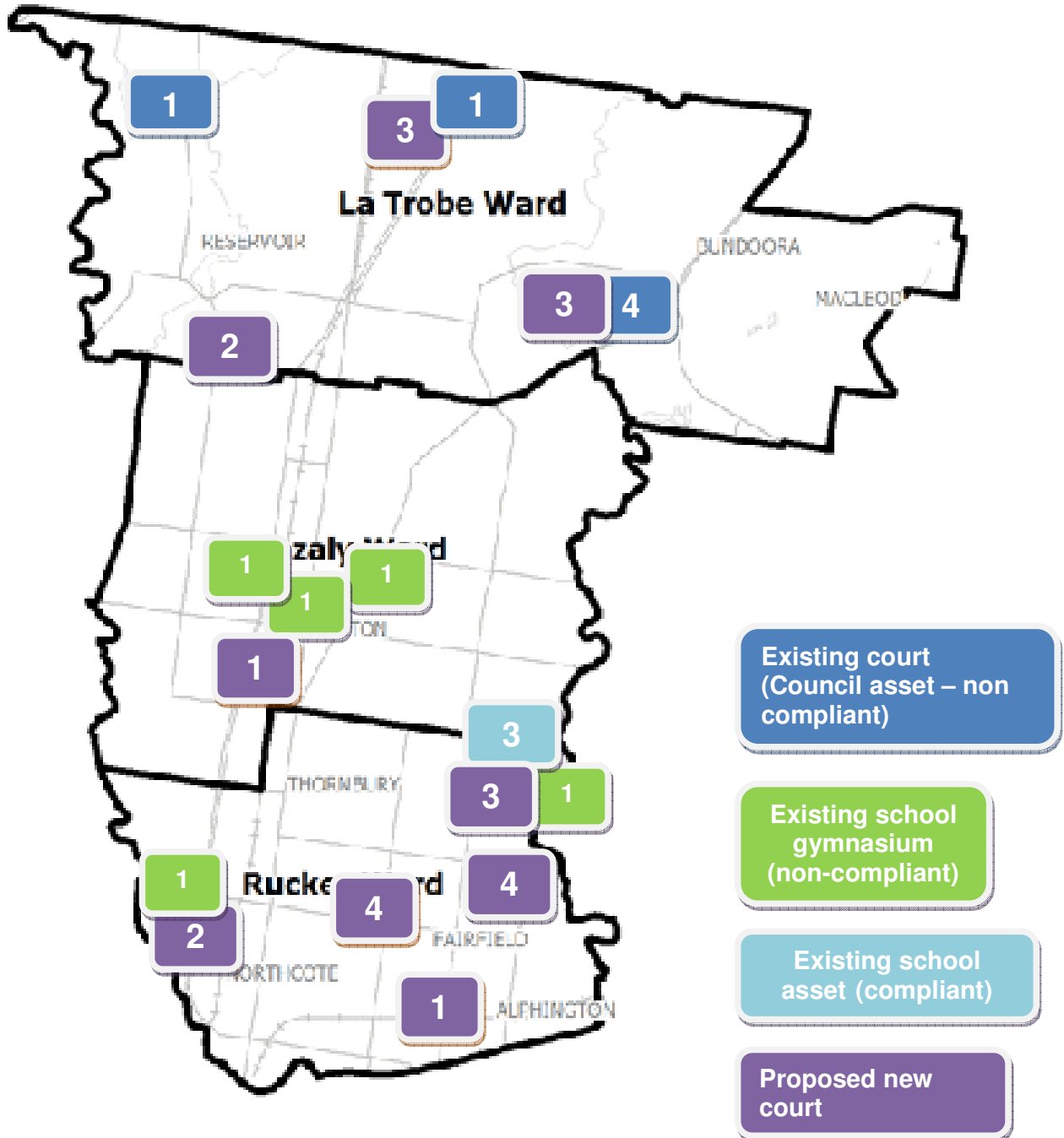
Note: This is an International Netball Federation (INF) rule introduced to ensure the safety of players & umpires.

Compliance

NV requires compliance to the expected court, run-off & goal post dimensions, design standards & court conditions noted in this Fact Sheet. This is to ensure a safe & playable netball facility for players, umpires & spectators.
NV encourages all facility owners/managers to bring their courts in to line with the compliance standards as soon as practicable. All new netball court facilities must be designed & constructed to these standards.

Netball courts in Darebin – location of current and proposed courts

APPENDIX B



Netball Courts in Darebin – location of courts proposed for development under SRV Netball Election Commitment Funding

Below is details of up to 23 netball courts that have been identified to be delivered under Victorian State Government funding for provision of netball courts

1. Projects identified for delivery in 2016-2017

Location	Description	Total new courts	Landowner?	Construction project management	Council financial contribution required?	Tenant club(s) / association identified?
Northcote High School, St Georges Rd, Northcote	<ul style="list-style-type: none"> - Reconstruct 1 existing court - Construct 1 additional court - Install lighting towers to both courts - Install fencing 	2	Department of Education / Crown (Council are committee of management)	Council to project manage	No	Parkside Netball Club Northcote Netball Club Northcote High School
J.E Moore Park Gilbert Rd, Reservoir	<ul style="list-style-type: none"> - Construct 2 new outdoor courts with lights - Consideration of improved toilet / change provision 	2	Council	Council to project manage	Yes - Installation of storage and female change facilities may be required	Lakeside West Preston Sporting Club
Donath Reserve, Wagga Rd, Reservoir	<ul style="list-style-type: none"> - Construct 3 new multi-purpose outdoor courts with lights - Install additional change / storage 	3	Council	Council to project manage	Yes - Consideration of additional storage and change	Keon Park Tennis Club Keon Park Stars Junior Football Club
Fairfield Primary School, Wingrove St, Fairfield	<ul style="list-style-type: none"> - Construct 1 new outdoor court with lights 	1	Department of Education and Training (DET)	DET to project manage	No	Parkside Netball Club
Thornbury High School	<ul style="list-style-type: none"> - Construct 3 new outdoor courts with lights - Consideration of improved toilet / change provision 	3	Department of Education	DET project manage.	No	Heights Netball Club Parkside Netball Club
Sir Douglas Nicholls Reserve, St Georges Rd, Preston	<ul style="list-style-type: none"> - Reconstruction of 1 court with lighting 	1	Private	Private	No	Fitzroy Stars Football Netball Club
TOTAL COURTS		12				

2. Projects identified for delivery in 2017-2018 and beyond

Location	Description	Total new courts	Landowner?	Construction project management	Council contribution required?	Tenant club(s) or association identified?
NARC/ McDonnell Park Victoria Rd, Northcote	- Proposed reconstruction of existing tennis courts to multi-purpose hard courts	4	Council	Council to project manage	Yes - Scope and timing of reconstruction works TBC	YMCA Pure Tennis
***Darebin Multi-Sports Stadium, Darebin Rd, Thornbury	- Construct 4 new courts with lighting	4	Council	Council to project manage	Yes - Endorsed Council project	Darebin Netball Association Heights Netball Club Parkside Netball Club
TOTAL COURTS		8				

***project on hold

3. Project delivered in 2015-2016 under SRV Netball Election Commitment Funding

Location	Description	Total new courts	Landowner?	Construction project management	Council contribution required?	Tenant club(s) or association identified?
Darebin Community Sports Stadium, Plenty Rd, Reservoir	- Reconstruction of 3 existing courts - Installation of lighting	3	Council	Council to project manage	Yes Budget allocated in 2015-2016	Darebin Netball Association and member clubs
TOTAL COURTS		3				

Darebin Netball Clubs – Growing but lacking courts

Despite the lack of available court space netball in Darebin is growing. Several complaints are received each month from local clubs regarding the lack of court availability.

1. Darebin Netball Association

The Darebin Netball Association (DNA) is based at the Darebin Community Sports Centre. There was a decline in participation from previous years due to new competitions coming from neighbouring venues such as RMIT Bundoora, Banyule NETS in addition to administrative difficulties with the former committee. However since a new committee took over in 2014 participation rates have started grown significantly. This association are now limited in their ability to grow further due to shortage of courts.

2. Northern Football League – a growing netball competition

The Northern Football League initiated a netball competition in 2008, which has experienced significant and steady growth over that time from nine teams in 2008 to 59 teams in 2014. This league has expressed a desire to access increased provision of courts in Darebin to continue to grow their participation rates.

3. Heights Netball Club

The Heights Netball Club was established over 30 years ago, and has approximately 100 junior players and previously trained at Preston Girls High School until it was closed in 2013. The girls now train at Fitzroy High School on a Friday night as this was the only night available. They compete in competitions held at Royal Park, Parkville on Saturday and Thursday night.

4. Other Darebin Clubs

The Parkside Netball Club was formed in 2014 following the establishment of a Net Set Go program based at Fairfield Primary School. They have now become part of the amalgamated Parkside Sporting Club (Parkside Football Club, Parkside Junior Football Club and netball club have linked in with the Parkside Sports Club which includes junior football, cricket, FIDA football and veterans cricket). In 2014 there were 80 primary school aged girls and 8 secondary girls participating in the program. There are limited facilities in the Westgarth area with no organized netball clubs offering competition netball for girls. There is a desire to access the DCSS for netball training however the offered timeslot of 8.30pm – 10.00pm is unsuitable for young primary school aged girls. A petition with over 1,000 signatures has been presented to Darebin City Council for additional indoor sports facilities in Darebin with a particular need in the southern end of the municipality.

6.4 AMENDMENT GC42

Author: Manager City Development

Reviewed By: Director Assets and Business Services

Report Background

The purpose of this report is to consider the recommendations of the Amendment CC42 Panel Report (Environmentally Sustainable Development Local Planning Policy) to the Darebin Planning Scheme and to seek Council's endorsement to finalise the amendment for approval. The Panel Report was received on 16 June 2016 and follows the Panel Hearing on 6 June 2016 where the Cities of Darebin and Manningham made a joint submission to the Panel.

Previous Council Resolution

At its meeting held on 18 April 2016, Council resolved:

'That:

HAVING prepared and exhibited Amendment GC42 to the Darebin Planning Scheme under section 19 of the Planning and Environment Act 1987.

HAVING in accordance with section 12 of the Planning and Environment Act 1987 had regard to the Minister's directions and the Victorian Planning Provisions, and taken into account any significant effects which the planning scheme might have on the environment or that the environment might have on use and development envisaged in the planning scheme and taken into account the social and economic effects.

HAVING considered all submissions to Amendment GC42 under Section 22 of the Planning and Environment Act 1987 in accordance with the separately distributed summary and recommendations.

Council resolves to:

- (1) Note all submissions received in response to Amendment GC42 to the Darebin Planning Scheme.*
- (2) Endorse the officers' recommended responses to the issues raised by submitters as shown in the table forming Appendix A.*
- (3) Endorse Amendment GC42 as exhibited, subject to the changes in Appendix B and Appendix C.*
- (4) Request that the Minister for Planning appoint an independent Panel under Part 8 of the Planning and Environment Act 1987 to consider all submissions received in response to Amendment GC42 to the Darebin Planning Scheme.*
- (5) Advise all submitters of Council's resolution.*
- (6) Include a feature item on this matter in the next Darebin Community News and a feature item on Council's Website.'*

Previous Briefing(s)

- Council briefing 30 November 2015.
- 7 December 2015 (seeking authorisation), and
- 18 April 2016 (seeking referral of amendment to Planning Panel).

Council Plan Goal/Endorsed Strategy

- Council Plan 2013-2017 Goal 3: Lead and work with our community and partners to achieve a rapid transition to an environmentally sustainable city.
- Darebin Housing Strategy 2013.
- Watershed: Towards a Water Sensitive Darebin, Darebin City Council Whole of Water Cycle Management Strategy 2015-2025.
- Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025.

Summary

- Amendment GC42 proposes the introduction of ESD policies in the Darebin and Manningham Planning Schemes.
- Following a Panel Hearing in early June 2016, which mainly addressed an “in principle” objection from HIA, a Panel Report has been received which is supportive of the Amendment.
- The Panel was supportive of the Amendment and made three minor recommendations for changes to the amendment – the response to these is included in the report below.
- A revised Amendment GC42 is now presented to Council for adoption.
- Manningham City Council will consider their part of the amendment at the Meeting of 30 August 2016.

Recommendation

That Council:

HAVING prepared and exhibited Amendment GC42 to the Darebin Planning Scheme under section 19 of the *Planning and Environment Act 1987*;

HAVING considered all submissions under section 22 of the *Planning and Environment Act 1987*; and

HAVING considered the report of the independent Panel for Amendment C136 under section 27 of the *Planning and Environment Act 1987*;

Resolves to:

- (1) Adopt Amendment GC42 to the Darebin Planning Scheme in accordance with section 29 of the *Planning and Environment Act 1987*, with changes Panel Recommendation 2.
- (2) Adopt Amendment GC42 to the Darebin Planning Scheme in accordance with section 29 of the *Planning and Environment Act 1987*, by adding to Panel Recommendation 3.
- (3) Note that Panel Recommendation 1 will be addressed by Manningham City Council.
- (4) Adopt the documents in **Appendices B and C** as the Amendment GC42 approval documents.
- (5) Submit Amendment GC42 to the Darebin Planning Scheme, together with the prescribed information, to the Minister for Planning in accordance with section 31 of the *Planning and Environment Act 1987*.
- (6) Authorise the Manager City Development to make minor editorial adjustments where necessary to the Amendments for the purpose of clarification, or strengthening Council position and in discussion with the Department of Environment, Land, Water and Planning to support approval.

Introduction

Amendment GC42 has progressed through the following stages following Council's resolution to refer all submissions to a Panel on 18 April 2016.

Manningham Resolution

Manningham City Council made a similar resolution on 26 April 2016 allowing the two Councils to present a joint submission to the Panel.

Directions Hearing

A Directions Hearing was held on 9 May 2016 at Planning Panels Victoria, and the Panel directed the Councils and Housing Industry Association (HIA) provide additional information for the Hearing.

Panel Hearing

The Panel Hearing was held on 6 June 2016. Both Councils presented a joint submission outlining the Amendment process, background to the amendment including the Councils' long running commitment to ESD, and detailed response to the outstanding submission from HIA. HIA presented their "in principle" objection and the Councils had a right of reply to the matters raised.

Panel Report

The Panel Report was received by both Councils on 16 June 2016, and was released to the public online from 4 July 2016. Planning Panels Victoria made the report available online on 7 July 2016. The Amendment GC42 Panel Report is included in **Appendix A** to this report.

Issues and Discussion

The Panel was supportive of the Amendment GC42 and concluded that it was "both sound and strategically justified" and that "there is strong policy support for the inclusion of the proposed ESD policies within the local planning policy framework". The implications of the Panel's recommendations are discussed below.

Response to HIA Submission

As the only objecting submission, the Panel found that the HIA issues raised in the written submission and the Panel Hearing have been comprehensively considered in the previous EEDAC process (which introduced similar policies to six Planning Schemes). The Panel also believed that the HIA failed to introduce any new arguments or evidence.

Panel Recommendations

The Report includes three recommendations, all of a minor nature which are detailed in the table below. Recommendation 3 is specific to the Darebin Planning Scheme while Recommendation 2 affects both Schemes. Recommendation 1 relates solely to Manningham City Council and will therefore not be discussed in this report.

No.	Recommendation	Response
1	Include a 12 month sunset clause in the Manningham policy	N/A. Subject to Manningham City Council's decision

No.	Recommendation	Response
2	Amend Clause 22.12 to replace reference to <i>Guide for Best Practice for Waste Management in Multi-Unit Developments</i> (Sustainability Victoria, 2010) with <i>Improving Resource Recovery in Multi-Unit Developments</i> .	Partly agree. The removal of out-dated document is supported however the <i>Improving Resource Recovery in Multi-Unit Developments</i> was not intended by Sustainability Victoria as a reference document.
3	Amend Darebin proposed Clause 21.02 in accordance with the changes identified in Appendix B.	Agree Add Clause 21.05

Recommendation 2:

It is recommended that Council partly support Recommendation 2. This relates to the submission by Sustainability Victoria. The Councils agree to the removal of out-dated documents from the Planning Scheme however the suggested replacement is not suitable for this purpose. In referring to this project, Sustainability Victoria was not intending for it to become a Reference Document in the Darebin and Manningham Planning Schemes and they confirmed this in an email to both Councils dated 1 July 2016.

Recommendation 3:

In preparing the Darebin part of the submission, several minor errors and oversights were noticed and were presented to Panel as minor changes and consistent with the Amendment.

In regard to the exhibited Clause 21.02, the further changes involved the deletion of redundant documents and correcting an error in the title of another Reference Document. These changes were supported by the Panel and are these are now presented to Council for endorsement as per **Appendix B**.

On the other hand, the proposed inclusion of Clause 21.05 was not supported by the Panel as the proposed changes were not exhibited as part of the Amendment. Whilst the Panel was supportive of the changes in principle, they chose not to make any specific recommendations. The key aspect of the inclusion of Clause 21.05 is to link the ESD policy under Clause 21.12 (which includes transported-related ESD polices) to the Darebin Transport Strategy which is already a Reference Document.

The Panel's views on this are noted; however these changes remain part of the amended package presented to Council for adoption (Appendix B). As the Panel agreed, the changes are entirely consistent with the rest of Amendment. Leaving Clause 21.05 unchanged will have the affect produce an inconsistent Clause 21 of the Planning Scheme.

Final Documents

The documents included in **Appendices B and C** to this Report represents the proposed documents to be sent to the Minister for approval.

Options for Consideration

Option 1:

Make alterations to the amendment as recommended by the Panel; or

Option 2:

Reject some or all of the Panel recommendations, stating clearly the reasoning behind this decision, and send revised documents to the Minister; or

Option 3:

Darebin Council resolves to abandon Amendment GC42 or part of the amendment. This will affect the consideration of the amendment with Manningham. Council must inform the Minister in writing in accordance with Section 28 of the *Planning and Environment Act 1987*.

Financial and Resource Implications

- The cost of preparing and processing the Amendment is included in the Strategic Planning Unit's 2015/2016 budget.
- The pooling of resources with Manningham Council has reduced overall costs through sending joint letters and sharing the cost of advertising in the Government Gazette.
- The costs of referring this Amendment to an independent panel will be shared with Manningham.

Risk Management**Ability to spilt Amendment GC42**

Amendment GC42 has been prepared and exhibited with Manningham Council. If Darebin Council resolves to abandon the amendment or part of the amendment, it could preclude Manningham Council from proceeding to the approval stage. Notwithstanding this consideration, either Council could seek to spilt amendment if approved by DELWP.

Support for ESD

Amendment GC42 will bring a range of benefits such as assisting Council achieve the objective to transition towards an environmentally sustainable city, and ensuring best practice ESD initiatives are considered during the design, construction and ongoing management of buildings. If Council delays approval or abandons the amendment, Council will remain without an ESD policy.

Policy Implications**Economic Development**

The proposed amendment is expected to have positive economic impacts as it will provide a clear and locally specific policy framework to guide decision making. The amendment does not introduce any new permit triggers but establishes a minimum application requirement that is appropriate and reasonable against the scale of development.

Environmental Sustainability

The proposed amendment will have a positive effect in terms of minimising the impact of development on the environment throughout the life of the project.

Human Rights, Equity and Inclusion

There are no Human Rights, Equity and Inclusion impacts related to this report.

Other

There are no other factors which impact on this report.

Future Actions

- Manningham City Council will consider the Panel Report at the Council Meeting of 30 August 2016.
- Should both Councils adopt the amendment, the Amendment GC42 documents will be finalised and then forwarded to the Minister for Planning for approval.

Consultation and Advocacy

- Planning Panels Victoria.
- HIA verbally presented their submission to the Panel and the Councils were given the opportunity to provide a right of reply.
- Manningham City Council.
- Department of Environment, Land, Water and Planning.
- Sustainability Victoria.
- Coordinator Water and Waste Strategy.

Related Documents

- Amendment GC42 – Panel Report, *Darebin and Manningham Planning Schemes, Amendment GC42, Environmentally Sustainable Development Policy (Appendix A)*
- Amendment GC42 – Darebin Planning Scheme Amendment provisions (**Appendix B**)
- Amendment GC42 – Revised Combined Explanatory Report (**Appendix C**)
- Darebin Housing Strategy 2013
- Darebin Planning Scheme
- Watershed: Towards a Water Sensitive Darebin, Darebin City Council Whole of Water Cycle Management Strategy 2015-2025
- Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025
- Council Minutes – 7 December 2015 and 18 April 2016

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.

Planning and Environment Act 1987

Panel Report

Darebin and Manningham Planning Schemes
Amendment GC42
Environmentally Sustainable Development Policy

16 June 2016

Planning and Environment Act 1987

Panel Report pursuant to Section 25 of the Act

Darebin and Manningham Planning Schemes
Amendment GC42

Environmentally Sustainable Development Policy

16 June 2016

A handwritten signature in black ink, appearing to read 'Sue Porter', is displayed on a light grey rectangular background.

Sue Porter, Chair

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List of Abbreviations

BESS	Built Environment Sustainable Scorecard
DELWP	Department of Environment, Land, Water and Planning
EEDAC	Environmental Efficiency Design Advisory Committee
ESD	Environmentally Sustainable Development
LPPF	Local Planning Policy Framework
MSS	Municipal Strategic Statement
NCC	National Construction Code
SDA	Sustainable Design Assessment
SDAPP	Sustainable Design Assessment in the Planning Process
SMP	Sustainability Management Plan
SPPF	State Planning Policy Framework

Executive Summary

(i) Summary

Darebin and Manningham Planning Schemes Amendment GC42 (the Amendment) was prepared by the Darebin and Manningham Councils as Planning Authorities. As exhibited, the Amendment proposes to:

Darebin Planning scheme

- Introduce a new Clause 22.12 *Environmentally Sustainable Development* into the Local Planning Policy Framework
- Update Clause 21.02 *Environment* and Clause 21.03 *Housing* to reflect the introduction of Clause 22.12.

Manningham Planning Scheme

- Introduce a new Clause 22.12 *Environmentally Sustainable Development* into the Local Planning Policy Framework
- Update Clause 21.10 – *Reference Documents* to reflect the introduction of Clause 22.12
- Amend Clause 21.16 – *Key References* to update recent review of documents.

The proposed Amendment builds on the overarching environmentally sustainable development (ESD) objectives of the State Planning Policy Framework (SPPF), the Municipal Strategic Statements (MSS) and local policies contained within both the Darebin and Manningham Planning Schemes.

The policy seeks to ensure that all development that requires a planning permit achieves best practice across a wide range of ESD principles including energy efficiency, water resources, indoor environment quality, stormwater management, transport, waste management and urban ecology.

The purpose of the Amendment is to provide statutory weight to the current voluntary approach adopted for applications under the Sustainable Design Assessment in the Planning Process (SDAPP) program, setting policy objectives and application requirements for residential, mixed use and non-residential development.

This Amendment seeks to build on the collaborative Amendment process undertaken by the Cities of Banyule (C73), Moreland (C71), Port Phillip (C97), Stonnington (C177), Whitehorse (C130) and Yarra (C133) which introduced an ESD policy into their respective Planning Schemes.

An Advisory Committee/Panel was appointed by the Minister for Planning in June 2013 to consider these Amendments and to provide advice on the applicability and suitability of including environmental sustainability requirements in planning schemes. Whilst the Committee found that a Statewide approach incorporating both planning and building approval systems would be the best way to facilitate an increased focus on sustainability, it supported the Amendments until such time as a Statewide approach was prepared. The Minister ultimately approved the Amendments, with modifications.

Of the eleven submissions received to this Amendment, eight were in support, one provided commentary, one recommended changes and one objected. The objecting submission was from the Housing Industry Association (HIA).

The submission from the HIA was an in-principle objection which sought to reiterate many of the concerns raised by the Association during the EEDAC process. These issues were extensively considered by the EEDAC. The HIA did not raise any new issues and it did not present any new evidence to the Panel.

This report deals with the issues under the following headings:

- Strategic planning context
- HIA concerns; and
- Suggested changes to the policy.

The Panel considered all written submissions, as well as submissions presented to it during the Hearing. In addressing the issues raised in those submissions, the Panel has been assisted by the information provided to it.

The Panel concludes that the Amendment is both sound and strategically justified. The issues raised by the HIA were comprehensively considered by the EEDAC. The HIA has not introduced any new arguments or evidence that has persuaded the Panel to divert from the findings of the EEDAC Report and the approach adopted in the similar Amendments which were ultimately approved by the Minister.

Based on the reasons set out in this Report, the Panel recommends:

Darebin and Manningham Planning Schemes Amendment GC42 be adopted as exhibited subject to the following:

- 1. Include a 12 month sunset clause in the Manningham policy.**
- 2. Amend both Clause 22.12 to replace reference to *Guide for Best Practice for Waste Management in Multi-Unit Developments* (Sustainability Victoria, 2010) with *Improving Resource Recovery in Multi-Unit Developments*.**
- 3. Amend Darebin proposed Clause 21.02 in accordance with the changes identified in Appendix B.**

1 Introduction

1.1 Panel process

Darebin and Manningham Planning Schemes Amendment GC42 (the Amendment) was prepared by the Darebin and Manningham Councils as Planning Authority. As exhibited, the Amendment proposes to:

Darebin Planning scheme

- Introduce a new Clause 22.12 *Environmentally Sustainable Development* into the Local Planning Policy Framework; and
- Update Clause 21.02 *Environment* and Clause 21.03 *Housing* to reflect the introduction of Clause 22.12.

Manningham Planning Scheme

- Introduce a new Clause 22.12 *Environmentally Sustainable Development* into the Local Planning Policy Framework
- Update Clause 21.10 – *Reference Documents* to reflect the introduction of Clause 22.12; and
- Amend Clause 21.16 – *Key References* to update recent reviews of documents.

The Amendment was authorised by the Department of Environment, Land, Water and Planning (DELWP) on 28 April 2016.

The Amendment was placed on public exhibition between 11 February – 15 March 2016, with one opposing submission received.

At their meetings of 18th April 2016 and 26 April 2016, the Darebin and Manningham Councils respectively resolved to refer the submissions to a Panel. As a result, a Panel to consider the Amendment was appointed under delegation from the Minister for Planning on 28 April 2016 and comprised Sue Porter (Chair).

A Directions Hearing was held in relation to the Amendment on 9 May 2016.

The Panel then met in the offices of PPV on 6 June 2016 to hear submissions about the Amendment. Those in attendance at the Panel Hearing are listed in Table 1.

Table 1 Parties to the Panel Hearing

Submitter	Represented by
Darebin and Manningham City Councils	Ms Christine Richardson, Planning Appeals Advocate assisted by Ms Melissa Thyer – Senior Strategic Planner - Darebin City Council and Ms Christine Rivero – Senior Strategic Planner – Manningham City Council
Housing Industry Association	Mr Michael Hermon, Assistant Director, Housing Industry Association (HIA)

1.2 The proposal

The Amendment proposes to:

Darebin Planning scheme

- Introduce a new Clause 22.12 *Environmentally Sustainable Development* into the Local Planning Policy Framework; and
- Update Clause 21.02 *Environment* and Clause 21.03 *Housing* to reflect the introduction of Clause 22.12.

Manningham Planning Scheme

- Introduce a new Clause 22.12 *Environmentally Sustainable Development* into the Local Planning Policy Framework
- Update Clause 21.10 – *Reference Documents* to reflect the introduction of Clause 22.12; and
- Amend Clause 21.16 – *Key References* to update recent review of documents.

(i) Purpose of the Amendment

The Amendment builds on the overarching environmentally sustainable development (ESD) objectives of the State Planning Policy Framework (SPPF), the Municipal Strategic Statements (MSS) and local policies contained within both the Darebin and Manningham Planning Schemes.

The policy seeks to ensure that all development that requires a planning permit achieves best practice across a wide range of ESD principles including energy efficiency, water resources, indoor environment quality, stormwater management, transport, waste management and urban ecology.

The purpose of the Amendment is to provide statutory weight to the current voluntary approach adopted for applications under the Sustainable Design Assessment in the Planning Process (SDAPP) program, setting policy objectives and application requirements for residential, mixed use and non-residential development.

1.3 Background to the proposal

Both Councils have a strong commitment towards achieving sustainable development, supported by their planning schemes and the implementation of the SDAPP program for many years.

SDAPP has however, been a voluntary program. Both Councils are seeking to provide statutory weight to this voluntary approach through the implementation of these policies.

This Amendment seeks to build on the collaborative Amendment process undertaken by the Cities of Banyule (C73), Moreland (C71), Port Phillip (C97), Stonnington (C177), Whitehorse (C130) and Yarra (C133) which introduced an ESD policy into their respective Planning Schemes.

An Advisory Committee/Panel was appointed by the Minister in June 2013 to consider these Amendments and to provide advice to the Minister for Planning on the applicability and suitability of including environmental sustainability requirements in planning schemes.

Whilst the Committee found that a Statewide approach incorporating both planning and building approval systems would be the best way to facilitate an increased focus on sustainability, it supported the Amendments until such time as a Statewide approach was prepared. The Minister ultimately approved the Amendments, with modifications.

1.4 Issues dealt with in this report

The Panel considered all written submissions, as well as submissions presented to it during the Hearing. In addressing the issues raised in submissions, the Panel has been assisted by the information provided to it.

The Panel notes that of the 11 submissions received, eight were in support, one provided commentary, one recommended changes; and one objected. The objecting submission was from the Housing Industry Association (HIA).

This report deals with the issues under the following headings:

- Strategic planning context
- HIA concerns; and
- Suggested changes to the policy.

2 Strategic planning context

Council provided a response to the Strategic Assessment Guidelines as part of the Explanatory Report.

The Panel has reviewed the policy context of the Amendment and made a brief appraisal of the relevant policy other relevant planning strategies.

2.1 Policy framework

(i) State Planning Policy Framework

Councils submitted that the Amendment is supported by the following clauses in the SPPF:

- **Clause 11.04-4 – Settlement – Liveable communities and neighbourhoods** – seeks to create healthy and active neighbourhoods and maintain Melbourne’s identity as one of the world’s most liveable cities. A strategy aims to achieve and promote design excellence.
- **Clause 11.04-5 – Settlement – Environment and Water** – seeks to protect natural assets and better plan our water, energy and waste management systems to create a sustainable city.
- **Clause 12 – Environment and Landscape values - Protection of biodiversity** – seeks to assist in the protection and conservation of Victoria’s biodiversity, including important habitat for Victoria’s flora and fauna and other strategically valuable biodiversity sites.
- **Clause 14.02 & 3 – Water – Water quality & Water conservation** – seek to protect water quality and ensure that water resources are managed in a sustainable way.
- **Clause 15.02-1 – Built Environment and Heritage - Sustainable development – Energy and Resource Efficiency** – seeks to encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.
- **Clause 16.01-1 – Residential development - Integrated housing** – seeks to promote a housing market that meets community needs, and in particular encourages housing that is both water and energy efficient.
- **Clause 16.01-4 – Residential development – Housing Diversity** – seeks to provide for a range of housing types to meet increasingly diverse needs; with a strategy being to encourage development of well-designed medium density housing which improves energy efficiency.
- **Clause 16.01-5 – Residential development – Housing Affordability** – seeks to promote the delivery of more affordable housing closer to jobs, transport and services; with a strategy being to promote good housing and urban design to minimise negative environmental impacts and keep costs down for residents and the wider community.

- **Clause 17 – Economic development** – seeks to facilitate development to consider risk averse measures for impacts such as climate change, recognising that minimising built form energy use also contributes to reducing peak load and strains on energy infrastructure and makes energy available to be used elsewhere in the supply system.
- **Clause 18.01-1 – Integrated transport – Land Use and Transport Planning** – seeks to create safe and sustainable transport system by integrating land use and transport.
- **Clause 18.02-1 – Integrated transport – Sustainable personal transport** – seeks to promote the use of sustainable personal transport; with one strategy being to ensure development provides opportunities to create more sustainable transport options such as walking, cycling and public transport.
- **Clause 18.02-2 – Integrated transport – Cycling** – seeks to integrate planning for cycling with land use and development planning and encourage it as an alternative mode of travel.
- **Clause 19.01-1 – Infrastructure – Provision of renewable energy** – seeks to promote the provision of renewable energy in a manner that ensures appropriate siting and design considerations are met.
- **Clause 19.03-2 – Infrastructure – Water supply, sewerage and drainage** – seeks to plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.
- **Clause 19.03-3 – Infrastructure – Stormwater** – seeks to reduce the impact of stormwater on bays and catchments.

(ii) **Local Planning Policy Framework**

Darebin Local Planning Policy Framework

Council submitted that the Amendment supports the following local planning objectives:

- **Clause 21.01** – identifies sustainability as being central to the Council’s missions that contains a goal of *“Sustainable and resilient neighbourhoods as part of achieving rapid transition to an environmentally sustainable city.”*
- **Clause 21.02-3 – Environment – Built Environment** – seeks to promote and facilitate best practice environmentally sustainable design and promote sustainable living and business practices. It also encourages the preparation of Sustainable Design Assessments and Sustainability Management Plans for residential, mixed use, industrial and commercial developments as part of the planning permit approval process; and by providing specific local guidance and policy thresholds where the policy would apply.
- **Clause 21.03 – Housing** – seeks to encourage the preparation of Sustainable Design Assessments and Sustainability Management Plans for residential, mixed use, industrial and commercial developments as part of the planning permit approval process.

- **Clause 21.05 – Transport** – seeks to facilitate an integrated approach to transport and land use planning, which amongst other things, seeks to encourage sustainable transport modes to reduce parking demand.
- **Clause 21.05-3 – Physical and Community Infrastructure** - seeks to establish suitable approaches to both short and long term infrastructure needs as the City experiences new and more intensive development, including stormwater management.
- **Clause 22.06-3.1 – Multi-Residential and Mixed Use Development - Sustainability Objectives** – seeks to facilitate development that demonstrates the application of environmentally sustainable design principles, and in particular, to achieve highly energy and water efficient development; and to achieve sustainable development with a high level of internal amenity.

Manningham Local Planning Policy Framework

Council submitted the Amendment supports the following local planning objectives:

- **Clause 21.10– Ecologically Sustainable Development** – identifies the need to investigate the appropriateness of a Local Planning Policy to guide sustainable development for the municipality as further strategic work. It identifies energy conservation, water conservation, protecting human health, protecting and enhancing the built, natural and cultural environments as key ESD principles.
- **Clause 21.12 – Infrastructure** – notes an over-reliance on car based transport is an environmental and social concern and seeks to increase the usage of public transport, integrate the capture and re-use of water within developments and encourage the use of recycled water.
- **Clause 22.17 – Eastern Golf Course Key Redevelopment Site Policy** – reinforces the need for future development to respond to sustainable development principles and provide guidance in achieving sustainability in the most efficient way.

(iii) Other planning strategies or policies used in formulating the Amendment

Darebin Housing Strategy 2013

Seeks to support and facilitate residential development that responds to best practice environmental design guidelines and promote housing development on sites that exhibit good access to public transport infrastructure.

2.2 Planning scheme provisions

Whilst not referred to by the Councils, the Panel notes the following particular provisions are also relevant.

Many of these were also identified by Mr Hermon in his submission on behalf of the HIA.

(i) Particular provisions

Clause 52.34 Bicycle facilities – This clause seeks to encourage cycling as a mode of transport and to provide secure, accessible and convenient bicycle parking spaces and associated shower and change facilities. The Clause specifies the bicycle facilities required to

be provided for a range of the uses, including a 'Dwelling' in developments of four or more storeys and commercial and industrial developments, as well as a range of community uses.

Clause 54 – One Dwelling on a lot – This clause seeks to implement the SPPF and the LPPF. In doing so, it also seeks to achieve residential development that provides reasonable standards of amenity for existing and new residents.

Specifically, Clause 54.01-1 *Neighbourhood and Site Description* requires a range of information be provided with an application, one of which is solar access to the site and surrounding properties. Clause 54.01-2 *Design response* specifies the design response must explain how the design responds to the site description and achieves the objectives of Clause 54. This Clause includes a number of specific objectives which relate to elements relevant to energy efficiency and these include the following:

- **Clause 54.03-4 – Permeability objective** – seeks to reduce the impact of increased stormwater run-off on the drainage system and to facilitate on-site stormwater infiltration. Standard A6 specifies a minimum area that should be covered by pervious surfaces, as well as a range of decision guidelines.
- **Clause 54.03-5 – Energy efficiency protection objective** – seeks to achieve and protect energy efficient dwellings and ensure the orientation and layout of development reduces fossil fuel energy use and makes appropriate use of daylight and solar energy. Standard A7 specifies dwellings should be oriented to make appropriate use of solar energy with specific reference to the location of windows and living spaces, emphasising developments should be designed so as not to unreasonably reduce the energy efficiency of existing dwellings on adjoining lots.
- **Clause 54.04-3 – Daylight to existing windows objective** – seeks to allow adequate daylight into existing habitable room windows and specifies a standard for how this is to be achieved.
- **Clause 54.04-4 – North-facing window objective** – seeks to allow adequate solar access to existing north facing habitable room windows and specifies a standard for how this is to be achieved.
- **Clause 54.05-1 – Daylight to new windows objective** – seeks to allow adequate daylight into new habitable room windows and specifies a standard for how this is to be achieved.
- **Clause 54.05-3 – Solar access to open space objective** – seeks to allow solar access into the secluded private open space of a new dwelling and specifies a standard for how this is to be achieved.

It needs to be recognised these only applies to single dwellings where a permit is triggered and does not apply to all single dwelling developments.

Clause 55 Two or more dwellings on a lot and Residential Buildings – This clause seeks to implement the SPPF and the LPPF. In doing so, it also seeks to achieve residential development that provides reasonable standards of amenity for existing and new residents (amongst others). Clause 55.01-1 – *Neighbourhood and Site Description* - requires a range of information be provided with an application, one of which is solar access to the site and surrounding properties. Clause 55.01-2 – *Design response* – specifies the design response must explain how the proposed design responds to the site description and achieves the

objectives of the Clause 54. This Clause includes a number of specific objectives which relate to energy efficiency including:

- **Clause 55.03-4 – Permeability objectives** – seeks to reduce the impact of increased stormwater run-off on the drainage system and to facilitate on-site stormwater infiltration. Standard B9 specifies a minimum area that should be covered by pervious surfaces, which can be varied in the Schedule to the zone.
- **Clause 55.03-5 – Energy efficiency protection objectives** – seeks to achieve and protect energy efficient dwellings and to ensure the orientation and layout of development reduce fossil fuel energy use and makes appropriate use of daylight and solar energy. Standard B10 specifies dwellings should be oriented to make appropriate use of solar energy with specific reference to the location of windows and living spaces emphasising developments should be designed so as not to unreasonably reduce the energy efficiency of existing dwellings on adjoining lots.
- **Clause 55.04-3 – Daylight to existing windows objective** – seeks to allow adequate daylight into existing habitable room windows and specifies a standard for how this is to be achieved.
- **Clause 55.04-4 – North-facing window objectives** – seeks to allow adequate solar access to existing north facing habitable room windows and specifies a standard for how this is to be achieved.
- **Clause 55.04-5 – Overshadowing open space objective** – seeks to ensure buildings do not significantly overshadow secluded private open space and specifies a standard for how this is to be achieved.
- **Clause 55.05-3 – Daylight to new windows objective** – seeks to allow adequate daylight into new habitable room windows and specifies a standard for how this is to be achieved.
- **Clause 55.05-5 – Solar access to open space** – seeks to allow solar access into the secluded private open space of a new dwelling and specifies a standard for how this is to be achieved.

2.3 Ministerial Directions

Council submitted the Amendment meets the relevant requirements of the following Ministerial Directions:

The Form and Content of Planning Schemes (s7(5))

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under Section 7(5) of the Act.

Ministerial Direction No 9 – Metropolitan Strategy

The Amendment is consistent with the Ministerial Direction 9 (Metropolitan Strategy)

Ministerial Direction No 11 - Strategic Assessment of Amendments

The Amendment is consistent with Ministerial Direction 11 (Strategic Assessment of Amendments).

2.4 Discussion

The Panel concludes the Amendment is supported by, and implements, the relevant sections of the State and Local Planning Policy Framework.

The Panel concludes that the Amendment is well founded and strategically justified subject to addressing the more specific issues raised in submissions as discussed in the following chapters.

3 HIA concerns

3.1 Are these policies necessary or appropriate?

(i) The issue

Whether these ESD local policies are required or appropriate given the range of other policy and regulation that already exists?

(ii) Evidence and submissions

Mr Hermon on behalf of the HIA submitted it is not against incorporating ESD measures into development, but has a principle objection to the use of policies in planning schemes (as they apply to residential properties) that will impose another layer of assessment and control that is not warranted in the development approval process. Mr Hermon submitted that builders and developers are already required to obtain numerous approvals when building a house including building approval, approval for connection to water and drainage/sewerage requirements; and through these approvals, development is already meeting appropriate environmental design standards.

Mr Hermon submitted that four of the seven objectives in the proposed policies are already adequately addressed by the National Construction Code (NCC), these being Energy Efficiency, Water Resources, Indoor Environment Quality and Stormwater Management; and repeating them will only serve to create regulatory duplication which is contrary to the creation of more efficient local government system.

Mr Hermon also submitted that because the remaining three objectives, including Transport, Waste Management and Urban Ecology are already adequately dealt with through the SPPF and other particular provisions, they should not also be included in local policies. He submitted the policies, which require an application be accompanied by a Sustainability Management Plan (SMP) or a Sustainable Design Assessment (SDA), are premature and unnecessary, as often not all of the technical detail has been resolved and it is unreasonable to impose such requirements at this early stage. He submitted builders need flexibility in choosing producers and incorporating design amendment later in the design process and therefore this is not practical.

In support of his submission, Mr Hermon provided a table which cross referenced the proposed Clause 22.12 objectives and the other existing regulatory mechanisms, policy and guidelines.

Mr Hermon also submitted that in preparing this Amendment, the Councils have not undertaken any original or sufficient analysis of other development regulations and have just relied on the work of other Council's and EEDAC.

The Boroondara City Council supports the proposed Amendment, however, identifies its preference for these requirements to be included within the SPPF and the Building Regulations to ensure the same standards apply to all development, not just those subject to a planning permit. It was submitted that *"Our Council believe the introduction of standardised ESD requirements through the SPPF and/or Building Regulations would help*

formalise this process and ensure there is consistency and certainty across Councils as to what is expected from applicants. This will help to expedite the planning permit process as the expectations and requirements will be clear and the need for further information requests reduced.”

(iii) Discussion

The Panel notes that whilst Mr Hermon criticised Councils for not undertaking any original or sufficient analysis of other development regulations in support of these Amendments, relying on the work of other Council's, the Panel notes the HIA itself has not introduced any new information, evidence or arguments to suggest the policies should not be supported. The arguments presented to this Panel are almost identical to those presented to and considered extensively by both EEDAC Hearing process; and Monash Amendment C113.

Whilst the HIA made it clear its objection relates to the principle of the Amendment, the issues it raised at this Hearing were comprehensively considered by the EEDAC and introduce nothing that justifies diverting from the findings of the EEDAC report.

The submissions also raised by Boroondara City Council were considered by EEDAC.

This Panel does not intend to repeat the EEDAC findings in detail, rather referring the reader to that report, but it will address some of the key finding, which included:¹

- *There is a strong legislative and policy framework that supports the need for sustainable development and which recognises that both planning and building have a significant role to play in achieving it.*
- *There is a role and a statutory obligation for planning to advance sustainability.*
- *Whilst the existing State Planning Policy Framework and Victoria Planning Provisions provide a good starting point for the inclusion of sustainability, there are clear areas for improvement.*
- *The role of planning in achieving sustainability is limited by the fact that it can only influence development that requires a planning permit.*
- *A Statewide approach to sustainability in planning would be the most effective way to achieve the greatest sustainability outcomes; however, there is still a potential role for local policies to play in achieving greater local sustainability outcomes.*
- *Any local approach should include a sunset clause that would enable the review of these policies upon the introduction of any Statewide approach.*
- *The fact that the building regulatory system is generally not involved at the initial design stage of a development, when the orientation and internal layout of buildings is determined, can result in a less desirable design outcome, even though the minimum thermal; energy rating is met.*
- *The involvement of planning at the initial site planning stage enables the orientation, internal layouts and sites development to be dealt with in a manner that may assist at the building approval stage in achieving the best*

¹ Chapter 15.1

design outcome in achieving the minimum or even a higher thermal energy rating of the building.

- *The approach to sustainability in planning schemes be further reviewed to provide a more coherent, strengthened approach to implementation. This should be based on a Statewide approach and include stronger, higher guidance in the State Planning Policy Framework and Clause 65, as a minimum, with consideration of a range of options.*

The Panel supports the position adopted by EEDAC and re-emphasises that until such time as a consistent Statewide approach is adopted, it is appropriate for policies such as these to be included in local planning policies.

It is noted the Minister for Planning supported the findings of the EEDAC and subsequently approved the six Amendments; thus creating a clear precedence for the merit of including ESD policies into the planning schemes.

Nothing in the HIA submission has persuaded the Panel that it should adopt a different approach to this Amendment.

One area of difference relates to sunset clauses. The Panel notes the EEDAC recommended sunset clauses for the various policies, which were ultimately included in the policies approved by the Minister. Whilst the proposed Darebin policy has a sunset clause, the proposed Manningham Policy does not. At the Hearing, Ms Rivero on behalf of the Manningham Council, advised that the sunset clause was omitted based on the advice of DELWP as Council understood that an announcement about a Statewide approach to the ESD was imminent and therefore the sunset clause was not warranted.

Whilst a Statewide approach may be imminent, this Panel is not aware of anything being announced or any imminent release of a Statewide approach. Until such time as one is announced, for the sake of consistency, the Panel considers a sunset clause should be included within the Manningham policy.

(iv) Conclusions and recommendation

The Panel concludes there is strong policy support for the inclusion of the proposed ESD policies within the local planning policy framework and supports them.

The Panel recommends:

- 1. Include a 12 month sunset clause in the Manningham policy.**

3.2 Contravenes the role of the National Construction Code

(i) The issue

Whether the proposed policies will contravene the National Construction Code (NCC)?

(ii) Submissions

The HIA submitted that the proposed policies will overlap and contravene the role of the NCC for buildings.

Ms Richardson submitted the policy does not overlap or contravene the role of the NCC. She submitted the NCC only seeks to achieve minimum compliance, whereas considering and incorporating ESD at the planning stage allows an opportunity to exceed minimum compliance through using basic passive design principles which is best done at the project conception stage. She submitted the NCC does not cover passive design, water use reduction (except for class 1 buildings), stormwater pollution, materials, waste, bike parking and urban ecology which all need to be considered early to create a sustainable building. She submitted they do not necessarily add to the cost of a development, but rather require careful planning and design as if left to the building permit stage, many cannot be incorporated without costly changes and amendments to the planning permit.

Ms Richardson also made reference to the EEDAC report which addressed this issue and stated²:

The Committee considers that there is little disagreement on this point; that is the minimum standards approach in the NCC is the 'bottom line' on this issue. The Committee does not consider this precludes, or should preclude, those Councils wishing to achieve a better outcome, provided it is not done via a mandatory control which imposes standards inconsistent with the NCC.

and

Whilst concern was raised the policies seek to achieve 'best practice' and this will lead to conflict with the objective of the NCC which seeks to prevent 'worst practice', in the Committee's opinion this need not be the case. Where planning consent is required for buildings and works, based on the objectives of the Planning and Environment Act 1987 and SPPF, it is reasonable to require an application to include an assessment that identifies the environmental targets and performance of a building.

As presently drafted, the SDAPP Fact Sheets recommend that design exceed the DTS provisions of the BCA. This is clearly the expressed outcome sought by Councils using the SDAPP process. The BCA sets the minimum standard, and the planning system through the SDAPP process encourages applicants to go further.

While this encouragement to achieve higher standards is of a non-compulsory nature, the Committee does not have significant concern that the planning system is usurping, rather than complementing, the building system. The fact that the SDAPP Fact Sheets are proposed to be reference documents in the local policies, should ensure that the 'encouragement' focus is retained, rather than a compulsory set of alternative standards ...

The Committee considers the development of a Statewide approach should specifically consider the role of building and how the planning system can complement it.

² Page 30

(iii) Discussion

The issues raised by the HIA were comprehensively considered by the EEDAC and the HIA has not introduced any new information or evidence that has persuaded this Panel to divert from the findings of the EEDAC report.

This Panel does not intend to repeat the EEDAC findings in detail, but rather refer the reader to Chapters 5, 6 and 7 of that report, but it will address some of the key finding, which included:³

- *All built form can incorporate elements of sustainability but there are divergent opinions as to when and how this is to be achieved and to what extent.*
- *The fact that the building regulatory system is generally not involved at the initial design stage of a development, when the orientation and internal layout of buildings is determined, can result in a less desirable design outcome, even though the minimum thermal energy rating is met.*
- *The involvement of planning at the initial site planning stage enables the orientation, internal layouts and site development to be dealt with in a manner that may assist at the building approval stage in achieving the best design outcome in achieving the minimum or even higher thermal energy rating of the building.*
- *There is a clear need for an integrated planning and building approach to achieve sustainable outcomes.*

The Panel supports the findings of the EEDAC report.

(iv) Conclusions

The Panel concludes the proposed policies will not contravene the NCC, but rather build upon them.

3.3 Consistency with VCAT decisions and previous Panels

(i) The issue

Are the proposed policies are consistent with the approach adopted by VCAT?

(ii) Submissions

The HIA submitted that the proposed policies go against decisions made at VCAT regarding what is reasonable for local governments to require as part of planning permits.

Mr Hermon submitted the HIA is aware of the various VCAT cases since 2003 which have considered whether it is appropriate that environmental sustainability should be dealt with through the planning or some other regulatory/development approval system. He submitted that what has come to light through these VCAT hearings and Panel reports is *“that planning approval is not a stand-alone approval that can or should attempt to provide all the solutions to all possibilities. Obtaining planning approval is the first statutory*

³ Chapter 15.1

approvals process when embarking on a development approvals process, the planning approval is vitally important as it establishes an in principle approval for a proposal to proceed along the development approvals process which include a range of private and public matters to be considered; securing further finance, building approval, agreements and contributions with servicing authorities, marketing strategies etc”.

Ms Richardson referred to the substantial body of VCAT decisions identified in the EEDAC report which supported the need to incorporate ESD design into developments, and at an early stage. She also specifically referred to a recent VCAT - Red Dot decision in the matter of *G3 Projects Pty Ltd v Yarra CC & Anor* [2016] VCAT 373, dated 9 March 2016, which reviewed a decision by the Yarra Council to refuse a proposal for a 10 storey building on the grounds that it did not meet the ESD objectives in relation to adequate daylight contained within the recently introduced ESD policy. Ms Richardson submitted this decision emphasises that the policy calls for ‘best practice’, not acceptable or minimum ESD outcomes and that the use of BESS is one of the ways this is measured. She submitted this decision demonstrates continued support for the incorporation of ESD design features above and beyond minimum standards through the planning process.

(iii) Discussion and conclusion

The Panel notes that whilst Mr Hermon submitted the proposed policies go against decisions made at VCAT, he did not refer to any specific decisions in support of his submission.

The approach adopted by VCAT towards the issue of sustainability was comprehensively considered by the EEDAC, which stated:

VCAT decisions have consistently supported the principle of sustainability and incorporating energy efficiency in development. There has been variation in the decisions about how this is achieved, how far it should go and whether it should be a planning or building approval matter.

Chapter 5.3 of that report outlines the most relevant decisions. Rather than repeat them, the Panel refers the reader to that report.

Mr Hermon did not introduce any new information or evidence that persuaded this Panel to divert from the findings of the EEDAC report.

The Panel supports the findings of the EEDAC report and concludes that there should be no change to the Amendment.

3.4 Cost benefit analysis and housing affordability

(i) The issue

Whether the policies have been tested through a rigorous and comprehensive cost benefit analysis and will impact on housing affordability?

(ii) Submissions

The HIA submitted that the proposed policies have not been tested through a rigorous and comprehensive cost benefit analysis and that there should have been a “*more analytical and*

detailed response provided” rather than relying on the work undertaken by EEDAC and the associated six Council’s that have policies in place.

Mr Hermon submitted the economic effects associated with this Amendment are negative and far reaching as the duplicated regulation will introduce added cost to the front end of development approvals process, which must then be passed on to the end purchaser, thereby impacting on housing affordability.

He also questioned whether Councils have the resources to properly implement the policies or whether assessments would need to be outsourced adding to processing delays and increased costs to the builder/developer.

Ms Richardson submitted the issue of cost benefit analysis was considered by EEDAC which found there are clear positive economic, social and environmental benefits to be gained through improved sustainable development outcomes in planning and quoted the EEDAC report stating:

The proposed Local Policies are unlikely to impose an unreasonable impost on the resources and administrative costs of participating Councils.

The proposed Local Policies are unlikely to impose an unreasonable regulatory cost burden on applicants.

She submitted that whilst EEDAC considered evidence in relation to cost benefit analysis, which was subject to cross-examination, the Committee identified that no other parties called evidence to refute the expert witnesses fundamental findings that *“For all the development types, including single dwellings, there is a significant positive cost benefit ratio.”*

Ms Richardson submitted the key benefit of including the proposed ESD policies in the planning scheme is that sustainable design can be cost effectively incorporated at the initial planning stage with little additional upfront cost and can minimise ongoing servicing and operating costs.

In response to Mr Hermon’s submission that the policies would have a negative impact on housing affordability, Ms Richardson referred to the EEDAC report⁴ which stated:

The Committee notes submissions that raise housing affordability as a reason for not implementing more effective sustainability outcomes. However, the Committee was not presented with evidence of this and numerous submitters suggested that improved life cycle costs over the life of the dwelling would more than negate higher capital costs, if indeed there are higher capital costs. In addition, the Committee agrees there is credence to the argument presented by Darebin City Council that affordability considerations need to go further than just construction cost, and should also consider ongoing servicing costs.

⁴ Page 67

(iii) Discussion

The Panel notes that whilst Mr Hermon criticised Councils for not undertaking a rigorous and comprehensive cost benefit analysis, rather relying on the work of other Council's; the HIA has not introduced any new information, evidence or arguments to suggest the policies will have a negative cost benefit impact or that they will have a negative impact on housing affordability.

The Panel is aware these issues were comprehensively considered by the EEDAC. The Panel does not intend to repeat the EEDAC findings in detail, but rather refer the reader to Chapter 8 of that report, but it will refer to some of the key findings, which included:⁵

- *There are clear positive economic, social and environmental benefits to be gained through improved sustainable development outcomes in planning.*
- *The proposed Local Policies are unlikely to impose an unreasonable impost on the resources and administration costs of participating Councils.*
- *The consideration of 'affordability' should extend beyond construction and consider ongoing servicing costs.*

The Panel supports the findings of the EEDAC report.

The HIA has not introduced any new information or evidence that has persuaded the Panel to divert from the findings of the EEDAC report.

(iv) Conclusions

No change to the Amendment.

3.5 Alternatives to a local policy have not been considered

(i) The issue

Are alternatives to the planning approach to achieve sustainability?

(ii) Submissions

Mr Hermon submitted that the proposed ESD policies are not the most effective means to encourage the adoption of improved environmental buildings standards and innovation and that Councils could consider investing in capacity building educational and recognition programs, such as the HIA GreenSmart program.

Ms Richardson submitted that both the Darebin and Manningham Councils have been implementing SDAPP on a voluntary basis for many years now and provide support for builders and developers to assist with incorporating ESD features into developments. The introduction of these policies is intended to formalise an approach which is considered almost mainstream for residents and developers within the municipalities.

⁵ Chapter 15.1

(iii) Discussion

The Panel notes the effectiveness of the alternative approach identified by Mr Hermon was considered by EEDAC, which found *“Other initiatives are an important component of achieving sustainable development outcomes, however they need to be part of a package of measures supported by a strong and clear planning and building regulatory framework.”*

This Panel supports this finding and refers the reader to the EEDAC report (Chapter 10) to read an analysis of a range of other initiatives which can be adopted to support sustainability. The Panel does not, however, see this as a reason to not support the Amendment.

(iv) Conclusions

No change to the Amendment.

3.6 Enforcement issues and difficulties for a Building Surveyor

(i) The issue

Whether the proposed policies create enforcement issues and difficulties for Building Surveyors?

(ii) Submissions

Whilst the HIA submitted the policies would create enforcement issues and difficulties for Building Surveyors in his initial submission to this Amendment, Mr Hermon did not discuss these issues at the Hearing.

(iii) Discussion

Despite being identified as issues by HIA, the Panel notes that Mr Hermon did not seek to make submissions relating to these issues at the Hearing. Through questioning, Mr Hermon withdrew any references to concerns in relation to enforcement.

In relation to difficulties experienced by the Building Surveyors, when questioned by the Panel, Mr Hermon advised the HIA had not received any complaints from Building Surveyors in relation to the implementation of the six existing policies approved by the Minister. He submitted the concern was raised by the Association Board in anticipation of the likely problems, rather than Building Surveyors themselves relating direct experience with the implementation of the policies.

The Panel asked similar questions of the Council and was advised the Council have not experienced any greater difficulties with/for Building Surveyors than usual. Darebin Council did acknowledge, however, that a potential issue relates to ensuring compliance with planning permits through to the building permit stage, ensuring ESD features are incorporated into the final built product. It was acknowledge this is an area where greater assurance of compliance and potentially enforcement will be required, and an area for process improvement. The Panel agrees with Council’s submission that going forward there will be a need to develop a mechanism to ensure that ESD features committed to in a

planning permit are in fact implemented and incorporated in the building. The Panel does not, however, see this as a reason why the policies should not be supported.

The Panel notes this issue was acknowledged by the EEDAC⁶ when it said:

One of the benefits of the planning system is that where sustainability measures are proposed or required as conditions of a planning permit, there is the scope to enforce these approved developments to ensure the sustainability measures are implemented. What is required is a mechanism to facilitate this. This would normally involve an inspection of the completed development, which would require resourcing. An alternative may be for an applicant, or its consultant, to certify the required work has been undertaken.

(iv) Conclusions

No change to the Amendment.

⁶ Page 48

4 Suggested changes to the policy

4.1 HIA suggested changes to Clause 22.12

(i) The issue

Whether changes are required to Clause 22.12-4 – *Application Requirements*?

(ii) Submissions

Whilst the original submission by the HIA submitted the proposed Table 1 – ESD Application Requirements and the Example Tool proposed (BESS, STORM) should be amended, at the Hearing, Mr Hermon clarified the Association’s concern relates to the emphasis of the *Application Requirements* which state “A Sustainable Design Assessment ***will usually not need to be prepared by a suitably qualified professional***” (Panel emphasis). He submitted this statement is misleading as there is a component of an SDA that will always need to be completed by a suitably qualified professional, and the need to engage this person will come at an unwarranted cost or benefit to the overall cost of the planning application. He submitted it should read “*may be needed*” to more accurately reflect the likely potential need to engage professional assistance in the preparation of the SDA.

Ms Richardson submitted that most people proposing to undertake developments engage the services of an architect or a draftsman who are capable of preparing the SDAs. Similarly, she submitted the tools provided are interactive and user friendly and that Council provides assistance to people who may be having difficulty in preparing the assessments. She also submitted that Council has been implementing SDAPP on a voluntary basis for many years now, and for the Darebin community, preparation of these assessments as part of development proposals is “*just business as usual.*”

For this reason, the Councils were not supportive of the recommended change to the wording.

(iii) Discussions

Whilst the Panel recognises Mr Hermon’s submission related to emphasis and transparency, the Panel does not consider the policy as written suggests there will never be the need for professional assistance in the preparation of an assessment. It just emphasises that in most instances Council does not consider that will be the case.

The Panel is satisfied, based on the submissions of Council, that if such assistance is required, and particularly for smaller projects which may not have professional design assistance, that the Councils can assist builders/developers through in-house ESD support without having to engage an independent ESD expert. For larger projects, which involve a variety of design professionals, the need to address ESD principles should not be an onerous task for these professionals.

(iv) Conclusion

No change to the Amendment.

4.2 Waste management

(i) The issue

Whether reference to a specific reference document should be amended?

(ii) Submissions

Sustainability Victoria submitted the policies refer to the *Guide for Best Practice for Waste Management in Multi-Unit Developments* (Sustainability Victoria, 2010) as a Reference Document; however, this guide is no longer supported by Sustainability Victoria and has been withdrawn from circulation. It recommended this reference be removed.

Sustainability Victoria also advised that the Metropolitan Waste and Resource Recovery Group is currently running the *Improving Resource Recovery in Multi-Unit Developments* program, with a key objective to provide practical tools to help responsible authorities and applicants improve planning for waste management in multi-unit developments. It acknowledged that whilst it is not a like-for-like replacement for the guide, it may be a more useful reference.

Both Darebin and Manningham Councils confirmed they agree with the comments of Sustainability Victoria and propose to amend the policies accordingly.

(iii) Discussions

The Panel agrees that the policy should reference the most relevant and up to date reference documents; and for that reason supports this proposed amendment to the policy.

(iv) Conclusion

4.3 Recommendation

The Panel recommends:

2. Amend Clause 22.12 to replace reference to *Guide for Best Practice for Waste Management in Multi-Unit Developments* (Sustainability Victoria, 2010) with *Improving Resource Recovery in Multi-Unit Developments*.

4.4 Eastern Golf Club site

(i) The issue

The need to clarify what sustainability criteria needs to be met in order to reach an acceptable level of sustainability.

(ii) Submissions

Urbis submitted that whilst generally supportive of the Amendment, it seeks clarification around the extent of sustainability efforts required and that the policy should clearly state that developments are not required to embrace every listed element. Furthermore, that the sustainability benefits should be considered against the cost and that Council should not impose cost-prohibitive sustainability features on any development.

Urbis also submitted that implementation of this policy should be matched by a commitment by Council to provide the resources required in order to process applications; as the likely future workload will be significant and should not cause unnecessary delays.

Ms Rivero submitted that Manningham Council advised Urbis in writing that the Policy Basis in Clause 22.12-1 states that it does not prescribe performance outcomes, but rather requires developments to demonstrate how the relevant objectives are met, and whilst there are seven categories, BESS only requires compliance with four to ensure intended minimum compliance, and as such, not every criteria will be required for every development.

In response to Urbis concerns in relation to cost prohibitive measures, Ms Rivero also advised that Council informed Urbis that the policy decision guidelines also refer to the need to consider *“Whether the proposed environmentally sustainable development initiatives are reasonable having regard to the type and scale of the development and any site constraints”*, thereby demonstrating some flexibility. Ms Rivero also outlined the range of initiatives proposed by Council to assist in the implementation of the policy to ensure it does not create unnecessary delays in the approval process.

Based on these responses, Ms Rivero submitted Urbis was satisfied and had no objection to the proposal.

(iii) Discussions

Whilst Ms Rivero submitted Urbis had responded positively to advice provided by Council in writing and no longer objected, the Panel was not provided with a letter than expressly states that.

Despite this, the Panel agrees with the responses provided by the Council to Urbis.

For these reasons, the Panel is satisfied that the concerns raised by Urbis have been adequately addressed.

(iv) Conclusion

No change to the Amendment.

4.5 Post exhibition changes identified by Darebin Council

(i) The issue

Whether post exhibition changes should be made to the proposed Darebin ESD policy?

(ii) Submission

Ms Richardson advised that since the Council resolution of 18 April 2016, Darebin City Council officers became aware of several other changes that should be made to the exhibited Amendment, prior to approval. These include:

- Clause 21.02 - remove references to redundant policies; correct an error in the title of a reference document.

These changes are shown in Appendix B.

Ms Richardson submitted the changes are minor in nature and consistent with the Amendment.

Ms Richardson also submitted that post exhibition, Darebin Council has identified that Clause 21.05 – *Transport and Infrastructure* should also have been amended to reflect the proposed introduction of the ESD policy; however this did not occur. She submitted the changes are minor in nature and consistent with the Amendment; and suggested they should be dealt with as part of this Amendment.

Ms Richardson identified the additional changes required to Clause 21.05 include introduction of:

- Policy Guidelines – Apply Clause 22.12 *Environmentally Sustainable Development* in considering applications for residential and non-residential development.
- Introduction of headings.
- Deletion of the Stormwater Management Plan Review, 2007 as a Reference Document.
- Introduction of *Watershed: Towards a Water Sensitive Darebin City Council Whole of Water Cycle Management Strategy 2015-2025* and *Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025* as Reference Documents.

(iii) Discussion

In relation to the changes to Clause 21.02, the Panel agrees the proposed post exhibition changes are minor in nature, consistent with the Amendment and are not transformative. For that reason, the Panel supports the proposed post exhibition changes.

In relation to the proposed changes to Clause 21.05, whilst the Panel accepts they are minor, consistent with the intent of the Amendment and appropriate to make, the Panel is aware that the exhibited Amendment did not propose any changes to Clause 21.05. For this reason, the Panel will not make specific recommendations to change to this Clause, but is supportive of the proposed changes.

(iv) Conclusion

The Panel recommends:

- 3. Amend Darebin proposed Clause 21.02 in accordance with the changes identified in Appendix B.**

Appendix A Submitters to the Amendment

No.	Submitter
1	Bass Coast Shire Council
2	City of Moreland
3	Municipal Association of Victoria
4	Council Alliance for a Sustainable Built Environment (CASBE)
5	City of Yarra
6	City of Stonnington
7	City of Boroondara
8	Sustainability Victoria
9	Yarra Ranges Shire Council
10	Mirvac Pty Ltd
11	Housing Industry Association

Appendix B Proposed Post exhibition changes – Darebin

21.02 ENVIRONMENT

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This Clause provides local content to support Clause 11.03 (Open Space), Clause 12 (Environmental and Landscape Values), Clause 13 (Environmental Risks), Clause 14 (Natural Resource Management) and Clause 15 (Built Environment and Heritage) of the State Planning Policy Framework.

21.02-1 Strategic Environment Framework

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‘The environment’ encompasses all the circumstances, objects or conditions that surround us as we live, work and recreate – from the climate, soil, water and other living things to open spaces, buildings, and urban streetscapes. In land use planning, ‘natural’ and ‘built’ environments are generally distinguished separately as they are in the objectives. However, they are interconnected in how they interface and collectively contribute to the experience of life in Darebin. Council supports an approach to natural and built environments that:

- Protects and enhances natural environmental assets, in particular creek and habitat corridors, and manages visual and physical impacts from land use and development in a way that does not preclude accessibility and, where appropriate, the physical and visual integration between urban and natural environments.
- Promotes urban environments and open spaces designed for liveability and environmental sustainability, and making a positive contribution to the health and wellbeing of Darebin residents, workers and visitors.
- Recognises and protects areas and sites of natural, cultural and built heritage value.

Objectives and strategies for these are set out in the clauses below.

21.02-2 Natural Environment

Overview

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Areas of natural environmental significance in Darebin include native grasslands at Central Creek Reservoir and Cherry Street Macleod; two major creek systems (Merri and Darebin); significant remnant vegetation (River Red Gums at Mount Cooper and Bundoora Park); and native habitat forest (Gresswell Forest and Hill, and La Trobe Wildlife Sanctuary) which also support significant native animal species.

The Merri and Darebin Creeks, Gresswell Habitat Link and Hurstbridge Rail Reserve provide a cohesive network of natural spaces and corridors. Appropriate landscape and water management on land adjoining this network can contribute to the protection of these habitats. Additionally, areas around Darebin and Merri Creeks that are popular for recreation, cycling and walking require planning to ensure they are safe spaces to access.

Refer to the Strategic Framework Plan at Clause 21.01-6 showing areas of natural environment significance.

Key Issues

- Protection of remnant natural areas in Darebin from the impacts of development.
- Pressure for redevelopment of residential creek-side lots.
- Impact of industrial development on creek-side environs with regard to location of storage areas, car parking and design of the built form.
- Maintaining long term protection of remnant native vegetation in estates such as Springthorpe in Macleod and Mt. Cooper and Lancaster Gate in Bundoora.
- Impacts of land use activities on local and regional waterways through substances released into the stormwater system, run-off from roads, and litter.

- Maintaining a cohesive network of linked natural spaces and corridors to provide havens and corridors for wildlife and enhance water quality in the creeks.
- Balancing the need for preserving a natural landscape feel with the need for passive surveillance at interfaces between natural and built environments.

Objective 1 – Protect and Enhance

To protect, maintain and enhance Darebin’s natural environment including the major creek systems.

Strategies

- Ensure that remnant vegetation is identified and conserved.
- Ensure that places and areas of natural heritage significance are conserved and enhanced.
- Encourage the use of indigenous vegetation and planting on private and public land to increase biodiversity.
- Manage landscapes in ways that contribute to the creation of a more ecologically sustainable natural environment.
- Ensure development of urban areas maintains or improves river and wetland health, waterway protection and flood plain health through appropriate stormwater and overland flow management and integrated water management planning of precincts.
- Provide for a consistent and coordinated planning approach to protect, maintain and enhance the natural, landscape, cultural and built character of the Darebin and Merri Creek environs.

Objective 2 – Interfaces

To achieve a balance between the protection of the natural environment and the safety and surveillance objectives of recreational users of public open space.

Strategies

- Ensure that land use and development is compatible and appropriately integrated with areas of natural heritage and environmental significance.
- Ensure that development adjacent to the Darebin and Merri Creeks retains and enhances each creek’s unique contribution to the community and wider ecology.
- Balance the need to ensure the aesthetic impact of development adjacent to creeks is sensitive to existing creek environs, view lines and landscape works with the need to provide passive surveillance over creek-side environs, particularly around access points to public land and along pedestrian and cycling pathways.
- Consider fencing strategies for development adjacent to parks and reserves, which ensures fencing not only defines the transition from public to private realm but promotes good surveillance.
- Ensure development of private land adjoining the perimeter of Bundoora Park is designed and orientated to provide frontage to the park and avoid high fencing and expanses of wall at the park interface. Development should provide visual and physical connections to the park (via active frontages with appropriate land uses at ground level, pedestrian paths and links, and windows, terraces/balconies orientated to overlook the park) wherever possible.

Implementation

The strategies in relation to natural environment will be implemented through the planning scheme as follows:

Policy Guidelines

Apply Clause 22.03 Darebin Creek – Adjacent Land Design and Development in considering applications for development or subdivision of land adjacent to Darebin Creek.

Application of Zones and Overlays

- Apply the Public Conservation and Resource Zone over the Gresswell Habitat Link, Gresswell Forest Nature Conservation Reserve and Central Creek Grasslands.
- Apply Vegetation Protection Overlays to provide for the long term preservation of significant vegetation on the Mount Cooper, Springthorpe and Lancaster Gate Estates and the former Kingsbury Centre.
- Apply Environmental Significance Overlays to protect remnant vegetation sites and other areas of identified environmental significance.
- Apply Design and Development Overlays over private and public land adjacent to the Darebin and Merri Creeks to manage the impact of development on and provide appropriate interfaces with creek-side areas.
- Apply the Urban Floodway Zone and Land Subject to Inundation Overlay provisions as appropriate around waterways to minimise flood-related soil erosion, sedimentation and silting and to protect water quality.

Further Strategic Work

- Review the application of the Urban Floodway Zone along parts of the Merri, Darebin and Edgars Creeks.
- Review the Environmental Significance Overlays along Darebin Creek and Merri Creek to ensure that the boundary of each overlay covers areas where development is likely to have an impact on the creek environs.
- Review the *Darebin Creek Design and Development Guidelines (2000)* to inform preparation of a Design and Development Overlay for land adjacent to Darebin Creek.
- Review the *Development Guidelines for Merri Creek (Merri Creek Management Committee, 2004)* to inform preparation of a Design and Development Overlay for land adjacent to Merri Creek.
- Include an integrated water management plan and ecological improvement initiatives for Darebin Creek in the formulation of the Northland Structure Plan.

Reference Documents

Bundoora Park Master Plan 2012

Central Creek Grassland 5 Year Management Plan 2011-2016

Darebin Creek, Design and Development Guidelines, City of Darebin, 2000

Darebin Litter Plan 2011-2013

Darebin Open Space Strategy, 2007-2017 (2008)

~~Darebin Stormwater Management Plan Review, 2007~~

Development Contributions Plan

Development Guidelines for Merri Creek, Merri Creek Management Committee, 2004

Lower Darebin Creek Concept Plan, Parks Victoria/Melbourne Water, 1996

Merri Creek and Environs Strategy 2009-2014, Merri Creek Management Committee, 2009

Springthorpe Conservation Plan, February 2001

Springthorpe Tree Conservation Plans

[Watershed: Towards a Water Sensitive Darebin, Darebin City Council Whole of Water Cycle Management Strategy 2015-2025](#)

[Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025](#)

21.02-3 Built Environment

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Overview

The design and quality of the built environment, including buildings, public spaces, infrastructure and streetscapes plays an important role in enhancing civic pride, liveability and social connectedness, and provides opportunities for creating a more sustainable city.

Good urban design acknowledges the collective impact of development both within and beyond the boundaries of individual sites and enables positive outcomes for the public realm that enhance people's wellbeing and experience of the built environment.

Darebin City Council is committed to environmental sustainability and actively encourages sustainably-designed buildings that reduce energy consumption and water use, encourage recycling and sustainable transport and that use recycled and sustainable materials.

Key Issues

- Achieving high-quality design in development across a variety of urban environments, including activity centres and industrial/employment precincts.
- Impacts of large-scale development on streetscape amenity and pedestrian experience, and increased reliance on the public realm in providing visual appeal and amenity.
- How design might improve the interface and interaction of new developments with the public realm (including parks and open spaces).
- Incorporating Environmentally Sustainable Design (ESD) principles in the design and development of built environments and strengthening requirements at planning permit stage.

Striking a balance between the understandable need for businesses to advertise and community expectations for an environment devoid of unattractive visual clutter.

Objective 1 – Urban Design Excellence

To ensure development in Darebin exhibits good urban design and provides distinctive, attractive and engaging places in which to reside, visit or work.

Strategies

- Encourage high quality design and buildings that respond to characteristics of the locality.
- Develop and implement detailed design guidelines for areas where substantial housing change and growth is encouraged.
- Ensure that important public views and vistas, where identified in a strategy or guideline adopted by Council, are recognised, protected and enhanced.
- Apply urban design principles when developing structure plans, land use strategies, and urban design guidelines.
- Promote land use and development in activity centres, strategic corridors and strategic development precincts in accordance with adopted Structure Plans, precinct plans or strategies.
- Ensure development in activity centres, strategic corridors and strategic development precincts:
 - is responsive to its environment with a high quality appearance

- promotes an urban scale and character that is appropriate to the role and function of the activity centre or strategic corridor precinct
- encourages consolidation of commercial areas along strategic corridors to create strong, vibrant hubs to serve the local community
- manages negative off-site impacts and interface issues with surrounding sensitive land uses
- promotes visual and physical improvements to the public realm
- encourages a safe and accessible environment for pedestrians, cyclists, public transport users and motorists.
- Ensure that development in industrial and commercial areas:
 - achieves a high standard of building design and provides for suitable landscaping and treatments to improve the visual character, function and layout of such areas
 - minimises the impact of traffic, noise and emissions from industrial land uses on the amenity of surrounding residential areas
 - reduces and minimises conflict between industrial and non-industrial land uses.
- Encourage streetscape upgrades and street tree planting, particularly in areas where Substantial Housing Change is envisaged.
- Collect development contributions from private development for streetscape upgrades.
- Undertake streetscape upgrades to Edwardes Street, Broadway and other streets in Reservoir Activity Centre

Objective 2 – Safe Urban Environments

To promote safety through well-designed and well-maintained urban environments.

Strategies

- Encourage designs that incorporate elements that promote safety, such as clear sightlines, safe movement, passive surveillance, good connections, good access, mixed use and activities that promote public use.
- Ensure that public spaces, access routes and areas in the vicinity are attractive, safe, uncluttered and work effectively for all.
- Ensure new retail and/or mixed use development incorporates verandahs over footpaths where appropriate.
- Ensure that buildings at ground level provide active frontages and a high level of pedestrian amenity.
- Encourage day and evening activity in activity centres, other precincts and key development.
- Consider the above strategies in assessments and when developing strategies and urban design guidelines.

Objective 3 – Environmentally Sustainable Design

To promote and facilitate development that incorporates best practice environmentally sustainable design and promotes sustainable living and business practices.

Strategies

- Encourage the adaptive reuse of buildings to reduce the amount of waste going to landfill.

- Encourage the design of new and retrofitted buildings and public spaces to incorporate high standards of energy efficient design, water sensitive urban design, sustainable transportation, waste reduction and protection of biodiversity.
- Promote the integration of land use and sustainable transport (walking, cycling and public transport) in accordance with the strategies in Clause 21.05-1.
- Encourage best practice industrial and commercial development to minimise amenity impacts and achieve long term environmental sustainability.
- ~~Encourage~~ Require the preparation of Sustainable Design Assessments and Sustainability Management Plans for residential, ~~mixed-use, industrial~~ and ~~commercial non-residential~~ developments as part of the planning permit approval process.

Objective 4 - Signage

To ensure signage is integrated into development and streetscapes.

Strategies

- Minimise visual clutter and prevent the proliferation of signs, particularly along major gateways, road reservations, commercial/retail areas and industrial estates.
- Ensure that outdoor signage presents a coordinated and high quality image.
- Ensure outdoor signage is located on the land to which it relates.
- Encourage simple, clear, consistent and non-repetitive advertising that is displayed in appropriate locations and planned as an overall signage package for a site.
- Ensure outdoor advertising is appropriate with regard to the architectural design of buildings on which signs are displayed.

Incorporate outdoor advertising into the design of new buildings and major renovations and ensure signage is planned for at the beginning rather than at the end of development.

Implementation

The strategies in relation to built environment will be implemented through the planning scheme as follows:

Policy Guidelines

- Apply Clause 22.01 Junction Local Area Plan in considering applications for use and development in the Junction Strategic Development Precinct.
- Apply Clause 22.04 Industrial and Commercial Activity in considering applications for use and development in the Industrial 1, Industrial 3 and Commercial 2 Zones.
- Apply Clause 22.05 High Street Corridor Land Use and Urban Design in considering applications for use and development in the High Street corridor.
- Apply Clause 22.06 in considering applications for Residential or Mixed Use Development in a Residential Growth Zone, Mixed Use Zone, Commercial Zone, Priority Development Zone and, where considered relevant, General Residential Zone.
- Apply Clause 22.08 Northcote Activity Centre in considering applications for use and development in the Northcote Activity Centre.
- Apply Clause 22.09 Preston Central (Incremental Change) in considering applications development in residential precincts of the Preston Activity Centre.
- Apply Clause 22.12 Environmentally Sustainable Development in considering applications for residential and non-residential development.

Application of Zones and Overlays

- Apply the Activity Centre Zone to activity centres, incorporating urban design frameworks and guidelines.
- Apply the Design and Development Overlay to ensure that key public views and vistas are protected and enhanced.
- Apply the Design and Development Overlay to sites and precincts to achieve specific desired built form outcomes, design principles and treatment of interfaces (as required by structure plans, strategies, or site studies).
- Apply Design and Development Overlays along strategic corridors to achieve high quality development in accordance with relevant urban design frameworks.
- Apply the Development Plan Overlay to strategic redevelopment sites and precincts.

Further Strategic Work

- Develop an Environmentally Sustainable Development Strategy that will:
 - establish a framework to coordinate the various environmental policies of Council and provide strategic directions for energy efficiency, waste management and integrated water management;
 - set design guidelines for achieving sustainable development that minimises energy and water consumption and encourages reuse of water and waste; [and](#)
 - ~~— provide the basis for preparation of a local policy to set performance measures and guide decision making~~
 - provide the basis for other planning measures such as overlays for achieving sustainable development at both site and precinct scale.
- Prepare and implement Urban Design Frameworks and guidelines for development in:
 - Northland Activity Centre
 - Reservoir Activity Centre
 - Fairfield Village and Miller-on-Gilbert Neighbourhood Centres
 - Heidelberg Road Corridor
 - The Junction and Oakover Village Strategic Redevelopment Precincts.
- Review the *Preston Structure Plan 2006 (as amended)* and *Northcote Structure Plan (2007)* to ensure the strategic directions in these plans address contemporary issues and reflect the broader strategic vision for municipal growth and change.
- Review the *High Street Urban Design Framework (2005)* and implement Design and Development Overlay controls for intermodal areas of High Street.
- Review the *Bell Street Corridor Strategy (2006)* and implement Design and Development Overlay controls to encourage high quality development along the Bell Street Corridor.
- Identify important public views and vistas in the municipality.
- Explore opportunities to incorporate public art elements in high profile developments.
- Identify and support the delivery of streetscape upgrades in Substantial Housing Change areas.

Reference Documents

Bell Street Corridor Strategy, Hansen Partnership, 2006

Climate Change and Peak Oil Adaptation Plan, 2009

Community Climate Change Action Plan 2009-2020
Community Health and Wellbeing Plan 2009-2013
Darebin Community Safety Strategy 2012-2016
Darebin Housing Strategy 2013
[Darebin Waste and Litter Strategy 2015-2025](#)
~~Darebin Stormwater Management Plan Review, 2007~~ Green Streets Strategy 2013
High Street Urban Design Framework and High Street Study Precinct Guidelines, 2005
Northcote Activity Centre Structure Plan, 2007, and Medium and Low Change Residential Areas Precinct Guidelines, 2008
Northland Residential Neighbourhood Precinct Structure Plan, 2014
Plenty Road Integrated Land Use and Transport Study, 2013
Plenty Road Urban Design Framework, 2013
Preston Central Structure Plan 2006 (as amended) and Urban Design Framework and Guidelines, 2006
Reservoir Structure Plan, 2012
Residential Built Form Guidelines, 2014
Safer Design Guidelines for Victoria, 2005
St Georges Road Urban Design Framework, 2013
~~Sustainable Water Strategy 2007~~
~~Sustainable Water Use Plan, 2005~~
Urban Design Charter for Victoria, 2010
~~Waste Management Strategy 2007—2014~~
[Watershed: Towards a Water Sensitive Darebin, Darebin City Council Whole of Water Cycle Management Strategy 2015-2025](#)
[Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025](#)

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Heritage

Overview

Darebin municipality's rich and diverse natural heritage and history of human settlement, from pre-contact inhabitation, through European colonisation to the modern era, has created a heritage fabric characterised by many layers and types of significance.

The extensive stock of older buildings can provide opportunities for redevelopment that demonstrate principles of cultural and ecological sustainability, possibly through adaptive reuse, urban design and architectural excellence. Some heritage places have the potential to increase and enhance local and regional tourism opportunities.

Key Issues

- Providing a balance between conservation needs and capacity for new infill development within heritage precincts to deliver a good design outcome.
- Balancing diversity of experience and conservation of biodiversity values around natural heritage assets.

Objective 1 – Heritage Places and Areas

To ensure that places and areas of cultural and natural heritage significance are conserved and enhanced.

Strategies

- Encourage the retention of any significant original fabric in development proposals.
- Discourage demolition or relocation of locally significant heritage buildings.
- Encourage appropriate use of heritage places in keeping with heritage significance.
- Identify and protect sites of identified Aboriginal cultural heritage significance.
- Identify and protect sites of natural heritage significance.

Objective 2 – Development and Heritage

To promote sympathetic infill and redevelopment of heritage places and areas.

Strategies

- Ensure development within heritage areas is sympathetic with the heritage character of the area.
- Ensure that redevelopment of heritage buildings and areas is visually compatible with existing forms.
- Promote innovative responses that makes a positive contribution to the heritage places and areas.
- Facilitate designs that are sensitive to heritage and urban character.
- Require conservation management plans for key sites prior to approval and commencement of works.

Implementation

The strategies in relation to heritage will be implemented through the planning scheme as follows:

Application of Zones and Overlays

- Apply the Heritage Overlay to places of local, regional, State or national heritage significance.
- Apply the Environmental Significance Overlay to places of natural heritage significance and culturally significant landscapes, trees and/or vegetation.

Further Strategic Work

- Review the Darebin Heritage Strategy, which should include the development of design guidelines on demolition and redevelopment of heritage places, and provide the strategic basis for development of a local policy to guide decision making.
- Prepare a Natural Heritage Study to identify sites of natural heritage significance and form strategies for ongoing conservation and management.

Reference Documents:

City of Darebin Heritage Study: Volume 3, Key Findings & Recommendations, 2008

City of Darebin Heritage Study: Volume 4a, Preston Central Heritage Assessment, Key Findings and Recommendations, 2008

City of Darebin Heritage Study, Volume 4b, Preston Central Heritage Place Citations, 2008

Darebin Heritage Review Volumes 1, 2, & 3, 2002

Darebin Housing Strategy 2013

City of Darebin Citations for Individually Significant Buildings, 1996

21.02-5

[Proposed](#)
[GC42 C138](#)

Open Space

Overview

Access to and enjoyment of open space is a key contributor to quality of life and local amenity. Council aims to improve the quality of open space and encourage the use and development of waterways and linkages. Priorities for managing open space are guided by the Darebin Open Space Strategy 2007-2017, which identifies and categorises open spaces by state down to local role, and the range of functions each space should fulfil.

Key Issues

- Darebin is a developed municipality with limited opportunities for creating additional open space. Existing open space is highly valued by the community.
- Provision of sufficient open space, particularly in higher density living precincts where there is higher reliance on for communal facilities for outdoor activities and recreation.

Objective

To provide a safe, accessible and high quality open space network that is equitably distributed across the municipality.

Strategies

- Encourage opportunities for public and communal open spaces adjacent to the creek environs.
- Protect and enhance existing open spaces where possible.
- Encourage linear open space linkages along waterways including pedestrian and bicycle access.
- Include provision for acquisition and improvement of open space in Development Contributions Plans.
- Consider opportunities for 'greening' in areas of higher density development, including alternative to traditional ground level landscaping e.g. green roofs and walls.

Implementation

The strategies will be implemented through the planning scheme as follows:

Application of Zones and Overlays

- Apply the Public Park and Recreation Zone to all municipal reserves.
- Apply the Public Conservation and Resource Zone to undeveloped municipal reserves which contain significant levels of indigenous vegetation or high biodiversity values.
- Apply the Heritage Overlay to open space of recognised cultural and social heritage value.

Further Strategic Work

- Review and rezone public open space in accordance with relevant strategies.
- Review the Environmental Significance Overlays along Darebin Creek and Merri Creek to ensure that the boundary of each overlay covers areas where development is likely to have an impact on the creek environs.
- Undertake an assessment of the heritage significance of the City's older reserves as a basis for conservation planning and management, including Oldis Gardens, Johnson Park, LW Williams Reserve, JS Grey Reserve, Adam Reserve, Batman Park, Penders Park and AG Davis Reserve.

Reference Documents

Bundoora Park Precinct Master Plan, 2012
Darebin Open Space Strategy, 2007-2017 (2008)
Development Contributions Plan
Leisure Strategy 2010-2020
Playspace Strategy 2010-2020

21.02-6 Environmental Risk

15/10/2015
Proposed
GC42 C438

Overview

Environmental risk in land use planning encompasses a broad range of issues, including the efficient management and protection of natural resources, dealing with contaminated land and developing resilience to impacts of climate change and peak oil.

Key Issues

- Consideration in planning strategies and permit assessments about potential environmental risks, such as land contamination, noise and air pollution, as well as the impacts of climate change including flooding, soil erosion, wildfire and heatwaves.
- Efficient management and protection of natural resources and ensuring risks of contamination, soil erosion, oil spill and industrial runoff into water bodies are considered in assessments.

Objective

To ensure appropriate development in areas prone to environmental risk.

Strategies

- Require assessment of environmental risk, and as appropriate require environmental audits be undertaken, where a sensitive use is proposed on potentially contaminated land.
- Assess risk prior to development in flood prone areas, in accordance with relevant flood management plans.

Implementation

The strategies in relation to environmental risk will be implemented through the planning scheme as follows:

Application of Zones and Overlays

- Apply the Environmental Audit Overlay to potentially contaminated land that may be used for sensitive uses in accordance with the requirements of *Ministerial Direction No.1 – Potentially Contaminated Land*.
- Apply the Special Building Overlay to land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.

Further Strategic Work

- Compile a register of non-conforming industrial sites for which a change to a sensitive land use is likely, with a view to applying the Environmental Audit Overlay.
- Develop a local planning policy for consideration of use or development of land which has potential for contamination to ensure proposed uses and developments are suitable, and require remediation of contaminated land to a level that is compatible with the desired future uses of the site.

Reference Documents

Climate Change and Peak Oil Adaptation Plan, 2009
Ministerial Direction No.1 – Potentially Contaminated Land
~~Stormwater Management Plan Review, 2007~~ [Watershed: Towards a Water Sensitive Darebin, Darebin City Council Whole of Water Cycle Management Strategy 2015-2025](#)
[Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025](#)

DAREBIN PLANNING SCHEME

21.02 ENVIRONMENT

15/10/2015
Proposed GC42
C147

This Clause provides local content to support Clause 11.03 (Open Space), Clause 12 (Environmental and Landscape Values), Clause 13 (Environmental Risks), Clause 14 (Natural Resource Management) and Clause 15 (Built Environment and Heritage) of the State Planning Policy Framework.

21.02-1 Strategic Environment Framework

15/10/2015
C138

‘The environment’ encompasses all the circumstances, objects or conditions that surround us as we live, work and recreate – from the climate, soil, water and other living things to open spaces, buildings, and urban streetscapes. In land use planning, ‘natural’ and ‘built’ environments are generally distinguished separately as they are in the objectives. However, they are interconnected in how they interface and collectively contribute to the experience of life in Darebin. Council supports an approach to natural and built environments that:

- Protects and enhances natural environmental assets, in particular creek and habitat corridors, and manages visual and physical impacts from land use and development in a way that does not preclude accessibility and, where appropriate, the physical and visual integration between urban and natural environments.
- Promotes urban environments and open spaces designed for liveability and environmental sustainability, and making a positive contribution to the health and wellbeing of Darebin residents, workers and visitors.
- Recognises and protects areas and sites of natural, cultural and built heritage value.

Objectives and strategies for these are set out in the clauses below.

21.02-2 Natural Environment

15/10/2015
Proposed
GC42C438

Overview

Areas of natural environmental significance in Darebin include native grasslands at Central Creek Reservoir and Cherry Street Macleod; two major creek systems (Merri and Darebin); significant remnant vegetation (River Red Gums at Mount Cooper and Bundoora Park); and native habitat forest (Gresswell Forest and Hill, and La Trobe Wildlife Sanctuary) which also support significant native animal species.

The Merri and Darebin Creeks, Gresswell Habitat Link and Hurstbridge Rail Reserve provide a cohesive network of natural spaces and corridors. Appropriate landscape and water management on land adjoining this network can contribute to the protection of these habitats. Additionally, areas around Darebin and Merri Creeks that are popular for recreation, cycling and walking require planning to ensure they are safe spaces to access.

Refer to the Strategic Framework Plan at Clause 21.01-6 showing areas of natural environment significance.

Key Issues

- Protection of remnant natural areas in Darebin from the impacts of development.
- Pressure for redevelopment of residential creek-side lots.
- Impact of industrial development on creek-side environs with regard to location of storage areas, car parking and design of the built form.
- Maintaining long term protection of remnant native vegetation in estates such as Springthorpe in Macleod and Mt. Cooper and Lancaster Gate in Bundoora.
- Impacts of land use activities on local and regional waterways through substances released into the stormwater system, run-off from roads, and litter.

- Maintaining a cohesive network of linked natural spaces and corridors to provide havens and corridors for wildlife and enhance water quality in the creeks.
- Balancing the need for preserving a natural landscape feel with the need for passive surveillance at interfaces between natural and built environments.

Objective 1 – Protect and Enhance

To protect, maintain and enhance Darebin’s natural environment including the major creek systems.

Strategies

- Ensure that remnant vegetation is identified and conserved.
- Ensure that places and areas of natural heritage significance are conserved and enhanced.
- Encourage the use of indigenous vegetation and planting on private and public land to increase biodiversity.
- Manage landscapes in ways that contribute to the creation of a more ecologically sustainable natural environment.
- Ensure development of urban areas maintains or improves river and wetland health, waterway protection and flood plain health through appropriate stormwater and overland flow management and integrated water management planning of precincts.
- Provide for a consistent and coordinated planning approach to protect, maintain and enhance the natural, landscape, cultural and built character of the Darebin and Merri Creek environs.

Objective 2 – Interfaces

To achieve a balance between the protection of the natural environment and the safety and surveillance objectives of recreational users of public open space.

Strategies

- Ensure that land use and development is compatible and appropriately integrated with areas of natural heritage and environmental significance.
- Ensure that development adjacent to the Darebin and Merri Creeks retains and enhances each creek’s unique contribution to the community and wider ecology.
- Balance the need to ensure the aesthetic impact of development adjacent to creeks is sensitive to existing creek environs, view lines and landscape works with the need to provide passive surveillance over creek-side environs, particularly around access points to public land and along pedestrian and cycling pathways.
- Consider fencing strategies for development adjacent to parks and reserves, which ensures fencing not only defines the transition from public to private realm but promotes good surveillance.
- Ensure development of private land adjoining the perimeter of Bundoora Park is designed and orientated to provide frontage to the park and avoid high fencing and expanses of wall at the park interface. Development should provide visual and physical connections to the park (via active frontages with appropriate land uses at ground level, pedestrian paths and links, and windows, terraces/balconies orientated to overlook the park) wherever possible.

Implementation

The strategies in relation to natural environment will be implemented through the planning scheme as follows:

Policy Guidelines

Apply Clause 22.03 Darebin Creek – Adjacent Land Design and Development in considering applications for development or subdivision of land adjacent to Darebin Creek.

Application of Zones and Overlays

- Apply the Public Conservation and Resource Zone over the Gresswell Habitat Link, Gresswell Forest Nature Conservation Reserve and Central Creek Grasslands.
- Apply Vegetation Protection Overlays to provide for the long term preservation of significant vegetation on the Mount Cooper, Springthorpe and Lancaster Gate Estates and the former Kingsbury Centre.
- Apply Environmental Significance Overlays to protect remnant vegetation sites and other areas of identified environmental significance.
- Apply Design and Development Overlays over private and public land adjacent to the Darebin and Merri Creeks to manage the impact of development on and provide appropriate interfaces with creek-side areas.
- Apply the Urban Floodway Zone and Land Subject to Inundation Overlay provisions as appropriate around waterways to minimise flood-related soil erosion, sedimentation and silting and to protect water quality.

Further Strategic Work

- Review the application of the Urban Floodway Zone along parts of the Merri, Darebin and Edgars Creeks.
- Review the Environmental Significance Overlays along Darebin Creek and Merri Creek to ensure that the boundary of each overlay covers areas where development is likely to have an impact on the creek environs.
- Review the *Darebin Creek Design and Development Guidelines (2000)* to inform preparation of a Design and Development Overlay for land adjacent to Darebin Creek.
- Review the *Development Guidelines for Merri Creek (Merri Creek Management Committee, 2004)* to inform preparation of a Design and Development Overlay for land adjacent to Merri Creek.
- Include an integrated water management plan and ecological improvement initiatives for Darebin Creek in the formulation of the Northland Structure Plan.

Reference Documents

Bundoora Park Master Plan 2012

Central Creek Grassland 5 Year Management Plan 2011-2016

Darebin Creek, Design and Development Guidelines, City of Darebin, 2000

Darebin Litter Plan 2011-2013

Darebin Open Space Strategy, 2007-2017 (2008)

~~Darebin Stormwater Management Plan Review, 2007~~

Development Contributions Plan

Development Guidelines for Merri Creek, Merri Creek Management Committee, 2004

Lower Darebin Creek Concept Plan, Parks Victoria/Melbourne Water, 1996

Merri Creek and Environs Strategy 2009-2014, Merri Creek Management Committee, 2009

Springthorpe Conservation Plan, February 2001

Springthorpe Tree Conservation Plans

[Watershed: Towards a Water Sensitive Darebin, Darebin City Council Whole of Water Cycle Management Strategy 2015-2025](#)

[Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025](#)

21.02-3 Built Environment

Overview

The design and quality of the built environment, including buildings, public spaces, infrastructure and streetscapes plays an important role in enhancing civic pride, liveability and social connectedness, and provides opportunities for creating a more sustainable city.

Good urban design acknowledges the collective impact of development both within and beyond the boundaries of individual sites and enables positive outcomes for the public realm that enhance people's wellbeing and experience of the built environment.

Darebin City Council is committed to environmental sustainability and actively encourages sustainably-designed buildings that reduce energy consumption and water use, encourage recycling and sustainable transport and that use recycled and sustainable materials.

Key Issues

- Achieving high-quality design in development across a variety of urban environments, including activity centres and industrial/employment precincts.
- Impacts of large-scale development on streetscape amenity and pedestrian experience, and increased reliance on the public realm in providing visual appeal and amenity.
- How design might improve the interface and interaction of new developments with the public realm (including parks and open spaces).
- Incorporating Environmentally Sustainable Design (ESD) principles in the design and development of built environments and strengthening requirements at planning permit stage.
- Striking a balance between the understandable need for businesses to advertise and community expectations for an environment devoid of unattractive visual clutter.

Objective 1 – Urban Design Excellence

To ensure development in Darebin exhibits good urban design and provides distinctive, attractive and engaging places in which to reside, visit or work.

Strategies

- Encourage high quality design and buildings that respond to characteristics of the locality.
- Develop and implement detailed design guidelines for areas where substantial housing change and growth is encouraged.
- Ensure that important public views and vistas, where identified in a strategy or guideline adopted by Council, are recognised, protected and enhanced.
- Apply urban design principles when developing structure plans, land use strategies, and urban design guidelines.
- Promote land use and development in activity centres, strategic corridors and strategic development precincts in accordance with adopted Structure Plans, precinct plans or strategies.
- Ensure development in activity centres, strategic corridors and strategic development precincts:
 - is responsive to its environment with a high quality appearance

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- promotes an urban scale and character that is appropriate to the role and function of the activity centre or strategic corridor precinct
- encourages consolidation of commercial areas along strategic corridors to create strong, vibrant hubs to serve the local community
- manages negative off-site impacts and interface issues with surrounding sensitive land uses
- promotes visual and physical improvements to the public realm
- encourages a safe and accessible environment for pedestrians, cyclists, public transport users and motorists.
- Ensure that development in industrial and commercial areas:
 - achieves a high standard of building design and provides for suitable landscaping and treatments to improve the visual character, function and layout of such areas
 - minimises the impact of traffic, noise and emissions from industrial land uses on the amenity of surrounding residential areas
 - reduces and minimises conflict between industrial and non-industrial land uses.
- Encourage streetscape upgrades and street tree planting, particularly in areas where Substantial Housing Change is envisaged.
- Collect development contributions from private development for streetscape upgrades.
- Undertake streetscape upgrades to Edwardes Street, Broadway and other streets in Reservoir Activity Centre.

Objective 2 – Safe Urban Environments

To promote safety through well-designed and well-maintained urban environments.

Strategies

- Encourage designs that incorporate elements that promote safety, such as clear sightlines, safe movement, passive surveillance, good connections, good access, mixed use and activities that promote public use.
- Ensure that public spaces, access routes and areas in the vicinity are attractive, safe, uncluttered and work effectively for all.
- Ensure new retail and/or mixed use development incorporates verandahs over footpaths where appropriate.
- Ensure that buildings at ground level provide active frontages and a high level of pedestrian amenity.
- Encourage day and evening activity in activity centres, other precincts and key development.
- Consider the above strategies in assessments and when developing strategies and urban design guidelines.

Objective 3 – Environmentally Sustainable Design

To promote and facilitate development that incorporates best practice environmentally sustainable design and promotes sustainable living and business practices.

Strategies

- Encourage the adaptive reuse of buildings to reduce the amount of waste going to landfill.

DAREBIN PLANNING SCHEME

- Encourage the design of new and retrofitted buildings and public spaces to incorporate high standards of energy efficient design, water sensitive urban design, sustainable transportation, waste reduction and protection of biodiversity.
- Promote the integration of land use and sustainable transport (walking, cycling and public transport) in accordance with the strategies in Clause 21.05-1.
- Encourage best practice industrial and commercial development to minimise amenity impacts and achieve long term environmental sustainability.
- ~~Encourage~~ Require the preparation of Sustainable Design Assessments and Sustainability Management Plans for residential, ~~mixed use, industrial and commercial~~ non-residential developments as part of the planning permit approval process.

Objective 4 - Signage

To ensure signage is integrated into development and streetscapes.

Strategies

- Minimise visual clutter and prevent the proliferation of signs, particularly along major gateways, road reservations, commercial/retail areas and industrial estates.
- Ensure that outdoor signage presents a coordinated and high quality image.
- Ensure outdoor signage is located on the land to which it relates.
- Encourage simple, clear, consistent and non-repetitive advertising that is displayed in appropriate locations and planned as an overall signage package for a site.
- Ensure outdoor advertising is appropriate with regard to the architectural design of buildings on which signs are displayed.
- Incorporate outdoor advertising into the design of new buildings and major renovations and ensure signage is planned for at the beginning rather than at the end of development.

Implementation

The strategies in relation to built environment will be implemented through the planning scheme as follows:

Policy Guidelines

- Apply Clause 22.01 Junction Local Area Plan in considering applications for use and development in the Junction Strategic Development Precinct.
- Apply Clause 22.04 Industrial and Commercial Activity in considering applications for use and development in the Industrial 1, Industrial 3 and Commercial 2 Zones.
- Apply Clause 22.05 High Street Corridor Land Use and Urban Design in considering applications for use and development in the High Street corridor.
- Apply Clause 22.06 in considering applications for Residential or Mixed Use Development in a Residential Growth Zone, Mixed Use Zone, Commercial Zone, Priority Development Zone and, where considered relevant, General Residential Zone.
- Apply Clause 22.08 Northcote Activity Centre in considering applications for use and development in the Northcote Activity Centre.
- Apply Clause 22.09 Preston Central (Incremental Change) in considering applications development in residential precincts of the Preston Activity Centre.
- Apply Clause 22.12 Environmentally Sustainable Development in considering applications for residential and non-residential development.

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DAREBIN PLANNING SCHEME

Application of Zones and Overlays

- Apply the Activity Centre Zone to activity centres, incorporating urban design frameworks and guidelines.
- Apply the Design and Development Overlay to ensure that key public views and vistas are protected and enhanced.
- Apply the Design and Development Overlay to sites and precincts to achieve specific desired built form outcomes, design principles and treatment of interfaces (as required by structure plans, strategies, or site studies).
- Apply Design and Development Overlays along strategic corridors to achieve high quality development in accordance with relevant urban design frameworks.
- Apply the Development Plan Overlay to strategic redevelopment sites and precincts.

Further Strategic Work

- Develop an Environmentally Sustainable Development Strategy that will:
 - establish a framework to coordinate the various environmental policies of Council and provide strategic directions for energy efficiency, waste management and integrated water management;
 - set design guidelines for achieving sustainable development that minimises energy and water consumption and encourages reuse of water and waste; **and**
 - ~~· provide the basis for preparation of a local policy to set performance measures and guide decision making~~
 - provide the basis for other planning measures such as overlays for achieving sustainable development at both site and precinct scale.
- Prepare and implement Urban Design Frameworks and guidelines for development in:
 - Northland Activity Centre
 - Reservoir Activity Centre
 - Fairfield Village and Miller-on-Gilbert Neighbourhood Centres
 - Heidelberg Road Corridor
 - The Junction and Oakover Village Strategic Redevelopment Precincts.
- Review the *Preston Structure Plan 2006 (as amended)* and *Northcote Structure Plan (2007)* to ensure the strategic directions in these plans address contemporary issues and reflect the broader strategic vision for municipal growth and change.
- Review the *High Street Urban Design Framework (2005)* and implement Design and Development Overlay controls for intermodal areas of High Street.
- Review the *Bell Street Corridor Strategy (2006)* and implement Design and Development Overlay controls to encourage high quality development along the Bell Street Corridor.
- Identify important public views and vistas in the municipality.
- Explore opportunities to incorporate public art elements in high profile developments.
- Identify and support the delivery of streetscape upgrades in Substantial Housing Change areas.

Reference Documents

Bell Street Corridor Strategy, Hansen Partnership, 2006

Climate Change and Peak Oil Adaptation Plan, 2009

DAREBIN PLANNING SCHEME

Community Climate Change Action Plan 2009-2020
Community Health and Wellbeing Plan 2009-2013
Darebin Community Safety Strategy 2012-2016
Darebin Housing Strategy 2013
[Darebin Waste and Litter Strategy 2015-2025](#)
~~[Darebin Stormwater Management Plan Review, 2007](#)~~
Green Streets Strategy 2013
High Street Urban Design Framework and High Street Study Precinct Guidelines, 2005
Northcote Activity Centre Structure Plan, 2007, and Medium and Low Change Residential Areas Precinct Guidelines, 2008
Northland Residential Neighbourhood Precinct Structure Plan, 2014
Plenty Road Integrated Land Use and Transport Study, 2013
Plenty Road Urban Design Framework, 2013
Preston Central Structure Plan 2006 (as amended) and Urban Design Framework and Guidelines, 2006
Reservoir Structure Plan, 2012
Residential Built Form Guidelines, 2014
Safer Design Guidelines for Victoria, 2005
St Georges Road Urban Design Framework, 2013
~~[Sustainable Water Strategy 2007](#)~~
~~[Sustainable Water Use Plan, 2005](#)~~
Urban Design Charter for Victoria, 2010
~~[Waste Management strategy 2007-2014](#)~~
[Watershed: Towards a Water Sensitive Darebin, Darebin City Council Whole of Water Cycle Management Strategy 2015-2025](#)
[Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025](#)

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21.02-4 Heritage

Overview

Darebin municipality's rich and diverse natural heritage and history of human settlement, from pre-contact inhabitation, through European colonisation to the modern era, has created a heritage fabric characterised by many layers and types of significance.

The extensive stock of older buildings can provide opportunities for redevelopment that demonstrate principles of cultural and ecological sustainability, possibly through adaptive reuse, urban design and architectural excellence. Some heritage places have the potential to increase and enhance local and regional tourism opportunities.

Key Issues

- Providing a balance between conservation needs and capacity for new infill development within heritage precincts to deliver a good design outcome.
- Balancing diversity of experience and conservation of biodiversity values around natural heritage assets.

Objective 1 – Heritage Places and Areas

To ensure that places and areas of cultural and natural heritage significance are conserved and enhanced.

Strategies

- Encourage the retention of any significant original fabric in development proposals.
- Discourage demolition or relocation of locally significant heritage buildings.
- Encourage appropriate use of heritage places in keeping with heritage significance.
- Identify and protect sites of identified Aboriginal cultural heritage significance.
- Identify and protect sites of natural heritage significance.

Objective 2 – Development and Heritage

To promote sympathetic infill and redevelopment of heritage places and areas.

Strategies

- Ensure development within heritage areas is sympathetic with the heritage character of the area.
- Ensure that redevelopment of heritage buildings and areas is visually compatible with existing forms.
- Promote innovative responses that makes a positive contribution to the heritage places and areas.
- Facilitate designs that are sensitive to heritage and urban character.
- Require conservation management plans for key sites prior to approval and commencement of works.

Implementation

The strategies in relation to heritage will be implemented through the planning scheme as follows:

Application of Zones and Overlays

- Apply the Heritage Overlay to places of local, regional, State or national heritage significance.
- Apply the Environmental Significance Overlay to places of natural heritage significance and culturally significant landscapes, trees and/or vegetation.

Further Strategic Work

- Review the Darebin Heritage Strategy, which should include the development of design guidelines on demolition and redevelopment of heritage places, and provide the strategic basis for development of a local policy to guide decision making.
- Prepare a Natural Heritage Study to identify sites of natural heritage significance and form strategies for ongoing conservation and management.

Reference Documents:

City of Darebin Heritage Study: Volume 3, Key Findings & Recommendations, 2008

City of Darebin Heritage Study: Volume 4a, Preston Central Heritage Assessment, Key Findings and Recommendations, 2008

City of Darebin Heritage Study, Volume 4b, Preston Central Heritage Place Citations, 2008

Darebin Heritage Review Volumes 1, 2, & 3, 2002

Darebin Housing Strategy 2013

City of Darebin Citations for Individually Significant Buildings, 1996

21.02-5 Open Space

Overview

Access to and enjoyment of open space is a key contributor to quality of life and local amenity. Council aims to improve the quality of open space and encourage the use and development of waterways and linkages. Priorities for managing open space are guided by the Darebin Open Space Strategy 2007-2017, which identifies and categorises open spaces by state down to local role, and the range of functions each space should fulfil.

Key Issues

- Darebin is a developed municipality with limited opportunities for creating additional open space. Existing open space is highly valued by the community.
- Provision of sufficient open space, particularly in higher density living precincts where there is higher reliance on for communal facilities for outdoor activities and recreation.

Objective

To provide a safe, accessible and high quality open space network that is equitably distributed across the municipality.

Strategies

- Encourage opportunities for public and communal open spaces adjacent to the creek environs.
- Protect and enhance existing open spaces where possible.
- Encourage linear open space linkages along waterways including pedestrian and bicycle access.
- Include provision for acquisition and improvement of open space in Development Contributions Plans.
- Consider opportunities for 'greening' in areas of higher density development, including alternative to traditional ground level landscaping e.g. green roofs and walls.

Implementation

The strategies will be implemented through the planning scheme as follows:

Application of Zones and Overlays

- Apply the Public Park and Recreation Zone to all municipal reserves.
- Apply the Public Conservation and Resource Zone to undeveloped municipal reserves which contain significant levels of indigenous vegetation or high biodiversity values.
- Apply the Heritage Overlay to open space of recognised cultural and social heritage value.

Further Strategic Work

- Review and rezone public open space in accordance with relevant strategies.
- Review the Environmental Significance Overlays along Darebin Creek and Merri Creek to ensure that the boundary of each overlay covers areas where development is likely to have an impact on the creek environs.
- Undertake an assessment of the heritage significance of the City's older reserves as a basis for conservation planning and management, including Oldis Gardens, Johnson Park, LW Williams Reserve, JS Grey Reserve, Adam Reserve, Batman Park, Penders Park and AG Davis Reserve.

15/10/2015
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Reference Documents

Bundoora Park Precinct Master Plan, 2012

Darebin Open Space Strategy, 2007-2017 (2008)

Development Contributions Plan

Leisure Strategy 2010-2020

Playspace Strategy 2010-2020

21.02-6

15/10/2015
Proposed
GC42
C438

Environmental Risk**Overview**

Environmental risk in land use planning encompasses a broad range of issues, including the efficient management and protection of natural resources, dealing with contaminated land and developing resilience to impacts of climate change and peak oil.

Key Issues

- Consideration in planning strategies and permit assessments about potential environmental risks, such as land contamination, noise and air pollution, as well as the impacts of climate change including flooding, soil erosion, wildfire and heatwaves.
- Efficient management and protection of natural resources and ensuring risks of contamination, soil erosion, oil spill and industrial runoff into water bodies are considered in assessments.

Objective

To ensure appropriate development in areas prone to environmental risk.

Strategies

- Require assessment of environmental risk, and as appropriate require environmental audits be undertaken, where a sensitive use is proposed on potentially contaminated land.
- Assess risk prior to development in flood prone areas, in accordance with relevant flood management plans.

Implementation

The strategies in relation to environmental risk will be implemented through the planning scheme as follows:

Application of Zones and Overlays

- Apply the Environmental Audit Overlay to potentially contaminated land that may be used for sensitive uses in accordance with the requirements of *Ministerial Direction No.1 – Potentially Contaminated Land*.
- Apply the Special Building Overlay to land in urban areas liable to inundation by overland flows from the urban drainage system as determined by, or in consultation with, the floodplain management authority.

Further Strategic Work

- Compile a register of non-conforming industrial sites for which a change to a sensitive land use is likely, with a view to applying the Environmental Audit Overlay.
- Develop a local planning policy for consideration of use or development of land which has potential for contamination to ensure proposed uses and developments are suitable, and require remediation of contaminated land to a level that is compatible with the desired future uses of the site.

Reference Documents

Climate Change and Peak Oil Adaptation Plan, 2009

Ministerial Direction No.1 – Potentially Contaminated Land

[Stormwater Management Plan Review, 2007](#)

[Watershed: Towards a Water Sensitive Darebin, Darebin City Council Whole of Water Cycle Management Strategy 2015-2025](#)

[Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025](#)

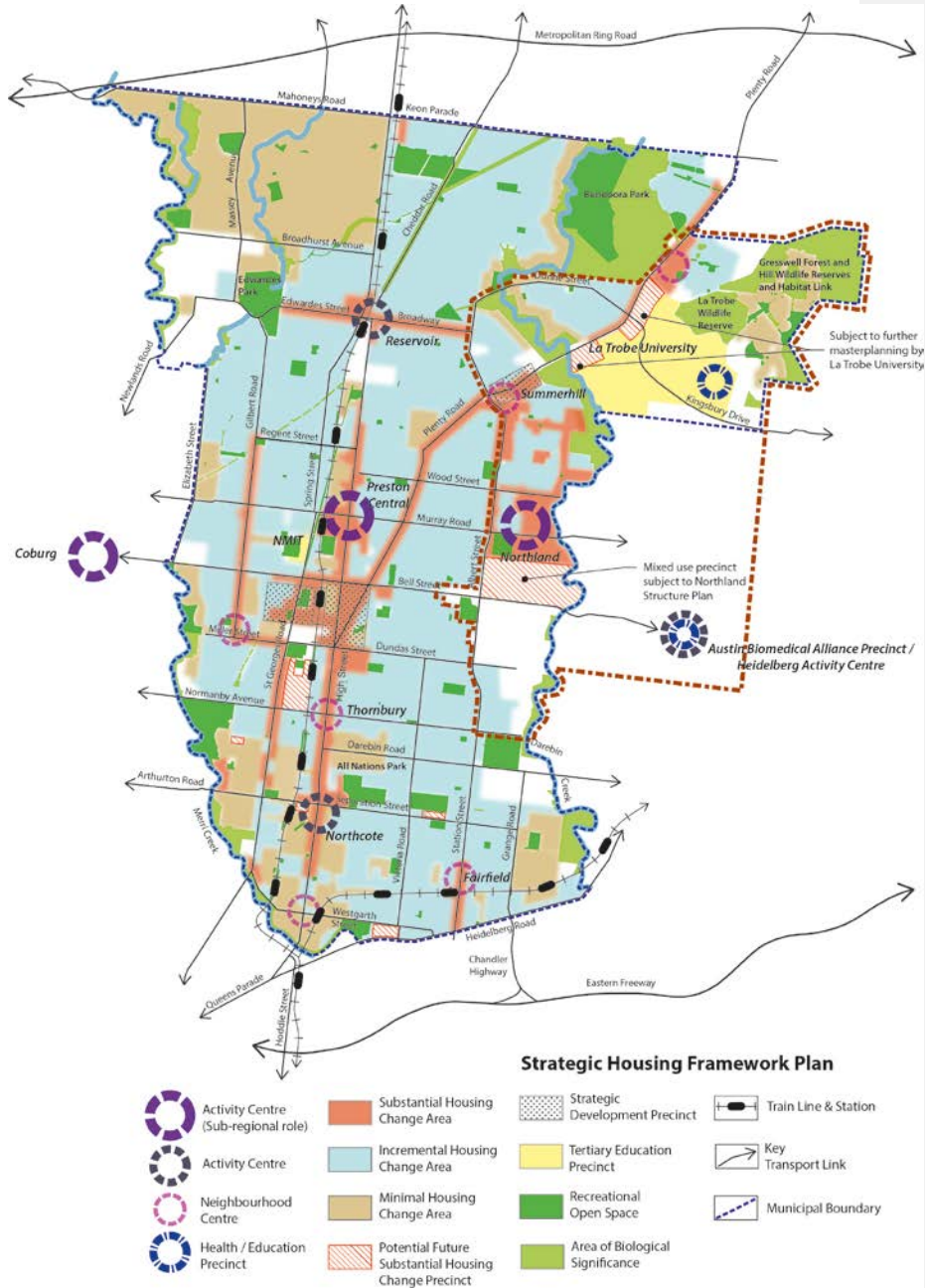
21.03 HOUSING

15/10/2015
Proposed
GC42C447

This Clause provides local content to support Clause 11 (Settlement) and Clause 16 (Housing) of the State Planning Policy Framework.

21.03-1 Strategic Housing Framework

15/10/2015
C147



Council recognises that housing is fundamental to wellbeing, standard of living and quality of life. Housing is more than just the physical dwelling; it is also about environments, people and places where citizens want to live and become involved in the community. Darebin is undergoing strong population growth and significant demographic change. This places considerable pressure on existing housing and requires careful consideration of where additional housing growth can best be accommodated.

Council supports a vision of housing that:

- Balances the needs of current as well as future residents
- Is affordable, equitable and accessible for all residents
- Exhibits best practice environmental design and urban design excellence
- Is appropriate to its location
- Is considerate of its context
- Provides for diverse housing needs and preferences.

Objectives, strategies and policy guidelines to achieve the strategic vision for housing are outlined in the clauses below.

Strategic Housing Framework Plan

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

The framework plan identifies activity centres, and strategic corridors and redevelopment precincts such as the Junction, High Street, Plenty Road, St Georges Road, Bell Street and areas within the La Trobe National Employment Cluster as having the capacity to accommodate residential uses at a range of densities.

The framework plan also identifies three Housing Change Areas, which apply to all land in the municipality that currently has a zoning that permits residential uses. These housing change areas are:

Minimal Housing Change

Residential areas that have a limited capacity to accommodate future residential development. Minimal Change Areas do not prohibit all residential development, but seek to allow a modest level of development that respects the type, scale and character of the area. Minimal Change Areas are sites and precincts that generally display one or more of the following characteristics:

- Are Heritage Overlay precincts
- Are identified in the *Darebin Neighbourhood Character Study (2007)* as 'potential Neighbourhood Character Overlay areas'
- Have a highly intact pattern of subdivision in favour of detached dwellings on individual lots, generally evidenced by more than 80 per cent of housing stock having this attribute
- Have a strong neighbourhood character, evidenced by a high degree of consistency in architectural style and streetscape, in particular where 80 per cent or more of the housing stock is consistent with precinct descriptions in the *Darebin Neighbourhood Character Study (2007)*, and where restoration of original housing stock is prevalent
- Have identified environmental or landscape significance, including land with frontage to Creek bodies
- Excluding heritage precincts, are located:

- outside an 800 metre walkable catchment of an activity centre
- generally outside an 800 metre walkable catchment of train, tram or SmartBus services.

Incremental Housing Change

Residential and commercial areas that have the capacity to accommodate a moderate level of residential development over time. It is expected that the general character of Incremental Change Areas will evolve over time as new yet modest types of development are accommodated. Incremental Change Areas generally display one or more of the following characteristics:

- A diversity of housing stock, diversity of lot sizes and a more varied neighbourhood character. Typically areas include some medium density and small apartment development, but the predominant dwelling stock is single to double storey dwellings.
- Have some stand-alone or small clusters of heritage sites, including along strategic corridors, however are generally unaffected by extensive heritage recognition.
- Are located:
 - within an 800 metre walkable catchment of an activity centre
 - generally within an 800 metre walkable catchment of train, tram or SmartBus services.

Certain Incremental Housing Change areas should only be considered suitable for limited scale and density of residential development. These are areas which:

- Are generally outside of an 800 metre walkable catchment to an activity centre, train station, tram route or SmartBus route.
- Have experienced a modest degree of infill residential development which precludes their classification as minimal change areas.

Substantial Housing Change

Residential, commercial and designated activity centres that have the capacity to accommodate substantial residential development over time. Substantial Change Areas will support increased residential densities and increased housing diversity. It is expected that the character of these areas will change substantially in the future.

Substantial Change Areas generally display one or more of the following characteristics:

- Have an evolving character where there is an eclectic mix of new and old forms of architectural style and housing typologies. This includes more recent apartment developments at higher densities and in mixed-use formats.
- Are identified locations for increased residential densities to support economic investment and growth in the La Trobe National Employment Cluster.
- Are within or immediately adjacent to activity centres that possess superior access to the Principal Public Transport Network.
- Have a frontage to a strategic corridor.
- Are generally within 400 metres of a train station or tram route.

The scale and intensity of residential growth will differ across Substantial Change Areas depending on their strategic capacity to accommodate municipal growth and future housing needs as described at Clause 21.01-6. Generally, residential growth in Darebin adheres to the following hierarchy:

- a) Preston Central and Northland East Preston Activity Centres
- b) Reservoir and Northcote Activity Centres
- c) Neighbourhood Centres

- d) Strategic Corridors including Plenty Road and St Georges Road
- e) Other substantial change areas as identified in the Strategic Housing Framework Plan.

Strategic Opportunity Sites

Strategic Opportunity Sites are sites that possess the following characteristics that make them suitable for residential and/or mixed use redevelopment at increased densities:

- Over 1000sqm in lot size
- In a zone that permits residential use
- Not constrained by a Heritage Overlay and/or Minimal Housing Change Area
- Displaying one or more of the more of the following favourable locational criteria:
 - within 500 metres of train station
 - within 400 metres of tram route
 - fronting a strategic corridor (High St, Bell St, Plenty Rd, St Georges Rd)
 - within a designated activity centre.

Strategic opportunity sites are not indicated on the framework plan. An indicative list of sites is provided in the *Darebin Housing Strategy (2013)*. It is envisaged that in addition to these sites, future sites that fulfil the above criteria can be identified and classified as Strategic Opportunity Sites.

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Housing Development

Overview

Population growth and demographic trends in Darebin are driving down average household size, increasing demand for additional housing and requiring different types and sizes of housing. With land constraints and a decline in the supply of vacant land across Darebin, housing demand will need to be met through intensification of existing urban areas. Housing development opportunities exist in and around activity centres, strategic corridors and strategic redevelopment precincts, near public transport, close to employment and services and on strategic opportunity sites identified in the *Darebin Housing Strategy (2013)*. By identifying these key locations suitable for more substantial growth and change, areas of special heritage, character and environmental qualities can be conserved, with minimal levels of change. In residential areas, there is also a need to accept and accommodate some non-residential activities at appropriate scale and format to service the needs of the local community.

Key Issues

- Population growth projections for 2011-2031 estimate an additional 30,300 new residents will call Darebin home; around 1517 new residents each year. This is expected to generate demand for approximately 13,600 additional dwellings over the next 20 years.
- Ageing of the population and a trend toward fewer people in each dwelling will place considerable pressure on existing housing.
- Vacant land has become relatively scarce in Darebin, declining from 1087 lots in 2004 to 623 lots in 2013. Infill redevelopment of existing lots and brownfield redevelopment are likely to be the primary area for accommodating future housing growth in Darebin.
- Challenge is accommodating the required increase in dwellings in locations with good public transport access, while conserving and enhancing the valued character and heritage qualities of residential areas.
- Housing in suitable locations proximate to public transport will reduce car dependency and promote more walking and cycling and contribute to better health and wellbeing.

- Challenge in ensuring where housing development opportunities can be maximised, that this does not come at the expense of amenity, safety, accessibility and connectivity in and around those places.
- As population increases along with demand for services, there is a need to achieve a balance between wider community benefit and potential amenity impacts of non-residential uses in residential areas.

Objective 1 – Housing Provision

To facilitate housing development that has an appropriate scale and intensity in locations across the municipality.

Strategies

- Encourage housing development in accordance with the Strategic Housing Framework Plan as follows:
 - In Minimal Housing Change Areas, encourage housing development that is consistent with the type, scale, style and prevailing character of the area and allows for minimal housing growth and change over time
 - In Incremental Housing Change Areas, encourage housing development and diversity that is generally consistent with the character of the area and responsive to varying local conditions, allowing for moderate housing growth and diversification over time
 - In Substantial Housing Change Areas, encourage a variety of housing typologies at increased densities and to discourage underdevelopment, with the scale of development appropriate to precinct characteristics and context as identified by a structure plan or adopted policy of Council, and generally in accordance with the hierarchy of residential growth identified at Clause 21.03-1
 - On Strategic Opportunity Sites, encourage housing development at increased densities and discourage underdevelopment, with the scale and style of development responsive to location and context.
- Ensure that the design of development at interfaces between Substantial Change and Incremental or Minimal Change Areas, or between Incremental and Minimal Change Areas, provides a sensitive transition, with particular consideration given to:
 - Design and layout which avoids unreasonable amenity impacts on adjoining sensitive residential interfaces due to overshadowing, loss of privacy and unreasonable visual intrusion
 - Site orientation, layout and topography in determining the appropriate built form envelope and in assessing the impact of proposed development on adjoining amenity
 - Sympathetic response to the identified values of any adjoining heritage overlays.

Objective 2 – Housing density

To achieve higher density housing outcomes in identified locations to accommodate Darebin's projected population growth.

Strategies

- Support a diversity of housing types, sizes, designs and configurations and support redevelopment at higher overall densities in Substantial Housing Change Areas and on Strategic Opportunity Sites, as identified in the Strategic Housing Framework Plan.
- Discourage underdevelopment of areas that are identified as Substantial Housing Change Areas and on Strategic Opportunity Sites.
- Encourage lot consolidation in Substantial Housing Change Areas, to facilitate increased densities, efficient use of land and to facilitate sustainable design outcomes.

DAREBIN PLANNING SCHEME

- Support low scale medium density housing development that respects existing neighbourhood character in Incremental Housing Change Areas, particularly in areas that are in proximity to shops, facilities, services and transport.
- Encourage housing development in the Preston Central, Northland East Preston, Northcote and Reservoir Activity Centres in accordance with Structure Plans and related zone and overlay provisions in this Planning Scheme.
- Encourage intensive and innovative housing development to locate within or in proximity to activity centres and in strategic redevelopment precincts such as the Junction, Summerhill Village and Oakover Village, in accordance with adopted Structure Plans and precinct plans.
- Encourage apartment development in the Northland residential neighbourhood precinct which extends from Murray Road in the Northland East Preston Activity Centre to (and including) Summerhill Road and between the Albert Street corridor and the Darebin Creek.
- Encourage new housing near retail and employment precincts and above ground floor level within these precincts.
- Encourage greater housing densities and mixed use development along High Street, Plenty Road, St Georges Road and Bell Street.
- Encourage multi-level, mixed use developments that incorporate contemporary designs, providing interesting architectural forms and creative urban design responses, including the development of landmark buildings that contribute to the distinctiveness and positive image of Darebin.
- Ensure new housing is located so as to allow pedestrian access to local services, employment and facilities, including commercial areas.

Objective 3 – Residential Amenity

To facilitate residential and mixed use developments that display a high standard of design, limit off-site amenity impacts and provide appropriate internal amenity for residents.

Strategies

- Require a high standard of design (including architectural quality and environmentally sustainable design) be achieved in residential and mixed use developments through the use of design and development overlays, urban design frameworks, development plans and local policies as appropriate.
- Ensure non-residential use and developments in residential zones are designed to minimise negative amenity impacts on the surrounding residential neighbourhood.
- Ensure mixed use developments are designed to provide adequate amenity to residences on the site, minimising the need for screening and limiting unreasonable negative amenity impacts on surrounding residential uses.
- Ensure that housing development within and adjoining retail and employment areas is designed to minimise the potential for conflict between commercial and residential uses, including noise and operational considerations.
- Support the consolidation of retail and employment activities within activity centres.

Implementation

The strategies in relation to Housing Development will be implemented through:

Policy Guidelines

- Apply Clause 22.01 Junction Local Area Plan in considering applications for housing in the Junction Strategic Redevelopment Precinct.

DAREBIN PLANNING SCHEME

- Apply Clause 22.02 Neighbourhood Character in considering an application for development and works on residential zoned land in Incremental and Minimal Change Areas covered by Neighbourhood Character Precinct Plan.
- Apply Clause 22.05 High Street Corridor Land Use and Urban Design in considering applications for residential development in the High Street Strategic Corridor, with the exception of the Northcote Activity Centre Local Policy Area.
- Apply Clause 22.06 in considering applications for Residential or Mixed Use Development in a Residential Growth Zone, Mixed Use Zone, Commercial Zone, Priority Development Zone and, where considered relevant, General Residential Zone.
- Apply Clause 22.08 Northcote Activity Centre in considering applications for residential development in the Northcote Activity Centre.
- Apply Clause 22.09 Preston Central (Incremental Change) in considering applications development in residential precincts of the Preston Activity Centre.
- Apply Clause 22.10 Bell Street Land Use in considering applications for residential and mixed use along the Bell Street Strategic Corridor.
- Apply Clause 22.12 Environmentally Sustainable Development in considering applications for residential and non-residential development.

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Application of Zones and Overlays

Minimal Housing Change

- Apply the Neighbourhood Residential Zone (NRZ) to land within Minimal Housing Change Areas, as identified in the Strategic Housing Framework Plan.

Incremental Housing Change

- Apply the General Residential Zone (GRZ) to residential land within Incremental Housing Change Areas, as identified in the Strategic Housing Framework Plan.
- Utilise the Schedule to the GRZ to vary requirements of Clauses 54 and 55 to encourage a lower scale and density of development in Incremental Change Areas that have reduced access to activity centres and public transport services.

Substantial Housing Change

- Apply the Priority Development Zone to the Preston Activity Centre to facilitate housing and mixed use development opportunities in accordance with the Preston Central Structure Plan.
- Apply the Commercial 1 Zone to business zoned land within Substantial Housing Change Areas, to provide for commercial, retail, business, entertainment and community uses as well as residential development complimentary to the role and scale of the commercial setting.
- Apply the Mixed Use zone (MUZ) to residential land within Substantial Housing Change Areas, which are within or close to commercial areas, activity centres and strategic corridors and precincts that are suited to a mix of residential development and compatible with commercial and retail activity, or where a building height of 5 more storeys is encouraged.
- Subject to appropriate built form guidelines and policies being in place, apply the Residential Growth Zone (RGZ) to residential land within Substantial Housing Change Areas, where residential uses are encouraged and a maximum preferred building height of 4 storeys is encouraged. The General Residential Zone will apply until appropriate built form guidelines and policies are in place in Substantial Change Areas.
- Apply Design and Development Overlays to land fronting the High Street, St Georges Road and Plenty Road Strategic Corridors to ensure new development achieves a desired scale of change and is sufficiently responsive to site context, transport conditions and any sensitive interfaces with other residential land and to ensure

redevelopment in accordance with the High Street, St Georges Road and Plenty Road Urban Design Frameworks.

- Apply Design and Development Overlays to key Residential Growth Zone precincts in Reservoir, around Northland Activity Centre in the La Trobe National Employment Cluster and in Station Street Fairfield to ensure high quality residential development outcomes which achieve a cohesive desired scale of change across a variety of site conditions and are sufficiently responsive to precinct specific requirements.

Further Strategic Work

- Review Council’s Neighbourhood Character Study (2007) and revise precinct areas and guidelines in accordance with the recommendations of the Darebin Housing Strategy and with a view to investigating the merits of the application of the Neighbourhood Residential Zone in identified “Potential Minimal Housing Change Areas”.
- Investigate the merits of the application of the Residential Growth Zone in identified “Potential Future Substantial Housing Change Areas” and the preparation of appropriate built form guidelines and policies.
- Investigate the most appropriate suite of planning controls to achieve the desired outcomes on Strategic Opportunity Sites identified in the Darebin Housing Strategy.
- Develop a local policy to guide treatment of heritage places in Substantial Change Areas and to guide decisions regarding demolition of heritage places.
- Prepare and implement a Structure Plan for Northland East Preston Activity Centre.
- Prepare and implement Urban Design Frameworks and guidelines for development in:
 - Northland Activity Centre
 - Reservoir Activity Centre
 - Fairfield Village Neighbourhood Centre
 - Miller-on-Gilbert Neighbourhood Centre
 - Heidelberg Road Strategic Corridor
 - The Junction and Oakover Village Strategic Redevelopment Precincts.
- Review the Northcote Structure Plan (2007) in accordance with the directions of the Darebin Housing Strategy (2013).
- Review the Preston Central Structure Plan 2006 (as amended) in accordance with the directions of the Darebin Housing Strategy.

Other Actions

- Identify key indicators for monitoring housing trends.
- Review and update the municipal Development Contributions Plan Overlay and Capital Works 10 year budget to ensure ongoing efficacy to address local infrastructure needs and public realm improvements in accordance with residential growth outcomes.
- Work with utility providers to ensure residential growth trends and directions are factored into future infrastructure upgrades.

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21.03-3 Housing Diversity and Equity

Overview

Housing is not merely ‘accommodation’. Housing is a fundamental need and essential element of community wellbeing. Housing development therefore needs to cater to diverse needs and preferences reflective of the diversity of the Darebin community across life stages, mobility and socio-economic situation. This includes provision of suitable housing for ageing residents, students, people with limited mobility, and low income households.

Housing affordability is a particular housing issue in Darebin. Lack of affordable housing and high rental prices can aggravate housing stress and homelessness. Housing affordability, income levels and demand for social and public housing are highly correlated. An increase in the supply of affordable housing could ease housing stress of low income earners and can decrease the demand for social housing.

Darebin's proximity to the CBD, places of study and its extensive public transport network make it an ideal location for students and opportunities exist to increase the number of dwellings along transport corridors, especially, train and tram routes, to meet student housing needs and preferences.

Key Issues

- A significant proportion of the population is experiencing housing affordability issues with approximately 12.4 per cent of all rented households and 8.2 per cent of mortgaged households in Darebin in 2011 experiencing housing stress or at risk of housing stress, paying approximately 30 per cent or more of their income on rent or mortgage.
- Housing affordability and housing stress is exacerbated by housing supply shortages, both municipal and metro-wide.
- Over 500 people are homeless on any given night in Darebin. The rate of homelessness is around 40 in every 10,000 residents.
- Gentrification is expected to continue to drive an increase in the number of tertiary qualified residents and household incomes, resulting in upward pressure on housing demand and housing prices.
- An ageing population requires accessible homes and timely provision of services and facilities to meet the varying needs and choices of those individuals in suitable locations.
- A shortage of affordable student accommodation close to public transport and other services and facilities has led to inappropriate accommodation arrangements such as overcrowded rooming houses.

Objective 1 – Increase Diversity

To ensure that housing diversity is increased to better meet the needs of the local community and reflect demographic changes and trends.

Strategies

- Support a diversity of housing types, sizes, designs and configurations in areas identified for Substantial Housing Change and Strategic Opportunity Sites, as identified in the Strategic Housing Framework Plan.
- Promote the consolidation of lots, particularly in Substantial Housing Change areas, to enable developments that can accommodate a greater diversity of housing types.
- Encourage new residential apartment developments to include a mix of one, two and three bedroom dwellings in a variety of configurations to cater for a variety of household sizes and types.
- Encourage the development of a variety of forms of medium density housing, including villa style housing, townhouses and low scale apartment developments in appropriate locations.

Objective 2 – Aged Care Accommodation

To encourage the provision of accessible and appropriate housing and accommodation for elderly residents.

Strategies

- Encourage and facilitate the provision of different types of aged care accommodation and facilities in areas identified for Substantial and Incremental Housing Change in the Strategic Housing Framework Plan.
- Provide adequate standards of building access to and within multi-level developments especially for the elderly and people with limited mobility.
- Encourage the provision of housing that meets or is adaptable to meet the needs of residents with limited mobility and residents ageing in place.
- Encourage aged care accommodation to develop in locations of high accessibility including activity centres and locations with convenient access to public transport.

Objective 3 – Student Accommodation

To encourage the provision of appropriately located student accommodation.

Strategies

- Encourage and facilitate the provision of different types of student accommodation in areas identified for Substantial and Incremental Housing Change in the Strategic Housing Framework Plan.
- Encourage major educational institutions to develop on-site student accommodation.
- Encourage student accommodation in locations accessible to public transport and within walking distance to La Trobe University and NMIT.

Objective 4 – Affordable and Social Housing

To increase the supply of affordable and social housing.

Strategies

- Encourage the provision of affordable housing development in identified Substantial Housing Change Areas in the Strategic Housing Framework Plan.
- Ensure housing in the municipality is sufficiently diverse to provide more affordable and appropriate choices and opportunities.
- Facilitate the provision of affordable housing in terms of purchase price as well as lower ongoing operational costs, by promoting housing growth in areas with good access to services and public transport and encouraging best practice environmentally sustainable housing design to minimise ongoing utility costs.
- Support Council-led initiatives that partner with the community housing sector to develop surplus Council land for social housing projects.

Implementation

The strategies in relation to housing diversity and equity will be implemented through:

Application of Zones and Overlays

- Apply the Residential Growth Zone (RGZ) to Residential zoned land within Substantial Housing Change Areas as identified in the Strategic Housing Framework Plan, where residential uses are encouraged and a maximum preferred building height of 4 storeys is encouraged and evidenced through a built form control.
- Apply the Mixed Use Zone (MUZ) to Residential zoned land within Substantial Housing Change Areas as identified in the Strategic Housing Framework Plan, that are within or close to commercial areas, activity centres and strategic corridors and precincts that are suited to a mix of residential development and compatible with commercial and retail activity.

Further Strategic Work

- Investigate regulatory incentives and flexible planning provisions for planning permit applications with a commitment to deliver affordable housing stock.

- Investigate incorporation of requirements for affordable and social housing as appropriate in future policies and overlay provisions (such as the Development Plan Overlay) to apply to large development sites and strategic redevelopment precincts.

Other Actions

- Undertake research into site opportunities for integrated independent units and villas that provide suitable housing options for the elderly to enable more effective 'ageing in place'.
- Assist La Trobe University with its master planning for Bundoora campus.
- Develop Rooming House Guidelines to guide the development of Rooming and Boarding Houses in Darebin.
- Develop Student Housing Guidelines to guide the development of Student Housing in Darebin.
- Liaise with the State Government Department of Housing to encourage the timely provision of social housing in appropriate locations.
- Maintain dialogue and advocacy efforts with the relevant State Government authorities to encourage the introduction of Inclusionary Zoning through the Victorian Planning Provisions.

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21.03-4 Character

Overview

All eras of Darebin and its growth are represented in its building and streetscapes. Neighbourhoods range from historic low scale suburban areas to more compact inner urban areas with heritage streets or contemporary apartment dwellings. Housing growth in Darebin needs to be managed in a way that is respectful of identified heritage places and places of special neighbourhood character.

The *Darebin Neighbourhood Character Study (Planisphere, 2007)* identifies precincts displaying similar characteristics such as building and garden style and subdivision pattern. Neighbourhood character guidelines that include a 'preferred character statement' have been developed for each precinct. New residential development needs to respond to the key neighbourhood character elements described in the 'preferred character statement'.

The *Darebin Neighbourhood Character Study (Planisphere, 2007)* also recognises the need to provide additional dwellings to accommodate future increases in population and changing demographic structure in Darebin.

Key Issues

- Balancing the need to protect and conserve significant neighbourhood character and heritage places in the municipality with Council's responsibility to address and facilitate housing for a growing population.

Objective - Character

To ensure that development respects neighbourhood character in residential areas identified as Minimal and Incremental Housing Change Areas in the Strategic Housing Framework Plan.

Strategies

- Recognise the varied and distinctive qualities of residential neighbourhoods in Darebin.
- Ensure Darebin's ability to meet its housing needs in activity centres, substantial Change Areas and on Strategic Opportunity Sites is not compromised by the protection of neighbourhood character.

Implementation

The strategies in relation to character will be implemented through:

Policy Guidelines

- Apply Clause 22.02 Neighbourhood Character in considering an application for development and works on residential zoned land in Incremental and Minimal Housing Change Areas covered by Neighbourhood Character Precinct Plans.

Application of Zones and Overlays

- Apply the Neighbourhood Residential Zone (NRZ) to land within Minimal Housing Change Areas, as identified in the Strategic Housing Framework Plan, where housing change must respond to the existing scale and character.
- Apply the General Residential Zone (GRZ) to land within Incremental Housing Change Areas, as identified in the Strategic Housing Framework Plan, where housing growth and change should occur consistent with neighbourhood character.

Further Strategic Work

- Review and update Council's *Neighbourhood Character Study (Planisphere, 2007)* and associated precincts and guidelines in accordance with the recommendations of the *Darebin Housing Strategy (2013)*.
- Remove Substantial Housing Change Areas as identified in the Strategic Housing Framework Plan, from the Neighbourhood Character Precinct Plan.
- Update the Neighbourhood Character local policy at Clause 22.02 to reflect the outcomes of the review of the *Neighbourhood Character Study (Planisphere, 2007)* and provide guidelines for exercise of discretion in assessing applications.

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Reference Documents

Bell Street Corridor Strategy 2006

Darebin Active and Healthy Ageing Strategy 2011-2021

Darebin Housing Strategy, 2013

Darebin Neighbourhood Character Study, Planisphere, 2007

High Street Urban Design Framework, 2002

Northcote Activity Centre Structure Plan, 2007

Northland Residential Neighbourhood Precinct Structure Plan, 2014

Plenty Road Urban Design Framework, 2013

Preston Central Structure Plan 2006 (as amended) (including Incorporated Plans and Preston Central Urban Design Framework and Guidelines)

Reservoir Structure Plan, 2012

Residential Built Form Guidelines, 2014

Responding to Housing Stress: A Local Action Plan, 2010

St Georges Road Urban Design Framework, 2013

21.05

TRANSPORT AND INFRASTRUCTURE

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This Clause provides local content to support Clause 18 (Transport) and Clause 19 (Infrastructure) of the State Planning Policy Framework.

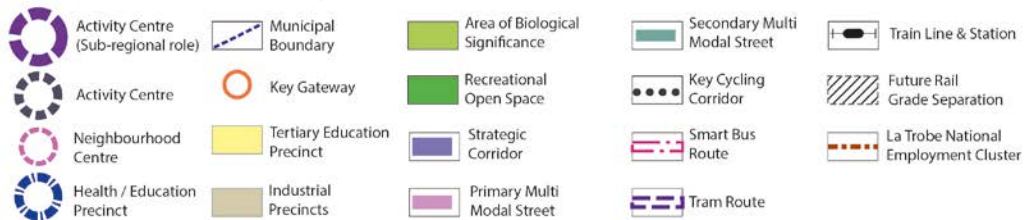
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Strategic Transport and Infrastructure Framework

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Strategic Transport Framework Plan



Providing the necessary infrastructure to support Darebin’s growing population, economic activity and resilience to broader environmental impacts and congestion is a critical issue, and central to maintaining Darebin’s high standard of liveability and amenity by virtue of its good access to transport, services and facilities.

Council supports a vision for well planned, efficient and equitable provision of transport and infrastructure across the municipality. This includes provision for sustainable transport such as walking, cycling and public transport, essential services and a range of community facilities, to meet growing community needs, enhance health and wellbeing and promote environmentally sustainable lifestyles.

Objectives and strategies to achieve these priorities are set out in the clauses below.

Strategic Transport Framework Plan

The Strategic Transport Framework Plan highlights the key transport priorities for Darebin to ensure a liveable and sustainable future. An important part of this is the Darebin Road Space Management Framework, as set by the *Going Places, Darebin Transport Strategy 2007-2027* as follows:

Strategic Corridors (Primary Arterial Streets) – major roads intended to provide for significant regional and local movement. These roads are identified by VicRoads as “preferred traffic routes” for regional traffic movement. ‘Movement’ is prioritised and measured in terms of people and freight, rather than cars and trucks. A secondary priority is the provision of safe walking and cycling.

Primary Multimodal Streets – roads that form part of the Principal Public Transport Network and do not provide for significant regional traffic. High priority should be given to public transport in these streets, in conjunction with walking and cycling, particularly in activity centres and local centres.

Secondary Multimodal Streets – roads that provide for local traffic or local public transport. Priority should be given to pedestrians and cyclists in these streets, but may be given to public transport as appropriate if it would otherwise experience significant delays.

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Integrated and Sustainable Transport

Overview

Going Places, Darebin Transport Strategy 2007-2027 was adopted in 2007 and is Council’s key planning tool for transport priorities. This clause implements the land use planning aspects of the strategy.

Council seeks to promote sustainable ways of moving people and goods. Walking, cycling, public transport rail-freight and other alternatives to single occupant motor vehicle travel are encouraged.

Darebin is comparatively well serviced by regional road links and public transport networks. Public transport includes fixed rail (train and tram) radiating from the centre of Melbourne, and bus routes provide east-west connections. However, large sections of East and West Reservoir have poor connections to any public transport services and are highly car dependent.

A relatively fine grain network of streets provides a good network for walking, although safety and amenity are compromised on the major traffic arterials.

Darebin is experiencing strong, continuous growth in rates of cycling. This growth is related to the municipality’s proximity to the Melbourne CBD and key education centres, its relatively flat landscape and changing demographics. Community awareness of the benefits of cycling is increasing and so is support for improved facilities to increase the safety and accessibility of cycling in the City of Darebin.

Key Issues

- High levels of through traffic and road congestion, particularly east-west via Bell Street, and north-south on High Street, St Georges Road, and Plenty Road.
- Congestion on train and tram services at peak times, particularly affecting residents trying to access services in the southern parts of the municipality.
- Rail grade separation investments are required at Reservoir Junction and Bell Street to enable more frequent train services, reduce congestion on key east-west links and increase safety.
- Pressures on car parking in Darebin are increasing. Development with limited car parking spaces is perceived to absorb kerbside parking and generates adverse community reaction.
- Ensuring efficient commercial vehicle and truck access to core industrial areas.
- Adverse impacts of traffic, car parks and loading activities on pedestrian and cyclist amenity, particularly in activity centres.
- A significant number of Darebin residents do not have easy access to car travel either through age, economic disadvantage or disability. Accessibility, safety and quality of environments for walking, cycling and public transport use are therefore important.
- Quality of transport access is a key factor in attracting new employers to Darebin and providing local employment opportunities for Darebin residents.

Objective 1 – Integration of Transport and Land Use

To facilitate an integrated approach to transport and land use planning.

Strategies

- Support and facilitate a mix of land uses and greater housing densities in and around activity centres and train stations to enable shorter trips to employment, shops and services and support the use of public transport.
- Identify opportunities for accommodating key destinations and higher housing densities, particularly around train stations, in structure plans and precinct plans.
- Prioritise and facilitate a mix of land uses and greater housing densities in identified strategic corridors and precincts, and identified strategic opportunity sites generally within 400 metres of a train station or tram route.
- Encourage transit-oriented development incorporating new housing and employment on land unlocked for urban renewal through rail grade separation investments at Bell Street (Bell Station) and Reservoir Junction and other opportunities such as Alphington Station.
- Encourage apartment development in the Northland residential neighbourhood precinct which extends from Murray Road in the Northland East Preston Activity Centre to (and including) Summerhill Road and between the Albert Street corridor and the Darebin Creek to support investment in public transport and growth of the La Trobe National Employment Cluster.
- Encourage new businesses that rely heavily on road travel, such as manufacturing, transport and warehousing, to locate in locations with easy access to arterial roads.
- Enhance pedestrian accessibility and amenity around train stations and other public transport nodes and interchanges to encourage the use of public transport.
- Encourage the provision of high quality pedestrian and cycling links and facilities in structure plans, precinct plans, and major development plans.
- Encourage businesses to install cycle parking facilities on their property for employees and visitors and work with large businesses to promote cycle commuting and fleet bikes for work-related journeys.

Objective 2 – Accessible Transport

To improve access, safety and quality of environment for walkers, cyclists and people with limited mobility.

Strategies

- Encourage good urban design standards in built environments to support walkability and pedestrian amenity in accordance with the objectives and strategies of Clause 21.02-3.
- Require the design of new developments to contribute to a safe, attractive and comfortable pedestrian environment in streets and public open spaces through:
 - building orientation to achieve passive surveillance
 - wide footpaths and verandas on street frontages
 - minimal footpath interruptions by vehicle crossings
 - effective traffic management and signage
 - designated pedestrian routes through car parks and connections to public transport.
- Ensure the development of large strategic opportunity sites incorporates public pedestrian and cycle links and through-routes.
- Require Development Contributions to fund sustainable transport facilities such as bus shelters, signage, footpath widening and special paving for the mobility-impaired in accordance with an adopted Development Contributions Plan.
- Increase pedestrian and cycle priority over motor vehicles within activity centres and along local streets.
- Balance pedestrian and cycling needs with freight vehicle access needs in the design of streets in activity centres.
- Provide service access at the rear of shops and businesses wherever possible, particularly in activity centres and strategic development precincts to minimise conflicts with pedestrians and other activity along a property frontage.
- Incorporate access for people with disabilities and limited mobility in all streets, public transport infrastructure and public and commercial buildings.
- Ensure new retail development incorporates verandahs over footpaths.
- Provide secure and convenient parking, storage and shower facilities for cyclists in coordination with public transport interchange points, recreational facilities and key destinations on the Principal Bicycle Network.

Objective 3 – Car Parking

To manage the provision of car parking and congestion of car parking in Darebin and encourage use of sustainable transport modes to reduce car parking demand.

Strategies

- Consider existing public transport opportunities when assessing applications to waive or reduce car parking.
- Take into consideration existing car parking demand levels when considering applications to waive car parking and ensure there is demonstrated on-street capacity before waiving an on-site car parking requirement, particularly in locations outside of activity centres.
- Consider requiring Travel Plans as a condition of approval for new uses and developments where there is a substantial reduction in car parking from Clause 52.06 requirements.

- Investigate specific parking requirements at a precinct level leading to more localised and area specific provisions.
- Ensure the design of new developments address interfaces with the public realm and support walking, cycling and public transport access, in accordance with the Objectives and Strategies in Clause 21.02-3.

Implementation

The strategies in relation to transport will be implemented through the planning scheme as follows:

Policy Guidelines

- Apply Clause 22.12 Environmentally Sustainable Development in considering applications for residential and non-residential development.

Application of Zones and Overlays

- Apply the following zones and overlays to encourage use of sustainable transport via urban design frameworks and guidelines:
 - Activity Centre Zone or other appropriate zone in the Preston Central, Northland East Preston, Northcote and Reservoir Activity Centres.
 - Design and Development Overlay in strategic corridors along High Street, St Georges Road and Plenty Road reflecting urban design guidelines developed for these areas.
- Apply the Parking Overlay to selected activity centres and other precincts where variations to standard car parking rates are required and/or where financial contributions for the provision of shared car parking are sought.

Further Strategic Work

- Prepare guidelines for the preparation of Travel Plans to developers of large sites.
- Develop a Darebin Car Parking Strategy to determine responses to various car parking and transport issues across the municipality.
- Develop specific car parking provisions for activity centres and strategic development precincts as required, including establishing acceptable variations to standard car parking rates and options for financial contributions for shared car parking.
- Prepare urban design frameworks and guidelines for new developments which address the interface of private development with the public realm, and how new developments can support walking, cycling and public transport access, in accordance with the Objectives and Strategies in Clause 21.02-3.

Other Actions

- Work with VicRoads to improve Bicycle Priority Routes and the Principal Bicycle Network for cyclists.
- Advocate for reduced speed limits in local streets and other areas where cycling and walking are priority modes.
- Advocate for rail grade separation at Reservoir Junction and Bell Street (Bell Station).

Reference Documents

Community Health and Wellbeing Plan 2009-2013

Darebin Cycling Strategy 2013-2018

Darebin Housing Strategy 2013

Darebin Safe Travel Strategy 2010-2015

Disability Access and Inclusion Plan 2009-2013

Going Places – The Darebin Transport Strategy 2007-2027

Northland Residential Neighbourhood Precinct Structure Plan, 2014

Plenty Road Integrated Land Use and Transport Study 2013

Reservoir Structure Plan, 2012

Urban Renewal Strategy (High Street and Plenty Road), 2011

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Physical and Community Infrastructure

Overview

Meeting development needs and ensuring the quality and capacity of infrastructure, including essential services (such as energy supply, drainage, sewerage and communications) as well as community infrastructure (such as open space, libraries, community centres, health centres and the like) are essential considerations for land use planning in Darebin.

Planning for urban growth requires consideration of the ability of existing infrastructure to service new and more intensive development, and to identify upgrades and investments where existing capacity is expected to fall short of anticipated requirements.

This requires formulating short term responses to existing inadequacies and pressures, as well as long term planning to ensure infrastructure needs of future residents, workers and visitors to Darebin can be met.

Key Issues

- There is a need for a long term, sustainable approach to the planning, provision and management of physical and community infrastructure.
- Balancing long term investments with more urgent needs for upgrades and facilities.
- Darebin's infrastructure tends to be older and in greater need of repair and replacement, particularly in the earlier-developed southern part of the municipality.
- More intense development is imposing additional demands on infrastructure capacity. In the future, these pressures will extend throughout the municipality.
- An increasingly affluent population has higher expectations about infrastructure standards and quality. At the same time, there are pockets of under-privilege in the municipality that deserve better access to services and facilities.
- Maximising the use of existing infrastructure by encouraging appropriate developments close to existing facilities and identifying the capacity of and the need for new infrastructure in areas in transition is essential.
- There is potential for community services to be delivered more locally or co-located, such as maternal and child health centres, kindergartens and toy libraries. However, some community services have to be centrally located due to their size and catchment.

Objective – Infrastructure Provision

To ensure the provision and planning for physical and community infrastructure meets existing and future needs of the community.

Strategies

- Provide appropriate levels of physical and community infrastructure across the municipality in response to identified community needs and trends.
- Prioritise the delivery of physical and community infrastructure in accordance with the strategic vision for growth and change identified in the Strategic Framework Plan at Clause 21.01-6 and other relevant strategies.

- Ensure that provision for physical and community infrastructure, and strategies for implementation and delivery, is incorporated in Structure Plans and other strategic plans and frameworks.
- Require a Development Contribution from developers to fund the provision of physical and community infrastructure in accordance with an adopted Development Contributions Plan.
- Maintain and further develop infrastructure to keep pace with industry needs, particularly the road infrastructure network.
- Encourage business, housing and mixed use development that will contribute to the development of a digital economy
- Manage and improve the City's stormwater system and infrastructure to reduce the effect of stormwater discharge, in terms of pollution, flooding and flushing events.
- Consider the potential for community services to be delivered more locally in formulating plans for activity centres, strategic development precincts and strategic development sites.

Implementation

Policy Guidelines

[Apply Clause 22.12 Environmentally Sustainable Development in considering applications for residential and non-residential development.](#)

Applications of Zones and Overlays

Apply the Development Contribution Plan Overlay to all land in Darebin to levy development for funds to supplement the provision of public works, services and facilities.

Further strategic work

- Review and update the City of Darebin Development Contributions Plan
- Undertake community infrastructure mapping and demand analysis in all areas.
- Undertake a strategic review of infrastructure, access, maintenance and service provision for Darebin's activity centres.

Reference Documents

Asset Management Strategy 2013

Business Development and Employment Strategy 2012-2015

Darebin Digital Strategy 2013-2018

Darebin Early Years Infrastructure Plan 2011-2021

Darebin Housing Strategy, 2013

Development Contributions Plan

Drainage Strategy 2009

Leisure Strategy 2010-2020

Playspace Strategy 2010-2020

~~[Stormwater Management Plan Review, 2007](#)~~

[Watershed: Towards a Water Sensitive Darebin City Council Whole of Water Cycle Management Strategy 2015-2025](#)

[Watershed: Towards a Water Sensitive Darebin, Implementation Plan 2015-2025](#)

22.12 ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT

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This policy applies throughout the City of Darebin to residential and non-residential development that requires a planning permit in accordance with the thresholds in Table 1 of this Policy.

22.12-1 Policy Basis

This policy builds on and implements the sustainability objectives and strategies expressed in Clause 21.01-4 of the Municipal Strategic Statement relating to environmentally sustainable built environments.

The City of Darebin is committed to creating an environmentally sustainable city. Critical to achieving this commitment is for development to meet appropriate environmental design standards.

This policy provides a framework for early consideration of environmental sustainability at the building design stage in order to achieve the following efficiencies and benefits:

- Easier compliance with building requirements through passive design;
- Reduction of costs over the life cycle of the building;
- Improved affordability over the longer term through reduced running costs;
- Improved amenity and liveability;
- More environmentally sustainable urban form; and
- Integrated water management.

If environmentally sustainable design is not considered at the time of planning approval, the ability to achieve environmentally sustainable development may be compromised by the time these matters are considered as part of a building approval. In addition, there may be difficulties or extra costs associated with retro-fitting the development to implement environmentally sustainable design principles.

This policy does not prescribe performance outcomes. The policy enables the provision of information and provides decision guidelines which will assist in the assessment of whether development meets environmentally sustainable development objectives.

This policy complements a range of non-statutory measures aimed at encouraging environmentally sustainable development. These measures include educating residents and applicants, assisting applicants to use Environmentally Sustainable Development (ESD) tools, leading by example with Council projects, promotion of [exemplary](#) private projects ~~that incorporate exemplary or best practice ESD~~ and promotion of the use of materials with favourable life cycle impacts.

22.12-2 Objectives

The overarching objective of this policy is that development should achieve best practice in environmentally sustainable development from the design stage through to construction and operation.

In the context of this policy best practice is defined as a combination of commercially proven techniques, methodologies and systems, appropriate to the scale of development and site specific opportunities and constraints, which are demonstrated and locally available and have already led to optimum ESD outcomes. Best practice in the built environment encompasses the full life cycle of the build.

It is a policy objective to encourage innovative technology, design and processes in all development, which positively influence the sustainability of buildings.

The following objectives should be satisfied where applicable:

Energy performance

- To improve the efficient use of energy, by ensuring development demonstrates design potential for ESD initiatives at the planning stage.
- To reduce total operating greenhouse gas emissions.
- To reduce energy peak demand through particular design measures (eg; appropriate building orientation, shading to glazed surfaces, optimise glazing to exposed surfaces, space allocation for solar panels and external heating and cooling systems).

Water resources

- To improve water efficiency.
- To reduce total operating potable water use.
- To encourage the collection and reuse of stormwater.
- To encourage the appropriate use of alternative water sources (eg; greywater).

Indoor Environment Quality

- To achieve a healthy indoor environment quality for the wellbeing of building occupants, including the provision of fresh air intake, cross ventilation and natural daylight.
- To achieve thermal comfort levels with minimised need for mechanical heating, ventilation and cooling.
- To reduce indoor air pollutants by encouraging use of materials with low toxic chemicals.
- To reduce reliance on mechanical heating, ventilation, cooling and lighting systems.
- To minimise noise levels and noise transfer within and between buildings and associated external areas.

Stormwater Management

- To reduce the impact of stormwater run-off.
- To improve the water quality of stormwater run-off.
- To achieve best practice stormwater quality outcomes.

DAREBIN PLANNING SCHEME

- To incorporate the use of water sensitive urban design, including stormwater re-use.

Transport

- To ensure that the built environment is designed to promote the use of walking, cycling and public transport in that order.
- To minimise car dependency.
- To promote the use of low emissions vehicle technologies and supporting infrastructure.

Waste management

- To ensure waste avoidance, reuse and recycling during the design, construction and operation stages of development.
- To ensure durability and long term reusability of building materials.
- To ensure sufficient space is allocated for future change in waste management needs, including (where possible) composting and green waste facilities.

Urban Ecology

- To protect and enhance biodiversity within the municipality.
- To provide environmentally sustainable landscapes and natural habitats, and minimise the urban heat island effect.
- To encourage the retention of significant trees.
- To encourage the planting of indigenous vegetation.
- To encourage the provision of space for productive gardens, particularly in larger residential developments.

22.12-3 Policy

It is policy that applications for the types of development listed in Table 1 be accompanied by information which demonstrates how relevant policy objectives will be achieved.

22.12-4 Application Requirements

An application must be accompanied by either a Sustainable Design Assessment (SDA) or a Sustainability Management Plan (SMP) as specified in Table 1, as appropriate.

A Sustainable Design Assessment will usually not need to be prepared by a suitably qualified professional. It should:

- Provide a simple assessment of the development. [It may use using](#) relevant tools from the [examples](#) listed in the table or an alternative approach to the satisfaction of the responsible authority; and
- Identify environmentally sustainable development measures proposed in response to policy objectives, having regard to the site's opportunities and constraints.

DAREBIN PLANNING SCHEME

A Sustainability Management Plan should:

- Provide a detailed assessment of the development. It may use relevant tools from the examples listed in the table or an alternative assessment approach to the satisfaction of the responsible authority;[and](#)
- Identify achievable environmental performance outcomes having regard to the objectives of this policy (as appropriate);[and](#)
- Demonstrate that the building has the design potential to achieve the relevant environmental performance outcomes, having regard to the site's opportunities and constraints; and
- Document the means by which the performance outcomes can be achieved.

Various assessment tools have been listed in Table 1 which may be used to assess how the proposed development addresses the objectives of this policy, as appropriate.

Table 1 – ESD Application Requirements

TYPE OF DEVELOPMENT	APPLICATION REQUIREMENTS	EXAMPLE TOOLS
Accommodation/Mixed Use with residential component of:		
<ul style="list-style-type: none"> ▪ 3 – 9 dwellings; or ▪ Development of a building for ‘accommodation’ (other than dwelling) with a gross floor area between 100m² and 999m². 	Sustainable Design Assessment (SDA)	BESS STORM
<ul style="list-style-type: none"> ▪ Development of 10 or more dwellings; or ▪ Development of a building for ‘accommodation’ (other than dwelling) with a gross floor area of 1000m² or more. 	Sustainability Management Plan (SMP)	BESS Green Star MUSIC STORM
Non-residential		
<ul style="list-style-type: none"> ▪ Development of a non-residential building with a gross floor area between 100m² and 999m²; or ▪ Alterations and additions of between 100m² and 999m². 	Sustainable Design Assessment (SDA)	BESS MUSIC STORM
<ul style="list-style-type: none"> ▪ Development of a non-residential building with a gross floor area of 1000m² or more; or ▪ Alterations and additions of 1000m² or more. 	Sustainability Management Plan (SMP)	Green Star BESS MUSIC STORM

Note 1: Development (in Table 1) has the same meaning as in Section 3 of the Planning and Environment Act 1987, but does not include subdivision. To remove any doubt, development also includes alterations and additions. In the case of

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alterations and additions, the requirements of the Policy apply only to the alterations and additions.

Note 2: Mixed Use developments are required to provide the information applicable to each use component of the development.

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22.12-5 Decision Guidelines

In determining an application, the responsible authority will consider as appropriate:

- The extent to which the development meets the objectives and requirements of this policy from the design stage through to construction and operation.
- Whether the proposed environmentally sustainable development performance standards are functional and effective to minimise environmental impact.
- Whether the proposed environmentally sustainable development initiatives are reasonable having regard to the type and scale of the development and any site constraints.
- Whether an appropriate assessment method has been used.
- Whether an ESD plan or framework has previously been approved by the responsible authority (whether under a planning control or otherwise).

22.12-6 Reference Documents

BESS (Built Environment Sustainability Scorecard) (BESS), www.bess.net.au, Council Alliance for a Sustainable Built Environment (CASBE), 2015 Council Alliance for a Sustainable Built Environment (CASBE) http://www.mav.asn.au/policy_services/planning_building/sustainable_buildings/council_alliance_sustainable_built_environment/Pages/default.aspx

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Green Star, Green Building Council of Australia www.gbca.com.au

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Guide for Best Practice for Waste Management in Multi Unit Developments, Sustainability Victoria (2010)

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Nationwide House Energy Rating Scheme (NatHERS) Department of Climate Change and Energy Efficiency, www.nathers.gov.au

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STORM, Melbourne Water, www.storm.melbournewater.com.au

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Sustainable Design Assessment in the Planning Permit (SDAPP) Process Fact Sheets, City of Darebin, http://www.darebin.vic.gov.au/en/Building_and_Business/Planning_and_development/Planning_Forms_and_Applications

Urban Stormwater Best Practice Guidelines, CSIRO, 1999.

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Your Home Technical Manual, Department of Environment, Water, Heritage and the Arts, 2001, Australian Government, www.yourhome.gov.au

Note: The above reference documents and websites may be amended from time to time. It is intended that these documents and websites (or amended versions) are relevant reference documents to this policy.

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22.12-7 Commencement

The ESD Application Requirements in Table 1 do not apply to applications received by the responsible authority before the gazette date of this clause.

22.12-8 Expiry

This policy will expire on 31 December 2017, or earlier if it is superseded by an equivalent provision of the Victoria Planning Provisions.

Planning and Environment Act 1987

DAREBIN PLANNING SCHEME

MANNINGHAM PLANNING SCHEME

AMENDMENT GC42

EXPLANATORY REPORT

Who is the planning authority?

This amendment has been prepared by the Darebin City Council and Manningham City Council who is the planning authority for this amendment.

The Amendment has been made at the request of Darebin City Council and Manningham City Council.

Land affected by the Amendment

The Amendment applies to all land at:

- Darebin City Council; and
- Manningham City Council (except for land affected by the Activity Centre Zone (Schedule 1) that applies to Doncaster Hill).

What the amendment does

The Amendment introduces a Local Planning Policy to ensure that development achieves best practice in environmental sustainability, from the design stage through to construction and operation.

It seeks to build on the collaborative process undertaken by the Cities of Banyule, Moreland, Port Phillip, Stonnington, Whitehorse and Yarra where a single Panel was appointed to hear all submissions received by the six Councils simultaneously. The combined planning scheme amendment was recently gazetted on 19 November 2015.

Darebin City Council, together with Manningham City Council, is participating as a second round group of metropolitan Councils proposing to introduce ESD Policy provisions in their planning schemes.

Specifically, the amendment:

Darebin Planning Scheme

- Introduces a new Clause 22.12 Environmentally Sustainable Development (ESD) into the Local Planning Policy Framework of the Darebin Planning Scheme; and
- Updates Clause 21.02 Environment, ~~and~~ Clause 21.03 Housing and Clause 21.05 Transport and Infrastructure to reflect the introduction of Clause 22.12.

Manningham Planning Scheme

- Introduces a new Clause 22.12 Environmentally Sustainable Development Policy (ESD) into the Local Planning Policy Framework of the Manningham Planning Scheme; and
- Changes the Municipal Strategic Statement (MSS) at Clause 21.10 (MSS) to reflect the introduction of Clause 22.12.
- Amends the MSS at Clause 21.16 Key References, to update recent reviews of documents.

The Policy proposes to introduce the following objectives to be satisfied where applicable:

- Energy Performance
- Water Resources
- Indoor Environment Quality
- Stormwater Management
- Transport
- Waste Management
- Urban Ecology

The proposed policy also sets out application requirements and dependent on the scale of the development, an applicant needs to demonstrate how the relevant policy objectives will be achieved by completing either a Sustainable Design Assessment (SDA) or a Sustainability Management Plan (SMP).

The proposed Policy is consistent with the recommendations from the Advisory Committee and Panel report on Environmentally Efficient Design Local Policies (7 April 2014).

Strategic assessment of the Amendment

Why is the Amendment required?

The amendment is required to strengthen the ability for the Responsible Authority to consider environmentally sustainable development (ESD) in the Local Planning Policy Framework (LPPF).

The Advisory Committee and Panel Report on the Environmentally Efficient Design Local Policies (7 April 2014) for the first group of Councils noted that the basic objective in introducing the proposed local policies is....

"that development should achieve best practice in environmentally sustainable development, including from the design stage through construction and operation. It also aims to encourage innovative technology, design and processes in all development, which positively influence the sustainability of buildings".

Darebin City Council

Preparation of an ESD Local Policy has been identified as a piece of further strategic work in the recently adopted and gazetted MSS Amendment C138 and is an implementation action in the Darebin Housing Strategy 2013.

Manningham City Council

The need to address this policy gap was identified in the Manningham Planning Scheme Review 2014 (Action R7) and the Manningham Residential Strategy 2012 (action 2.7). This latter action refers to the need to review ESD Guidelines for medium density development and identify appropriate mechanisms for inclusion in the Manningham Planning Scheme.

There is currently no requirement to submit information on sustainable design for medium density or small scale developments outside of the Doncaster Hill ACZ.

How does the Amendment implement the objectives of planning in Victoria?

The Amendment implements the following objectives of planning in Victoria:

- to provide for the fair, orderly, economic and sustainable use, and development of land: Section 4 (1) (a);

- to provide for the protection of natural and manmade resources and the maintenance of ecological processes and genetic diversity: Section 4 (1) (b);
- to secure a pleasant, efficient and safe working, living and recreational environment for all Victorians and visitors to Victoria: Section 4(1)(c); and
- to balance the present and future interests of all Victorians: section 4 (1) (g).

How does the Amendment address any environmental, social and economic effects?

The introduction of the ESD local policy will implement sustainable design principles in the planning process, resulting in improved sustainable development outcomes.

The achievement of sustainable development outcomes is likely to result in significant economic, social and environmental benefits. These benefits were identified by the Advisory Committee:

- “resilience to warming climate with amenity and health benefits;
- higher thermal performance of buildings leading to reduced energy consumption,
- lower peak demand, and better consumer outcomes,
- reduced water consumption;
- at a broader planning level better designed suburbs and urban environments, with improved social, environmental and economic outcomes.”

The amendment is expected to have a positive effect by:

Environmental Effects

- requiring new buildings and additions to achieve greater levels of energy and water efficiency, indoor environmental quality, stormwater management, sustainable transport, waste management and urban ecology will have far reaching environmental benefits.

Economic effects

- maximising sustainable design at the planning stage and minimising the costs associated with retrofit and poor design will provide cost savings on utilities.

Social effects

- facilitating sustainable built form which is more affordable over the life of the building for commercial and residential occupiers, as ongoing servicing costs will be reduced, thus having a positive net community benefit.

Does the Amendment address relevant bushfire risk?

The amendment does not impact on any considerations of bushfire risk.

Does the Amendment comply with the requirements of any Minister’s Direction applicable to the amendment?

The Amendment is consistent with the Ministerial Direction on the Form and Content of Planning Schemes under section 7(5) of the Act.

The Amendment meets the requirements of Ministerial Direction No 11 Strategic Assessment of Amendments.

The Amendment is consistent with Ministerial Direction 9 Metropolitan Strategy. The Metropolitan Strategy (Plan Melbourne: Metropolitan Planning Strategy 2014) includes a number of Outcomes, Objectives and Directions which have implications for the proposed Amendment. Relevant outcomes and objectives include:

- Liveable Communities and neighbourhoods: *Create healthy and active neighbourhoods and maintain Melbourne's identity as one of the world's most liveable cities.*
 - Direction 4.3: Create neighbourhoods and communities that support healthy lifestyles.
- Environment and water: *Protect our natural assets and better plan our water, energy and waste management systems to create a sustainable city.*
 - Direction 5.5: Integrate whole of water cycle management to deliver sustainable resilient urban development.
 - Direction 5.7: Reduce energy consumption and transition to clean energy
 - Direction 5.8: Plan for better waste management and resource recovery

The Amendment is not affected by any of the other Minister's Directions under section 12 of the *Planning and Environment Act 1987*.

How does the Amendment support or implement the State Planning Policy Framework and any adopted State policy?

The Amendment is consistent with and supports the following elements of the State Planning Policy Framework:

- Clause 11- Settlement:
 - 11.04-4 Liveable communities and neighbourhoods: To create healthy and active neighbourhoods and maintain Melbourne's identity as one of the world's most liveable cities. In particular one of the strategies aims to achieve and promote design excellence.
 - 11.04-5 Environment and Water: This element identifies the need to "protect natural assets and better plan our water, energy and waste management systems to create a sustainable city."
- Clause 12- Environmental and Landscape Values:
 - 12.01-1: Protection of Biodiversity: The objective of this policy is to "assist the protection and conservation of Victoria's biodiversity, including important habitat for Victoria's flora and fauna and other strategically valuable biodiversity sites."
- Clause 14.02: Water
 - 14.02-2: Water quality: This sets out the objective of protecting water quality; and 14.02-3 water conservation which sets out the objective of ensuring that water resources are managed in a sustainable way.
- Clause 15.02 sustainable development
 - Clause 15.02-1 Energy and Resource Efficiency: The objective indicates the need to "*encourage land use and development that is consistent with the efficient use of energy and the minimisation of greenhouse gas emissions.*"
- Clause 16.01 Residential development
 - 16.01-1 Integrated housing. This policy sets out the objective to promote a housing market that meets community needs. Of particular relevance is the strategy which sets out the need to encourage housing that is both water efficient and energy efficient.
 - 16.01-4 Housing Diversity: The objective of this policy is to provide for a range of housing types to meet increasingly diverse needs. One of the strategy notes the need to encourage development of well-designed medium-density housing which: .. improves energy efficiency of housing.
 - 16.01-5 Housing Affordability: The objective of this policy promotes the delivery of more affordable housing closer to jobs, transport and services. It is relevant to note that one of the strategies is the improvement of housing affordability by:

“Promoting good housing and urban design to minimise negative environmental impacts and keep down costs for residents and the wider community.”

- Clause 18.02 Integrated Transport
 - 18.01-1 Land use and transport planning: This policy sets out the objective to create safe and sustainable transport system by integrating land use and transport.
 - 18.02-1 Sustainable personal transport: This policy sets out the objective of promoting the use of sustainable personal transport. One of the strategies specifically relating to new development indicates the need to “ensure development provides opportunities to create more sustainable transport options such as walking, cycling and public transport.”
 - 18.02-2 Cycling: The objective of this policy is to “integrate planning for cycling with land use and development planning and encourage as alternative modes of travel.”
- Clause 19 Infrastructure
 - Clause 19.01-1 Provision of renewable energy: The objective of this clause is to promote the provision of renewable energy in a manner that ensures appropriate siting and design considerations are met.
 - Clause 19.03-2 water supply, sewerage and drainage: The objective of this clause indicates the need “*to plan for the provision of water supply, sewerage and drainage services that efficiently and effectively meet State and community needs and protect the environment.*”
- Clause 19.03-3 Stormwater: The objective of this policy is “to reduce the impact of stormwater on bays and catchments.”

How does the Amendment support or implement the Local Planning Policy Framework, and specifically the Municipal Strategic Statement?

Darebin

Council has demonstrated its commitment to the voluntary Sustainable Design Assessment in the Planning Process (SDAPP) program since 2008. This commitment is embodied within the Municipal Strategic Statement (MSS) and includes several sections relevant to this amendment which include:

- Environment (21.02)
- Housing (21.03)
- Transport and Infrastructure (21.05)

These policies are similar in direction to the SPPF and provide further strategic justification for the proposed amendment.

The proposed amendment responds to the vision, objectives and strategies in the LPPF as follows:

- The policy aims to incorporate a range of important measures that seek to “*promote and facilitate best practice environmentally sustainable design and promote sustainable living and business practices*” under Clause 21.02-3 Built Environment.
- The policy seeks to “*Encourage the preparation of Sustainable Design Assessments and Sustainability Management Plans for residential, mixed use, industrial and commercial developments as part of the planning permit approval process,*” by providing specific local guidance and policy thresholds where the policy would apply under Clause 21.02-3 Built Environment.
- The policy also builds on actions and strategies in the Darebin Housing Strategy 2013, also adopted in September 2014, which seeks “*to support and facilitate residential*

developments that respond to best practice environmental design guidelines and promote more intensive housing development in sites that exhibit good access to public transport infrastructure” (Objective 5).

- The amendment gives effect to the LPPF by establishing a clear framework through which key sustainability objectives will be addressed in the development process.

It is important to note, that there may be minor changes made to the MSS in accordance with Amendment C137, in the event that it is approved, will support the new policy.

Manningham

Council supports and encourages land use planning and development, design and construction using ESD principles. This commitment is embodied in Clause 21.10 Ecologically Sustainable Development in the MSS. The current Clause 21.10 of the MSS identifies as further strategic work the need to “*investigate the appropriateness of a Local Planning Policy to guide ecologically sustainable development for the municipality.*”

The key ESD principles set out in Clause 21.10 are consistent with the proposed local policy. These include energy conservation, water conservation, protecting human health, and protecting and enhancing the built, natural and cultural environments.

Clause 21.10 of the Planning Scheme noted that ESD initiatives should incorporate current best practice, emerging technology and continuous innovation. The proposed policy provides the framework to ESD principles which are considered in the planning permit process.

The Amendment does not change the objectives or strategies in the current MSS provision. It merely introduces a number of new provisions to establish a clear link between the MSS and the new policy.

The Amendment is consistent with other provisions in the MSS, in particular Clause 21.05 Residential; Clause 21.06 Low Density; Clause 21.07 Green Wedge & Yarra River Corridor; Clause 21.08 Industrial, Clause 21.12 Infrastructure.

The Amendment is also consistent with other policies in the Scheme, in particular Eastern Golf Course Key Redevelopment Site Policy Clause 22.17, as it reinforces the need for future development to respond to sustainable development principles and providing guidance in achieving sustainability in the most efficient way.

Does the Amendment make proper use of the Victoria Planning Provisions?

The Amendment has been prepared in accordance with State Government Practice Notes – *Writing a Local Planning Policy and Strategic Assessment Guidelines: for planning scheme amendments.*

In particular the Amendment makes proper use of the Victoria Planning provisions as:

- the MSS includes broad strategic support for the local policy position; and
- local planning policies are appropriate tools to guide decision making in relation to a specific discretion.

How does the Amendment address the views of any relevant agency?

The Amendment ~~was~~ ~~will be~~ referred to the relevant agencies as part of the statutory exhibition and notice of the Amendment.

[Sustainability Victoria requested that the *Guide for Best Practice for Waste Management in Multi-Unit Developments* \(Sustainability Victoria 2010\) is removed as a reference document from the ESD Policy as it is no longer current, nor supported by Sustainability Victoria and has been withdrawn from circulation. This change is supported and the documents have been amended accordingly.](#)

Does the Amendment address relevant requirements of the Transport Integration Act 2010?

The amendment addresses the relevant requirements of the Transport Integration Act 2010.

The amendment will not have a significant impact on the transport system, as defined in the Act, as it would not in itself result in any increase in demand on the transport system.

The amendment is consistent with the transport system objectives of the Act, in particular those contained in Section 10 – Environmental Sustainability.

Resource and administrative costs

• What impact will the new planning provisions have on the resource and administrative costs of the responsible authority?

It is not anticipated that the Amendment will have a significant impact on the resources and administrative costs of the responsible authority.

The Amendment is not considered likely to generate a significance increase in resources to Council as it will not result in an increased number of permit applications.

The policy will provide a transparent and consistent framework for decision-making, reducing resources currently required to negotiate planning outcomes.

Where you may inspect this Amendment

The Amendment is available for public inspection, free of charge, during office hours at the following places:

Darebin City Council

- Darebin City Council Office at 274 Gower Street, Preston.
- Preston Library, 266 Gower Street, Preston.
- Northcote Library at 32-38 Separation Street, Northcote.
- Reservoir Library at 17 -21 Ralph Street, Reservoir.

Darebin City Council's website:

- The amendment documentation may be viewed at www.darebin.vic.gov.au
- Also visit Darebin's website 'What is Going On?' <http://www.darebin.vic.gov.au/Building-and-Business/Planning-and-development/Whats-Going-On>
- Alternatively visit Darebin's Planning Services Consultation website at www.yoursaydarebin.com.au

Manningham City Council

- Manningham City Council Office, 699 Doncaster Road, Doncaster
- Manningham Libraries
- Manningham website www.yoursaymanningham.com.au

The Amendment can also be inspected free of charge at the Department of Environment, Land, Water and Planning website at www.delwp.vic.gov.au/public-inspection.

Submissions

~~Any person who may be affected by the Amendment may make a submission to the planning authority. Submissions about the Amendment must be received by Tuesday 15 March 2016.~~

~~A submission must be sent to:~~

~~Darebin City Council~~

~~Coordinator Strategic Planning~~

~~Darebin City Council~~

~~PO Box 91~~

~~Preston Victoria 3072~~

~~Or via email: planningservices@darebin.vic.gov.au~~

~~Fax: 8470 8877~~

~~Manningham City Council~~

~~Manager Economic and Environmental Planning~~

~~Manningham City Council~~

~~PO Box 1~~

~~DONCASTER VIC 3108~~

~~or submitted online at www.yoursaymanningham.com.au.~~

~~Panel hearing dates~~

~~In accordance with clause 4(2) of Ministerial Direction No.15 the following panel hearing dates have been set for this amendment:~~

- ~~• directions hearing: To commence in the week of 2 May, 2016~~
- ~~• panel hearing: To commence in the week of 30 May 2016~~

6.5 PROPOSED ROAD DISCONTINUANCE REAR 33 TO 37 COOPER STREET AND 34 TO 38 ASLING STREET, PRESTON

Author: Manager Assets and Properties

Reviewed By: Director Assets and Business Services

Report Background

This report is to advise Council on the outcome of the statutory procedures relating to the proposed discontinuance of the Road rear 33 to 37 Cooper Street and 34 to 38 Asling Street, Preston.

Previous Council Resolution

At its meeting held on 18 April 2016, Council resolved:

'That Council:

- (1) Commence the statutory procedures under section 206 and clause 3 of Schedule 10 to the Local Government Act 1989 ("the Act") to discontinue the road adjoining 33 to 37 Cooper Street and 34 to 38 Asling Street, Preston (**Appendix A**).*
- (2) Give public notice under sections 207A and 82A and 223 of the Act of the proposed discontinuance in the appropriate newspapers and on Council's website and such notice state that if discontinued, Council proposes to sell the land from the discontinued road to the adjoining property owners by private treaty, provided however, that if the discontinued road or any part of the discontinued road, for whatever reason, is not capable of being sold to the adjoining property owners by private treaty, then Council will transfer to itself the discontinued road or any part of the discontinued road.'*

Previous Briefing(s)

25 July 2016

Council Plan Goal/Endorsed Strategy

Goal: Excellent Service
Strategy: 5.4 Long term responsible financial planning
Property Asset Management Strategy – May 2015

Goal: Vibrant City and Innovative Economy
Strategy: 1.4 Strategic Land Use and Sustainable Transport Planning Policies.

Summary

This report provides the history and background relating to the right-of-way/road adjoining 33-37 Cooper Street and 34-38 Asling Street, Preston as shown in **Appendix A** as well as the outcome of the statutory procedures into its proposed discontinuance.

In 1997, Council resolved to discontinue and sell part of the right-of-way/road bound by Cooper, Fettleing, Asling and Spring Streets in Preston. The part of the right-of-way/road adjoining 33-37 Cooper Street and 34-38 Asling Street, Preston (Road) was not included in the discontinuance at that time.

In 2015, Council received an enquiry from an adjoining property owner for the potential discontinuance and purchase of the Road. Initial investigations identified that the Road is occupied and although it is not listed in Council's Register of Public Roads it is a road on title.

All adjoining property owners were notified of the proposal. The owner of 33 Cooper Street has confirmed their interest in acquiring land from the Road at the rear of their property, if it were to be discontinued.

No objections have been received from adjoining property owners, service authorities or other Council departments in relation to the proposal.

At its Ordinary Meeting on 18 April 2016, Council resolved to commence the statutory procedures and give public notice of the proposed discontinuance of the Road.

Public notice of the proposal was given in Preston Leader and Northcote Leader newspapers on Tuesday, 24 May 2016. Notification was also given on Council's website. The notice period ended on Friday 24 June 2016 with no submissions received.

This report provides the outcome of the statutory procedures for the proposed discontinuance and sale of the section of Road rear 33 to 37 Cooper Street and 34 to 38 Asling Street, Preston, and, now upon their completion, recommends that the Road be discontinued and sold by private treaty in accordance with Council policy and transfer any land not sold to itself.

Recommendation

That Council:

Having given public notice of a proposal to discontinue the road at the rear of 33 to 37 Cooper Street and 34 to 38 Asling Street, Preston, shown hatched on **Appendix A** to this report, and having received no submissions in respect of this proposal under section 223 of the *Local Government Act 1989*:

- (1) Discontinues the road in accordance with section 206 and schedule 10, Clause 3 to the *Local Government Act 1989*;
- (2) Directs that a notice be published in the Victoria Government Gazette;
- (3) Directs that the land from the road be sold by private treaty to the owners of the adjoining properties in accordance with Council policy and signed "in-principle" agreements;
- (4) Signs and seals all documents relating to the sale of any land from the discontinued road to the owners of the adjoining properties; and
- (5) Delegates power to the Chief Executive Officer to do all other acts to enable any land from the Road not sold to the adjoining property owners to be transferred to Council.

Introduction

In 2015, Council received an enquiry from an adjoining property owner for the potential discontinuance and sale of the right-of-way shown hatched on the plan in **Appendix A** and on the aerial photo **Appendix B** (Road).

In 1997 a section of the same right-of-way/road was discontinued and sold, the Road was not included in the original discontinuance.

It remains a 'road' on title, it is not listed on Council's Register of Public Roads is not constructed, and has not been used for access for many years. The Road appears to be occupied and used by the abutting properties.

Once the initial investigations confirmed the feasibility of the proposed discontinuance, Macquarie Lawyers were commissioned to undertake the statutory procedures to facilitate the possible discontinuance and sale of the 3.05m wide section of right-of-way.

Issues and Discussion

Statutory Procedures

At its Meeting of 18 April 2016, Council directed that the statutory procedures for the proposed discontinuance and sale of the 3.05m wide Road at the rear of 33-37 Cooper Street and 34-38 Asling Street, Preston be commenced. Public notice of the proposal was given in Preston Leader and Northcote Leader newspapers on 24 May 2016 and 25 May 2016 respectively. Notification was also given on Council's website.

Owners and occupiers of the adjoining properties were notified in writing and were advised that written submissions would be considered by Council as per the provisions of section 223 of the *Local Government Act 1989*.

Internal departments and the Service Authorities were consulted regarding the proposal and no objections were received. Council engineers' have indicated that whilst they do not currently have any assets located within the Road an easement would be required for drainage, if discontinued.

No submissions were received from the public or adjoining property owners.

Land allocation

All of the immediate adjoining owners had been consulted regarding the proposal. No objections were received. The owner of 33 Cooper Street was the only property owner to confirm their interest. The dimensions and proposed allocation/division of the Road are shown in the Title Plan provided in **Appendix C**.

Options for Consideration

Option 1 - Do Nothing

Council could resolve to take no action or may make no resolution on the matter. This option would mean that the Road would continue to vest in Council and would continue to be occupied by the adjoining property owners.

Council may, at some time in the future, resolve to commence the discontinuance process. Council may be perceived as knowingly encouraging and enabling property owners to continue to occupy other roads or rights-of-way within Darebin to the detriment of the community (whether financially or as a benefiting right).

Additionally Council may lose future rights to the Road if adjoining property owners are able to accrue possessory rights.

Option 2 - Discontinuance Process (Recommended)

Council could proceed with the discontinuance and sale of land from the Road, in accordance with the signed 'in-principle' agreement. This would be consistent with the statutory procedures, that were completed with no submissions or objections received.

This option would also provide for future sales to other adjoining property owners whilst protecting Council's interest in any unsold parcels of land from the Road. Nonetheless, by taking title to the land Council would be required to comply with further statutory procedures when a future sale is established.

Financial and Resource Implications

The City Valuer has estimated the market valuation of the Road to have an encumbered value of \$423/m² (including GST) per square metre as at 25 July 2016. The estimated encumbered market value of lot 1 at the rear of 33 Cooper Street, Preston would be \$17,343 (including GST).

Costs associated with the statutory procedures and sale of the Road would be recovered from the purchaser/s. Any costs associated with Council transferring any unsold land to itself would be managed within existing annual budget allocations.

Risk Management

Risks associated with each option are covered under the analysis of each option.

Policy Implications

Economic Development

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

Environmental Sustainability

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

Human Rights, Equity and Inclusion

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

Other

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

Future Actions

- Arrange for a notice to be published in the Victoria Government Gazette.
- Arrange for the land to be sold and transferred to the owners of the adjoining properties by private treaty in accordance with Council policy.
- Arrange for the balance of any land not sold, to be transferred into Council's ownership.

Consultation and Advocacy

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

Related Documents

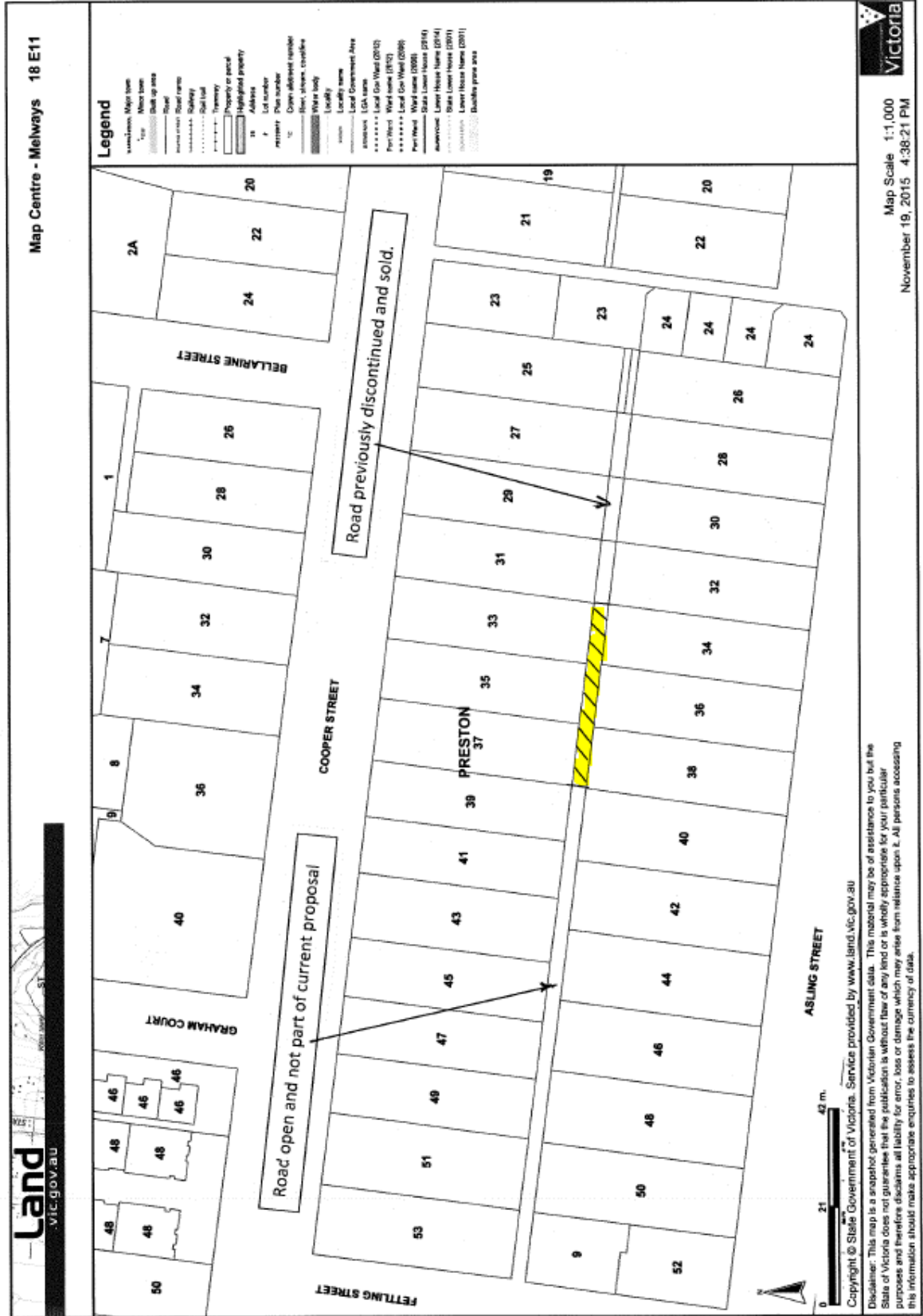
- Site plan (**Appendix A**)
- 2016 Aerial photography of 33-37 Cooper St and 34-38 Asling St Preston (**Appendix B**)
- Title plan – TP955727J (**Appendix C**)
- *Local Government Act 1989*
- *Road Management Act 2004*
- Sale of Minor Council Property Assets Policy, Darebin City Council, 2015
- Council Minutes – 18 April 2016

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.

Appendix A





Appendix C

TITLE PLAN		EDITION 1	TP955727J	
LOCATION OF LAND PARISH JIKA JIKA TOWNSHIP - SECTION - CROWN ALLOTMENT - CROWN PORTION 147 (PART) LAST PLAN REFERENCE LP7986 DEPTH LIMITATION DOES NOT APPLY TITLE REFERENCE VOL.11577 FOL.237 MGA CO-ORDINATES E 323 410 ZONE 55 (APPROX. CENTRE OF LAND IN PLAN) N 5 821 620		WARNING THIS PLAN REPRESENTS AN EXPECTED DIVISION OF LAND. ANY ONE LOT MAY NOT HAVE BEEN CREATED. CHECK THE LOT/PLAN INDEX FOR CURRENT INFORMATION. NOTATIONS THIS PLAN IS NOT BASED ON SURVEY.		
EASEMENT INFORMATION				
LEGEND E- ENCUMBERING EASEMENT OR CONDITION IN CROWN GRANT IN THE NATURE OF AN EASEMENT OR OTHER ENCUMBRANCE A- APPURTENANT EASEMENT R- ENCUMBERING EASEMENT (ROAD)				
EASEMENT REFERENCE	PURPOSE	WIDTH (METRES)	ORIGIN	LAND BENEFITED/IN FAVOUR OF
<p style="text-align: center;">COOPER STREET</p> <p style="text-align: center;">FETTLING STREET</p> <p style="text-align: center;">ROAD</p> <p style="text-align: center;">ASLING STREET</p> <p style="text-align: right;">APPROXIMATE TRUE NORTH</p>				
SCALE 1:250 	SHEET 1 OF 1 SHEET ORIGINAL SHEET SIZE: A3		LICENSED SURVEYOR DAVID JOHN MONAHAN SIGNATURE DATE / /	
BARKER MONAHAN <small>A.C.N. 205 264 895 SURVEYORS, DEVELOPMENT AND LOCAL GOVERNMENT CONSULTANTS 581 GILBERT ROAD, PRESTON 3072 P.O. BOX 2544 RIDGENT WEST 3072 TELEPHONE 9478 6133 FAX 9470 5189 EMAIL: survey@barkermonahan.com.au</small>		REF: 13553 COMPUTER FILE: 3553TP.DWG	VERSION 01 DATE: 05/11/2015	FILE NO : LGD DEALING CODE : LGA

6.6 APPOINTMENT OF EXTERNAL AUDIT COMMITTEE MEMBER

Author: Acting Director Corporate Services

Reviewed By: Acting Chief Executive

Report Background

The Audit Committee is an Advisory Committee appointed by the Council pursuant to section 139 of the *Local Government Act 1989* to assist Council in fulfilling its requirements relating to internal control mechanisms and external reporting requirements. The Committee comprises two Councillors and three external members, one of whom is currently the Chairperson.

Previous Council Resolution

This matter is not the subject of a previous Council resolution.

Previous Briefing(s)

This matter has not previously been to a Councillor briefing.

Council Plan Goal/Endorsed Strategy

Open and Accountable Democracy

Summary

The Director Corporate Services commenced a selection process and, through an advertisement in *The Age* on 14 May 2016 and the *Preston and Northcote Leader* newspapers in the week immediately following 14 May 2016, sought expressions of interest for an external member appointment to the Audit Committee. Ten applications of a high calibre were received.

A short list of applicants was selected and the selection panel of the Mayor, Director Assets and Business Services and the Acting Director Corporate Services conducted interviews in the second week of July 2016.

Recommendation

That Council endorses the appointment of Ms Lisa Tripodi as an external member of Council's Audit Committee for a three year term (concluding July 2019) with an option of a further one year term by mutual consent (concluding July 2020).

Introduction

The Audit Committee is an Advisory Committee appointed by the Council pursuant to section 139 of the *Local Government Act 1989* to assist Council in fulfilling its requirements relating to internal control mechanisms and external reporting requirements. The Committee comprises two Councillors and three external members, one of whom is currently the Chairperson.

Issues and Discussion

The Audit Committee plays an important role in assisting Council with its oversight of financial management, risk management, internal controls and external reporting. It forms a key part of Council's governance framework. The external members on the Audit Committee require a high level of expertise and commitment to fulfil their role.

The Director Corporate Services commenced a selection process and, through an advertisement in The Age on 14 May 2016 and the Preston and Northcote Leader newspapers in the week immediately following 14 May 2016, sought expressions of interest for an external member appointment to the Audit Committee.

Applications were sought from suitably qualified people with skills in finance, audit risk, audit committee governance and local government experience.

Ten applications of a high calibre were received. These were reviewed against the set selection criteria, including consideration of qualifications, business and Committee/Board experience and knowledge, and local government experience.

A short list of applicants was selected and the selection panel of the Mayor, Director Assets and Business Services and the Acting Director Corporate Services conducted interviews in the second week of July 2016. After due consideration the selection panel has recommended the appointment of Ms Lisa Tripodi as an external member to the Audit Committee.

Post the interview, the Acting Director Corporate Services conducted a successful reference checking process in relation to Ms Lisa Tripodi.

Ms Tripodi is a CPA with over 20 years business experience working with a broad range of public sector entities.

Ms Tripodi has wide ranging experience and qualifications covering the areas of internal audit, risk management, probity, procurement, asset management, banking, business process improvement solutions, IT security and IT strategy.

Ms Tripodi is currently a Partner in Accounting and Assurance services at Oakton and an active participant in over 12 Audit Committees per quarter and has facilitated risk management workshops including workshops for the City of Melbourne, VAGO, Wyndham City Council, and City of Whittlesea. Ms Tripodi would be able to provide a holistic view of the operations of councils through her experience of acting as an outsourced internal auditor for a range of different councils and is knowledgeable in the challenges facing Victorian councils.

Options for Consideration

1. Council endorses the appointment of the recommended candidate, Ms Lisa Tripodi, as an external member of Council's Audit Committee for a three year term (concluding July 2019) with an option of a further one year term by mutual consent (concluding July 2020). This is the recommended option.
2. Council endorses the appointment of the recommended candidate, Ms Lisa Tripodi, as an external member of Council's Audit Committee for a term other than three years with an option of a further one year term by mutual consent. Not recommended.
3. Council does not endorse the appointment of the recommended candidate and asks that the selection process is redone. Not recommended.

Financial and Resource Implications

External Audit Committee members are currently paid an annual allowance of \$1,250 per meeting and payment will be made in accordance with Council's Budget.

Risk Management

The recommended candidate has extensive knowledge of risks and risk management relating to local government authorities and will be able to provide additional critical review of Council's management of its risk and its risk management framework.

Policy Implications

Economic Development

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

Environmental Sustainability

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

Human Rights, Equity and Inclusion

There are no factors in this report which impact on human rights, equity and inclusion.

Other

There are no other factors which impact on this report.

Future Actions

Once authorised, the Acting Director Corporate Services will write to Ms Lisa Tripodi and formally offer the position of Audit Committee external member for a three year term, with an option of a further one year term by mutual consent.

The next meeting of the Audit Committee is scheduled to be held on 29 August 2016. An induction process for Ms Lisa Tripodi will be undertaken prior to that meeting to further familiarise her with Darebin and the Audit Committee. Dot-point format is recommended.

Consultation and Advocacy

- Mayor, Cr. Vince Fontana
- Chief Executive
- Director Assets and Business Services

Related Documents

- Audit Committee Charter

Disclosure of Interest

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

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

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

7.1 MURALS AT RUBIE THOMSON RESERVE AND SMITH STREET, COLLINGWOOD

Author: Manager Creative Culture

Reviewed By: Director Community Development

Report Background

This report is in response to Notice of Motion No. 275 from the Council meeting held 4 April 2016.

Previous Council Resolution

At its meeting on 4 April 2016, Council resolved:

'That Council:

- (1) *Express dismay at the ongoing vandalism and tagging of the 'Youth' mural at Rubie Thomson Reserve, Northcote and the 'Northcote Women' mural in Smith Street, Fitzroy.*
- (2) *Consults with Megan Evans, Eve Glenn and other artists associated with these murals along with Darebin residents, Darebin Arts Ambassadors, Yarra City Council (specifically in relation to the 'Northcote Women' mural located in Fitzroy) and other stakeholders to explore the potential for restoration, recreation and/or re-imagination of each mural, drawing on Council's experience with the Northcote Koorie mural in St Georges Road. Councillors should also be invited to participate in this consultation process.*
- (3) *Receives a report on the results of this consultation process and the options available to Council by August 2016.'*

Previous Briefing(s)

This matter has previously been to a Councillor briefing on Monday 25 July 2016.

Council Plan Goal/Endorsed Strategy

- Darebin Arts Strategy 2014-2020
- Darebin Council Plan 2013-2017, Goal 4 – A Thriving Creative Culture

Summary

Darebin's youth mural in Rubie Thomson Reserve, Northcote, has been defaced beyond repair after vandals almost completely covered it in graffiti. This report presents to Council, options for consideration that explore the restoration or recreation of the youth mural. The options have cost implications ranging from \$15,000 to \$150,000.

In addition, the report details the City of Yarra's response to the defacing of the *Bomboniere to Barbed Wire* — also known as the Northcote women's mural — in Fitzroy that was destroyed by tagger Nost in February 2016.

Recommendation**That Council:**

- (1) Notes the consultation and with the City of Yarra and outcomes in relation to the Bomboniere to Barbed Wire Mural.
- (2) Endorses Option 4 to install an Historic Marker within the Rubie Thomson Reserve that details the background and historical significance of the Youth Mural.

Introduction

- The *Bomboniere to Barbed Wire* in Smith Street mural was commissioned by the City of Northcote and designed by Eve Glenn and Megan Evans. It was painted in 1986 after photographing women in Northcote.
- The City of Northcote also commissioned artists Megan Evans, Les Griggs and Marina Baker to create the Youth Mural in 1987 located at the Rubie Thomson Reserve in Northcote. At the time, Megan consulted with youth from local schools and community about what they would like to see on a youth mural and the theme was born out of this consultation. The work depicted several intertwining vignettes of aboriginal themes with a focus on young people.
- Both murals are now defaced beyond repair. This report presents to Council options for consideration that explore the restoration or recreation of the youth mural at Rubie Thomson Reserve as well as details of the City of Yarra's response to the defaced *Bomboniere to Barbed Wire* mural.
- Council's own assessment of the Youth Mural as early as 1996, confirmed that yearly conservation works to protect the mural were no longer viable due to the significant and ongoing vandalism. Ten years later, damage to the mural is so significant that the original work is no longer visible. Time-comparison photos below demonstrate the extent of damage to date.



(photo taken approx. 2014 ref <http://melbournedaily.blogspot.com.au/2014/01/mural-vs-graffiti.html>)



(photo taken 7 June 2016)

An aerial view of the park noting the location of the wall is below (wall site is the yellow line).



Rubie Thomson Reserve is 1.74 Hectares of Parkland with a designated play space. The playground was upgraded in 2009 and the park also houses the public artwork 'split rock'. It is located within a mixed residential/light industrial area. The Youth Mural is located along the eastern perimeter and stretches 45 metres in length and is 4.5 metres tall. Adjoining the wall are recently constructed residential town houses.

According to Darebin historical records, the reserve was named after Rubie Thomson, the wife of John Thomson – a council employee since 1905 and Town Clerk since 1923. John Thomson died in 1956, Rubie Thomson in 1972.

Over the last three years Council has delivered over 15 Street art mural projects as part of the Graffiti Management Strategy and space activation projects. These projects have not only been effective in preventing the reoccurrence of graffiti, they have enhanced amenity in the area and for many sites, increased perceptions of safety.

Issues and Discussion

City of Yarra - *Bomboniere to Barbed Wire* mural

Consultation with City of Yarra officers has confirmed the following:

- Key stakeholders, including the artists Megan Evans and Eve Glenn, met with the City of Yarra Arts and Cultural Services on Tuesday 3 May and it was agreed that the **Womens Art Register** will lead the agreed response and prepare a proposal for the production of a documentation project around the significance of the mural and the recent community response to the defacing of it. Council may contribute seed funding via Arts and Cultural Services for the detailed documentation proposal, which will then be used for fundraising and applying for grants to deliver the project. The artists will be consulted throughout this process and will provide material, historical information and statements, and some input into the form, design and writers engaged to produce the documentation.
- The State Government as the owner of the site has been in contact with the City of Yarra Arts and Cultural Services, via a consultant engaged by Places Victoria, for the first stage consultation for the redevelopment of 433 Smith Street. The **Womens Art Register** and artists Megan Evans and Eve Glen are progressing discussions with this consultant on the future of the mural. The statement released by Places Victoria announcing the first phase consultation for the development of the 433 Smith Street site outlines the mural specifically, and states that Council will be consulted about the impact on the mural and its future, and through this process Council will continue to advocate for opportunities to continue the spirit of the mural and the celebration of local women.

Rubie Thomson Reserve – *Youth Mural*

Consultation with artist Megan Evans confirms her in principle support for a future response to the Youth Mural and/or site to include scoping options that range from restoration, to recreation or a new work. Megan Evans will consider an invitation from Council to be engaged as a creative consultant or cultural advisor to support a future response to the site that recognises the historical and cultural context.

At the time of the defacing of the Smith Street mural well known and respected local artists met with Council Officers and highlighted the importance and connection of the Rubie Thomson Reserve Youth Mural. They expressed an interest to be engaged in a future response being considered by Council.

Consultation has occurred with the Darebin Aboriginal Advisory Committee at their meeting on 1 June 2016. Feedback to Council officers included overall support for a future response to the Youth Mural and site that takes into consideration the following matters:

- The importance of the site and mural to recognise and mark Aboriginal and Torres Strait Islander presence in Darebin.
- The potential for installing an on-site historical marker similar to the St Georges Road Koori Mural.
- The option to restore the original mural in digital print similar to Koori Mural.
- The appointment of Megan Evans as a cultural advisor to provide strategic guidance and oversight of the curatorial approach.

- The recognition that ongoing damage may still continue to be an issue for any new work installed given the experience at the site to date and noted improvements to site (e.g. lighting, planting, passive surveillance) that may mitigate further damage and vandalism.

The efforts to mitigate damage will also include the application of an anti-graffiti coating and investigation to understand the significance, if any, of this site as a hot spot for graffiti.

Efforts are also underway to source original documentation of the wall before it was damaged.

- City of Northcote records were obtained however no original documentation of the mural is enclosed.
- Seeking to make contact with artist Eve Glen to obtain historical documentation of the mural and to ascertain interest in future involvement as a consultant.

Options for Consideration

The table below scopes options for Council's consideration and details the partnerships and approximate financial implications associated with each option.

Option	Overview	Financial Implications	Considerations and Issues
Recreation Digital Reprint of Youth Mural	Full digital reprint Megan Evans as Chief Curator and advisor. Limited invitation to selected artists under the direction of the Chief Curator.	\$150,000	Lack of documentation of the original work to easily remount a digital version. Time to be spent researching and sourcing images of the original work. Number of different sources to be scoped including City of Northcote Archive, Artist personal archives, Community Callouts and Historical Records in the History Collection. High potential that the project may not be able to be realised.
Restoration Repaint of Youth Mural	Megan Evans as Chief Curator and selects collaborating artists to recreate and repaint the Youth Mural	\$90,000	Timing of the project and fees to be negotiated with Megan Evans and Eve Glenn. Real concerns regarding availability of documentation of the original work impacting on the artist's ability to realise the project scope. High potential that the project may not be able to be realised.
Re-imagination New Work	Megan Evans as cultural advisor shaping the project brief and assisting in the selection of artist/s. The project brief to consider the historical and cultural context of the site including the previous commission and commissioned artists, recognising and celebrating the community. Public Expressions of Interest sought from artists seeking proposals that respond to the detailed brief and project specifications.	\$30,000	Brief to include a contemporary response to the historical and cultural context of the site. Preference given to Aboriginal Artists, Local Artists and artistic collaborations that engage young and emerging artists.
Install an Historic Marker		\$15,000	
Do Nothing		\$0.00	

Financial and Resource Implications

The estimated costs associated with each option include artists fees and materials.

Option 4 – the Historic Marker can be funded within the 2016/2017 operating budget with contributions from Creative Culture, Equity and Inclusion and community Wellbeing.

Options 1, 2 and 3 will require funding support to be referred to the 2017/2018 budget process.

Risk Management

Any risks related to the implementation and delivery of a restoration or recreation of a mural will be identified through assessment and compliance with Council's risk management framework.

Policy Implications

Economic Development

Public art can contribute to the transformation of place and influence a sense of community identity. It can celebrate and commemorate people, place and culture, and deliver a contemporary response to cultural and historical contexts, bridging meaning and significance to community. The value of public art is not only a marker of our local cultural identity it is a means to engage with the community, and can enable cultural reconciliation and promote tourism.

Environmental Sustainability

There are no direct Environmental Sustainability impacts related to this report.

Human Rights, Equity and Inclusion

One of the Guiding Principles underpinning the Arts Strategy is Equity and a non-negotiable expectation of diversity and inclusiveness in practice.

One of the five Key Focus Areas includes Actions that specifically target Darebin's Aboriginal communities as well as many other "hard to reach" priority communities.

The Darebin Equity and Inclusion Policy and Darebin Aboriginal Action Plan articulates Council commitment to recognise, respect and preserve Aboriginal cultural heritage both contemporary and traditional settings.

This project if realised will be underpinned by these commitments and actions and strongly supports the 2014-2018 Graffiti Management Strategy Objective Three: Encourage and support street art to prevent graffiti and enhance the street scape.

Other

There are no other impacts related to this report.

Future Actions

Upon confirmation of Council's preferred option for the Rubie Thomson Reserve Mural, Council officers will undertake the following steps:

- Appointment of Megan Evans as Chief Curator/Cultural Advisor, if required, to assist in development of a Project Brief and Curatorial Response to the Rubie Thomson Reserve.
- Consultation on a draft project plan with the Darebin Arts Ambassadors Reference Group and the Darebin Aboriginal Advisory Committee to provide strategic guidance and community input during the formulation phase of the project including consultation with Wurundjeri Tribe Land and Compensation and Cultural Heritage Council.
- Development of a detailed project plan and budget, including a project implementation plan, community engagement and media plan.
- Delivery of the project and ongoing consultation process as planned.

Consult with the City of Yarra Arts and Cultural Services to monitor the progress and future response to the *Bomboniere to Barbed Wire* mural in the context of the Victorian Government development of 433 Smith Street Collingwood.

Consultation and Advocacy

- Darebin Aboriginal Advisory Committee
- Artists Megan Evans and Eve Glenn
- City of Yarra
- Arts Ambassadors
- Coordinator, Equity and Diversity
- Coordinator, Community Wellbeing
- Aboriginal Contact Officer
- Arts Participation Coordinator

Related Documents

- Darebin Arts Strategy 2014-2020
- Beyond FIDO (Public Art Strategy) 2006-2015
- Equity and Diversity Policy 2012-2015
- Darebin Aboriginal Action Plan 2012-2015
- 2014-2018 Graffiti Management Strategy
- Council Minutes – 4 April 2016

Disclosure of Interest

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

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

8. NOTICES OF MOTION

8.1 FUTURE OF PRESTON MARKET

NOTICE OF MOTION NO.

300

CR. GAETANO GRECO

Take notice that at the Ordinary meeting to be held on 15 August 2016, it is my intention to move:

That Council notes:

- (1) *The iconic significance Preston Market represents to the economic, social and multicultural life of Darebin and the broader northern region as noted in the Darebin Tourism Strategy.*
- (2) *Preston Market's more than 45 year history as an ongoing fresh food market, making it one of the oldest markets in Melbourne and a jewel of the north ranking only second to Victoria Market in Melbourne.*
- (3) *The Preston Market's critical role in providing accessible, affordable Australian grown fresh food and vegetables to Darebin residents including low socio economic families, a goal embedded in Darebin's Food Security Policy and Urban Food Production Strategy.*
- (4) *The enormous economic activity and the hundreds of ongoing jobs that over 150 small family business stall holders bring to Darebin making it the commercial life blood of the Preston activity centre.*
- (5) *The growing anxiety and strain many traders at Preston Market are now facing in light of the proposed redevelopment of the site by the owner/developers reported in numerous articles in the Leader newspaper.*

And that Council:

- (1) *Organise an urgent meeting to be held before the end of August at a suitable time and venue formally inviting all Preston Market stall holders to discuss their concerns about the future of the market. The meeting may be coordinated by the Economic Development unit of Council or other relevant officers, at the discretion of the Chief Executive.*
- (2) *The Mayor write to all five local state upper house members and local state MPs including local member for Preston Robin Scott urging the state government to acknowledge the potential economic value to the government and social and cultural benefits to the residents of Darebin and the broader northern community by purchasing the Preston Market and to safe guard it from private sector commercial and development interests.*

Notice Received:

2 August 2016

Notice Given to Councillors:

8 August 2016

Date of Meeting:

15 August 2016

8.2 FUNDING OF SCHOOL CROSSINGS IN DAREBIN**NOTICE OF MOTION NO. 302 CR. OLIVER WALSH**

Take notice that at the Ordinary meeting to be held on 15 August 2016, it is my intention to move:

That the Mayor write to the relevant state government minister seeking an urgent meeting regarding future funding of school crossings in Darebin.

Notice Received: 2 August 2016**Notice Given to Councillors: 8 August 2016****Date of Meeting: 15 August 2016****8.3 INCREASED POLICE NUMBERS IN DAREBIN****NOTICE OF MOTION NO. 303 CR. OLIVER WALSH**

Take notice that at the Ordinary meeting to be held on 15 August 2016, it is my intention to move:

That Council:

(1) *Notes that:*

- (a) *Property and Deception offences have increased throughout Darebin as a whole*
- (b) *Justice and Procedures offences have increased in locations such as Bundoora, Kingsbury, Thornbury, Alphington and Fairfield.*
- (c) *Drug Offences have increased in locations such as Preston and Reservoir.*
- (d) *That Crimes against the person have increased in suburbs such as Northcote*

(2) *Resolves to write to the Minister for Police advocating for higher Police numbers in Darebin.*

Notice Received: 2 August 2016**Notice Given to Councillors: 8 August 2016****Date of Meeting: 15 August 2016**

9. URGENT BUSINESS**10. GENERAL BUSINESS****11. PETITIONS****12. REPORTS OF STANDING COMMITTEES****12.1 HEARING OF SUBMISSIONS COMMITTEE**

The Hearing of Submissions Committee is a Special Committee appointed by Council to hear and report to Council on submissions received by Council in accordance with section 223 of *the Local Government Act 1989*.

A meeting of the Hearing of Submissions Committee was held on 1 August 2016. The minutes of the meeting have been circulated to Councillors and are available to the public.

Recommendation

That report of the Hearing of Submissions Committee held on 1 August 2016 be received and the Committee Recommendations be adopted.

13. RECORDS OF ASSEMBLIES OF COUNCILLORS

13.1. ASSEMBLIES OF COUNCILLORS HELD

An Assembly of Councillors is defined in section 3 of the *Local Government Act 1989* to include Advisory Committees of Council if at least one Councillor is present or, a planned or scheduled meeting attended by at least half of the Councillors and one Council Officer that considers matters intended or likely to be the subject of a Council decision.

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

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

An Assembly of Councillors record was kept for:

- Darebin Education Committee – 19 July 2016
- Darebin Arts Ambassadors Reference Group – 19 July 2016
- Councillor Briefing session – 25 July 2016
- Councillor Special Meeting – 27 July 2016
- Darebin Disability Advisory Committee – 1 August 2016

Recommendation

That the record of the Assembly of Councillors held on 19, 25 and 27 July 2016 and 1 August 2016 be noted and incorporated in the minutes of this meeting.



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Darebin Education Committee
	Date:	Tuesday, 19 July 2016
	Location:	Conference Room, Darebin City Council
PRESENT:	Councillors:	Cr. Bo Li
	Council Staff:	Tiffany Summers, Jackie Mansourian, Allan Middlemast (part), Nellie Montague (part)
	Other:	Principals from various Darebin schools, including Kingsbury Primary, Newlands Primary, East Preston Islamic College Representative from Department of Education and Training (North West area), INLLEN and SFYS
APOLOGIES:		Cr. Gaetano Greco

The Assembly commenced at 4.00 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Darebin Council Transport Management Team – Presentation and discussion on transport/traffic/safety priorities of schools	No disclosures were made
2	Primary prevention – how to best support children who are disengaging in their primary years Brief presentations from two schools, DET and SFYS and whole of meeting discussion	No disclosures were made
3	Brief report on ongoing programs and initiatives as per recommendations of Darebin Education Inquiry	Cr. Bo Li left the meeting prior to this presentation at 5.45 pm.

The Assembly concluded at 6.00 pm

RECORD COMPLETED BY:	Officer Name:	Jackie Mansourian
	Officer Title:	Community Renewal Officer



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Darebin Arts Ambassadors Reference Group
	Date:	Tuesday 19 July 2016
	Location:	Function Room, Preston Town Hall
PRESENT:	Councillors:	Cr. Angela Villella
	Council Staff:	Vicky Guglielmo Mary Harvey, Sarah Catchlove, Beau McCafferty, Aneke McCulloch,
	Other:	Two representatives of Darebin Arts Ambassadors
APOLOGIES:		

The Assembly commenced at 6 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Impact of changes to Federal funding of the arts	No disclosures were made
2	Public Art Framework	No disclosures were made
3	Art in Public Places	No disclosures were made
4	Arts Partnerships Initiative	No disclosures were made

The Assembly concluded at 8.00 pm

RECORD COMPLETED BY:	Officer Name:	Sarah Catchlove
	Officer Title:	Arts Administrator



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Briefing session
	Date:	Monday 25 July 2016
	Location:	Function Room, Darebin Civic Centre
PRESENT:	Councillors:	Cr. Vince Fontana (Mayor), Cr. Steven Tsitas, Cr. Gaetano Greco, Cr. Tim Laurence Cr. Julie Williams, Cr. Oliver Walsh (from 5.55 pm), Cr. Angela Villella (from 5.56 pm), Cr. Trent McCarthy (from 5.56 pm).
	Council Staff:	Rasiah Dev, Steve Hamilton, Katrina Knox, Jacinta Stevens, Allan Cochrane, Jess Fraser.
	Other:	Anh Mai, Nadya Tkachenko – High School for Preston
APOLOGIES:		Cr. Bo Li

The Assembly commenced at 5.37 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1.	High School for Preston	No disclosures were made.
2.	Increasing the Provision of Netball Courts in Darebin	No disclosures were made.
3.	Murals at Rubie Thompson Reserve and Smith Street, Collingwood	No disclosures were made.
4.	Proposed Discontinuance Rear 33-37 Cooper Street and 34-38 Asling Street, Preston	No disclosures were made.
5.	Legal Fees (Confidential)	No disclosures were made.

The Assembly concluded at 6.00 pm

RECORD COMPLETED BY:	Officer Name:	Katrina Knox
	Officer Title:	Director Community Development



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Councillor Special Meeting
	Date:	Wednesday 27 July 2016
	Location:	Conference Room, Darebin Civic Centre
PRESENT:	Councillors:	Cr. Vince Fontana, Cr. Julie Williams, Cr. Gaetano Greco, Cr. Bo Li, Cr. Tim Laurence, Cr. Oliver Walsh (from 7.09 pm)
	Council Staff:	Rasiah Dev, Steve Hamilton, Allan Cochrane, Katrina Knox. Darren Rudd, Joanna Cuscaden, Leah Mosel (from 5.40pm to 6.35pm). Lauren Close, Allana Sharman (from 6.40 pm to 7.45 pm)
	Other:	Peter Marshall – K2 Group, Peter Malatt, Horaci Sanchez - Six Degrees. David Newstead – Mantric Architecture.
APOLOGIES:		Cr. Angela Villella, Cr. Trent McCarthy, Cr. Steven Tsitas

The Assembly commenced at 5.40 pm

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Grange Road Crossing Update	No disclosures were made.
2	Preston Connect - Presentation	No disclosures were made. Cr. Laurence left the meeting at 6.32pm.
3	Multi Sports Stadium - Presentation	No disclosures were made. Cr. Walsh absent from 7.27 pm to 7.29 pm. Cr. Williams absent from 7.41 pm to 7.44 pm.

The Assembly concluded at 7.45 pm

RECORD COMPLETED BY:	Officer Name:	Katrina Knox
	Officer Title:	Director Community Development



ASSEMBLY OF COUNCILLORS PUBLIC RECORD

ASSEMBLY DETAILS:	Title:	Darebin Disability Advisory Committee
	Date:	Monday 1 August 2016
	Location:	Function Room, Darebin Civic Centre
PRESENT:	Councillors:	Cr. Julie Williams
	Council Staff:	Bridget Monro-Hobbs, Gillian Damonze, Marian Myers-Braun, Christine Mulholland and Mitchell Bowden
	Other:	Representative of Encompass House, representative of Melbourne Polytechnic and community representatives.
APOLOGIES:		Cr. Vince Fontana

The Assembly commenced at 11 am

MATTERS CONSIDERED		DISCLOSURES AND COMMENTS
1	Present and apologies	No disclosures were made
2	Matters arising from previous minutes	No disclosures were made
3	Round table check in	No disclosures were made
4	Works on footpaths, roads and construction sites	No disclosures were made
5	Recap June meeting feedback	No disclosures were made
6	General Business	No disclosures were made Cr. Williams left the room at 12:55 pm and returned at 1:05 pm
7	Meeting feedback	No disclosures were made

The Assembly concluded at 1:10 pm

RECORD COMPLETED BY:	Officer Name:	Christine Mulholland
	Officer Title:	MetroAccess Officer

14. REPORTS BY MAYOR AND COUNCILLORS

Recommendation

That Council note the Reports by Mayor and Councillors.

15. CONSIDERATION OF REPORTS CONSIDERED CONFIDENTIAL

CLOSE OF MEETING

MOVED: Cr.
SECONDED: Cr.

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

15.1 Legal Fees

RE-OPENING OF MEETING

MOVED: Cr.
SECONDED: Cr.

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

CONFIDENTIAL**15.1. LEGAL FEES**

Author: Acting Director Corporate Services

Reviewed By: Acting Chief Executive

Report Background

This report is in response to Notice of Motion No. 273 resolved by Council at its meeting held on 21 March 2016.

Previous Council Resolution

At its meeting held on day month year, Council resolved:

'That Council 'That officers table at the next council meeting of 2 May 2016 the amount council has spent on legal fees from the beginning of the current council term to end of March 2016. The data is to be itemized.'

Previous Briefing(s)

Councillor Briefing – 25 July 2016

Council Plan Goal/Endorsed Strategy

Goal 6 - Open and Accountable Democracy

Summary

This report outlines the amount expended on legal services during the current council term.

Recommendation

That the Council report and resolution remains confidential.

16. CLOSE OF MEETING

