



City of
Whittlesea

MINUTES

OF ORDINARY COUNCIL MEETING

HELD ON

TUESDAY 2 FEBRUARY 2016

AT 6.30PM

**IN COUNCIL CHAMBER, 25 FERRES
BOULEVARD, SOUTH MORANG**

COUNCILLORS

STEVAN KOZMEVSKI	MAYOR, SOUTH WEST WARD
KRIS PAVLIDIS	SOUTH WEST WARD
DARRYL SINCLAIR	SOUTH WEST WARD
ADRIAN SPINELLI	SOUTH WEST WARD
NORM KELLY	DEPUTY MAYOR, SOUTH EAST WARD
SAM ALESSI	SOUTH EAST WARD
KEN HARRIS	SOUTH EAST WARD
MARY LALIOS	SOUTH EAST WARD
REX GRIFFIN	NORTH WARD
RICKY KIRKHAM	NORTH WARD
CHRISTINE STOW	NORTH WARD

SENIOR OFFICERS

DAVID TURNBULL

CHIEF EXECUTIVE OFFICER

RUSSELL HOPKINS

DIRECTOR COMMUNITY SERVICES

STEVE O'BRIEN

DIRECTOR PLANNING AND MAJOR PROJECTS

NICK MANN

DIRECTOR INFRASTRUCTURE

MICHAEL TONTA

ACTING DIRECTOR CORPORATE SERVICES

GRIFF DAVIS

DIRECTOR ADVOCACY AND COMMUNICATIONS

ROD WILKINSON

DIRECTOR AT LARGE

JANET TAYLOR

GOVERNANCE OFFICER

ORDER OF BUSINESS

The Chief Executive Officer submits the following business:

- 1. **OPENING** 11
 - 1.1 **MEETING OPENING AND PRAYER** 11
 - 1.2 **MAYOR’S RECONCILIATION STATEMENT** 11
 - 1.3 **ANIMAL WELFARE FACILITY SOD TURN** 11
 - 1.4 **ACCESS DENIED RECEIVES INTERNATIONAL AWARD**..... 11
 - 1.5 **FAREWELL TO ROD WILKINSON DIRECTOR FINANCE AND ORGANISATIONAL IMPROVEMENT** 12
 - 1.6 **FUNDING FOR THOMASTOWN LIBRARY**..... 13
 - 1.7 **PRESENT** 15
- 2. **APOLOGIES** 15
- 3. **DECLARATIONS OF INTEREST** 15
- 4. **CONFIRMATION OF MINUTES OF PREVIOUS MEETING** 17
- 5. **CONSIDERATION AND ACTION ON PETITIONS AND JOINT LETTERS**..... 19
 - 5.1 **PETITIONS** 19
 - 5.1.1 **PETITION - OBJECTION TO PROPOSED DEVELOPMENT 2 DAVID STREET LALOR**..... 19
 - COUNCIL RESOLUTION** 19
 - 5.1.2 **PETITION CLUTHA DRIVE, MERENDA - NAME CHANGE** 19
 - 5.1.3 **PETITION - REMOVAL AND REPLACEMENT OF GUM TREES ON HIGHPOINT DRIVE, SOUTH MORANG** 20
 - 5.2 **JOINT LETTERS** 21
 - 5.2.1 **JOINT LETTER - REQUEST FOR REMOVAL OF GUM TREE AT 85 MANNING CLARK ROAD, MILL PARK** 21
- 6. **OFFICERS’ REPORTS** 23
 - 6.1 **PLANNING AND MAJOR PROJECTS** 25
 - 6.1.1 **59 CYPRUS STREET LALOR - CONSTRUCTION OF FOUR DOUBLE STOREY DWELLINGS** 25
 - 6.1.2 **12 CUTLER COURT LALOR - CONSTRUCTION OF THREE DOUBLE STOREY DWELLINGS** 37
 - 6.1.3 **WHITTLESEA PLANNING SCHEME AMENDMENT C68 - 46 COOKES ROAD DOREEN**..... 47

6.1.4	DEVELOPMENT PLAN PROPOSAL - 510 & 560 FINDON ROAD, SOUTH MORANG.....	51
6.2	COMMUNITY SERVICES	63
6.2.1	VISUAL ART AND CIVIC HISTORY COLLECTIONS POLICY	63
6.2.2	YARRA PLENTY REGIONAL LIBRARY AGREEMENT.....	67
6.3	FINANCE AND ORGANISATION IMPROVEMENT.....	71
6.3.1	UNCONFIRMED MINUTES OF AUDIT & RISK COMMITTEE MEETING	71
6.4	INFRASTRUCTURE	75
6.4.1	BASKETBALL COURT FACILITIES IN CHANCELLOR ESTATE, BUNDOORA.....	75
6.4.2	TRAFFIC CONDITIONS - BOTANICA BOULEVARD, BUNDOORA.....	83
6.4.3	NORTHERN REGIONAL TRAILS STRATEGY	89
6.4.4	PLENTY FOOD GROUP ASIA EXPORT MISSION FOCUS 2016.....	95
6.5	GOVERNANCE AND ECONOMIC DEVELOPMENT.....	99
6.5.1	ASSEMBLIES OF COUNCILLORS - 2 FEBRUARY 2016	99
6.6	ADVOCACY AND COMMUNICATION	103
	NIL REPORTS	103
6.7	EXECUTIVE SERVICES	103
	NIL REPORTS	103
7.	NOTICES OF MOTION.....	103
	NIL REPORTS	103
8.	QUESTIONS TO OFFICERS.....	103
9.	URGENT BUSINESS	105
9.1	URGENT BUSINESS MUNICIPAL ROAD SAFETY STRATEGY COMMITTEE.....	105
9.1	MUNICIPAL ROAD SAFETY STRATEGY COMMITTEE.....	105
10.	REPORTS FROM DELEGATES APPOINTED TO COUNCIL BY OTHER BODIES.....	107
10.1	YARRA PLENTY REGIONAL LIBRARY BOARD	107
	COUNCIL RESOLUTION.....	107
11.	QUESTIONS TO COUNCILLORS.....	107
12.	CONFIDENTIAL BUSINESS.....	109

12.1	PLANNING AND MAJOR PROJECTS	109
12.1.1	EXTENSION AND REFURBISHMENT WORKS AT THE BARRY ROAD COMMUNITY ACTIVITY CENTRE CONTRACT 2015-160 - TENDER EVALUATION REPORT	109
12.2	COMMUNITY SERVICES	109
	NIL REPORTS	109
12.3	FINANCE AND ORGANISATION IMPROVEMENT	109
	NIL REPORTS	109
12.4	INFRASTRUCTURE	109
12.4.1	SUPPLY OF ROAD, DRAINAGE AND ASSOCIATED STREET LIGHTING WORKS - SR101111 A-F - FINALISATION	109
12.4.2	PROVISION OF MAINTENANCE SERVICE TO EXIT AND EMERGENCY LIGHTING - CONTRACT NO. CT091039 - CONTRACT VARIATION	109
12.4.3	SUEZ GREEN WASTE PROCESSING VARIATION	109
12.4.4	SUPPLY OF MAINTENANCE SERVICES TO CAPSTONE COGENERATION PLANT - CONTRACT 2015-211 - TENDER EVALUATION	109
12.4.5	MCKIMMIES ROAD URBANISATION - CONTRACT NO. 2015-192 - TENDER EVALUATION REPORT	109
12.5	GOVERNANCE AND ECONOMIC DEVELOPMENT	109
	NIL REPORTS	109
12.6	ADVOCACY AND COMMUNICATION	109
	NIL REPORTS	109
12.7	EXECUTIVE SERVICES	109
12.7.1	CONTRACT VARIATION REPORT - CONTRACT NO. MAPS 1410-0618 PROVISION OF RECRUITMENT, TRAINING & ASSOCIATED SERVICES	109
12.7.2	MEETINGS OF THE CHIEF EXECUTIVE OFFICER - 30 NOVEMBER 2015 TO 22 JANUARY 2016	109
13.	CLOSURE	111

Note:

In these Minutes, Resolutions adopted by Council are indicated in bold text.

1. OPENING**1.1 MEETING OPENING AND PRAYER**

The Chief Executive Officer opened the meeting with a prayer at 6:30pm.

1.2 MAYOR'S RECONCILIATION STATEMENT

On behalf of the City of Whittlesea the Mayor recognised the rich Aboriginal heritage of this country and acknowledge the Wurundjeri Willum Clan as the traditional owners of this place.

1.3 ANIMAL WELFARE FACILITY SOD TURN

The Mayor, Cr Kozmevski had the pleasure, earlier today, of joining Councillors from Darebin and Moreland Councils to announce the development of a new \$13 million regional animal management facility.

Located at 490 Cooper Street in Epping, the Facility will cater for the holding, accommodation and treatment of domestic animals and livestock from the cities of Darebin, Whittlesea and Moreland.

Whittlesea Council currently has a smaller animal shelter located at 335 O'Herns Road in Epping, managed by the RSPCA, where animals can stay for eight days before being relocated to the RSPCA Burwood facility.

This new collaborative project will allow a larger and improved facility to be developed in Epping with more services and capacity to cater for a larger number of animals.

At any one time the Facility will be able to hold up to 110 dogs and 150 cats with estimates of over three thousand dogs and three thousand cats being cared for in the first year alone.

Pets play a significant part in the lives of many families and people and it is important that owners have an animal shelter that they can access conveniently if the need arises.

Management and operation of the new shelter will be tendered out to an Animal Welfare Services Contractor and individual contracts set up with the three councils.

McCorkell Constructions has been awarded the contract with construction expected to start in June 2016 and the Animal Shelter to begin operating in July 2017. The shared arrangement will continue until 2027 when Moreland and Darebin councils will have the option to renew the collaborative agreement.

1.4 ACCESS DENIED RECEIVES INTERNATIONAL AWARD

The Mayor, Cr Kozmevski had the great pleasure in announcing that our widely regarded Access Denied campaign has received another award – this time at the international level.

Access Denied was entered into the Asia Pacific Excellence Awards in the field of PR and Communications. There were over 2600 applications from around the globe with the awards covering more than 40 categories. We have been notified that Access Denied won the Public Affairs category, ahead of other nominations including the Beijing 2022 Olympic Winter Games Bid Committee, NZ Transport Agency and Uber Technologies.

The awards are hosted by Communications Director magazine, a worldwide industry publication with special editions for Europe and Asia-Pacific. This is another major milestone for the campaign. This campaign's success was largely a result of the collective effort of staff, councillors and community representatives. This award is a wonderful recognition of those efforts and the ultimate success the campaign helped deliver.

Access Denied has also won the LG Pro 2015 Excellence Award for Communications and also received a commendation in the NGAA annual Advocacy Awards.

SUSPENSION OF STANDING ORDERS

Cr Kirkham requested that Standing Orders be suspended in order for Councillors to pay tribute to retiring former Director of Finance and Organisational Improvement Rod Wilkinson.

COUNCIL RESOLUTION

MOVED: *Cr Kirkham*
SECONDED: *Cr Lalius*

THAT Council resolve to suspend Standing Orders.

CARRIED

Standing orders were suspended at 6.36 PM.

1.5 FAREWELL TO ROD WILKINSON DIRECTOR FINANCE AND ORGANISATIONAL IMPROVEMENT

The Mayor, Cr Kozmevski:

Rod thank you, surely you will be missed, no ifs or buts, it was a sad day when we heard your announcement and we do respect that.

Do we want to let you go? Probably not. We do wish you and your family all the best and hope you enjoy your retirement.

We respect what you have done for us at Council. You have always been straight to the point and you've made our job easy

I've respected the way you've gone about it, and you've built a foundation for this Council to be strong and to continue to be strong.

It is going to be difficult to fill your shoes. Every now and again we may have to call upon you.

Do enjoy your retirement. Thank you very much, we will miss you.

Chief Executive Officer, David Turnbull:

I'm really pleased the Councillors have said what they have said. Rod and I starting working together at the same Council in the same week, about 35 years ago. I was pretty scared of him at first but I got over that and learnt to understand the real value in Rod's financial acumen. Yes he is really good at adding up and subtracting and knows the figures. But what I really appreciate, and still do to this day, is Rod's ability to look at a set of accounts or a set of indicators and be able to talk about 2, 3, 4, 5 years ahead, where we are going to

end up if we don't do x, y and z now. That to me is the true value of somebody with Rod's particular skills. As the Mayor said and as the chair of the Audit Committee recently said, this Council is in a very solid financial position and I certainly don't underplay what Rod's contribution and the Council's contribution to that position has been.

Rod is one of those people that has the organisation's interests first and foremost. Whether its preparing budgets for a director or advising Council strategically, he will always have the interests of the Council and the community short, medium or long-term, at the top of his mind. I think when Councillors talk about the best in local government, to me that is a very rare commodity in that position. I personally what to thank Rod, we've done a lot of things over the years at work together. I do count you not only as a colleague but as a friend. Thank you Rod.

RESUMPTION OF STANDING ORDERS

Following Councillors' tributes to former Director Finance and Organisational Improvement, Rod Wilkinson, standing orders were resumed

COUNCIL RESOLUTION

MOVED: *Cr Kelly*
SECONDED: *Cr Alessi*

THAT Council resolve to resume Standing Orders.

CARRIED

Standing orders resumed at 6:53 PM.

1.6 FUNDING FOR THOMASTOWN LIBRARY

This morning at the Thomastown Library, the Member for Thomastown, Bronwyn Halfpenny MP, announced a State Government grant of \$150,000 for the Thomastown Library refurbishment. Council will contribute an additional \$100,000 to the refurbishment.

1.7 PRESENT

Members:

Cr Stevan Kozmevski	Mayor (South West Ward)
Cr Kris Pavlidis	Councillor (South West Ward)
Cr Darryl Sinclair	Councillor (South West Ward)
Cr Norm Kelly	Deputy Mayor (South East Ward)
Cr Sam Alessi	Councillor (South East Ward)
Cr Ken Harris	Councillor (South East Ward)
Cr Mary Lalios	Councillor (South East Ward)
Cr Ricky Kirkham	Councillor (North Ward)
Cr Rex Griffin	Councillor (North Ward)

Officers:

Mr David Turnbull	Chief Executive Officer
Mr Steve O'Brien	Director Planning and Major Projects
Mr Russell Hopkins	Director Community Services
Mr Nick Mann	Director Infrastructure
Mr Michael Tonta	Acting Director Corporate Services
Mr Griff Davis	Director Advocacy and Communications
Mr Rod Wilkinson	Director At Large
Miss Janet Taylor	Governance Officer

2. APOLOGIES

APOLOGY

Apologies were received on behalf of Cr Adrian Spinelli and Cr Christine Stow who requested that leave be granted for this meeting.

COUNCIL RESOLUTION

MOVED: *Cr Alessi*
SECONDED: *Cr Kirkham*

THAT the Councillors' apologies be received and leave be granted.

CARRIED

3. DECLARATIONS OF INTEREST

NIL

4. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

COUNCIL RESOLUTION

MOVED: *Cr Kelly*
SECONDED: *Cr Sinclair*

THAT the following Minutes of the preceding meeting as circulated, be confirmed:

Ordinary Meeting of Council held 8 December 2015

CARRIED

5. CONSIDERATION AND ACTION ON PETITIONS AND JOINT LETTERS

5.1 PETITIONS

5.1.1 PETITION - OBJECTION TO PROPOSED DEVELOPMENT 2 DAVID STREET LALOR

File No: 715226

A petition has been received from 72 residents and 2 non-residents objecting to proposed development at 2 David Street, Lalor.

COUNCIL RESOLUTION

MOVED: *Cr Pavlidis*
SECONDED: *Cr Kirkham*

THAT Council resolve to receive the petition from 72 residents and 2 non-residents objecting to proposed development at 2 David Street, Lalor and that the petition be considered as part of the Council report for planning application 715226.

CARRIED

5.1.2 PETITION CLUTHA DRIVE, MERNDA - NAME CHANGE

File No: ST/194941

A petition was received from 20 residents requesting Council to change the street name Clutha Drive, Mernda to Wisteria Lane, Mernda.

COUNCIL RESOLUTION

MOVED: *Cr Kirkham*
SECONDED: *Cr Griffin*

- 1. Receive the petition requesting Council change the street name Clutha Drive, Mernda to Wisteria Lane, Mernda;**
- 2. Advise the head petitioner that it will be dealt with in accordance with the Guidelines for Geographic Names 2010 noting that there are no valid grounds under the Guidelines for the road name to be changed.**

CARRIED

Cr Pavlidis left the Council Chamber at 6:57pm prior to the vote on item 5.1.3 Petition – Removal and Replacement of Gum Trees on Highpoint Drive South Morang and returned to the Council Chamber at 07:03 PM prior to the vote on item 6.1.4 Development Plan Proposal – 510 & 560 Findon Road, South Morang.

5.1.3 PETITION - REMOVAL AND REPLACEMENT OF GUM TREES ON HIGHPOINT DRIVE, SOUTH MORANG**File No: SU/143551**

A petition has been received from 14 residents of Highpoint Drive South Morang requesting the removal of the existing gum trees on the nature strips in Highpoint Drive, South Morang and their replacement with the same trees as those in the neighbouring streets.

COUNCIL RESOLUTION

MOVED: Cr Laios**SECONDED: Cr Kelly**

THAT Council resolve to receive the petition from 14 residents of Highpoint Drive South Morang requesting Council to remove and replace the gum trees in Highpoint Drive South Morang and that a report be prepared. In addition refer this petition to the consultation process being undertaken regarding the Draft Street Tree Master Plan.

CARRIED

5.2 JOINT LETTERS**5.2.1 JOINT LETTER - REQUEST FOR REMOVAL OF GUM TREE AT 85 MANNING CLARK ROAD, MILL PARK****File No: 143551**

A joint letter has been received from 5 residents requesting Council remove a gum tree located on the nature strip in front of property 85 Manning Clark Road, Mill Park.

COUNCIL RESOLUTION

MOVED: *Cr Lalius*
SECONDED: *Cr Kirkham*

THAT Council resolve to receive the petition requesting Council remove a gum tree located on the nature strip in front of property 85 Manning Clark Road, Mill Park and a report be prepared. In addition refer this petition to the consultation process being undertaken regarding the Draft Street Tree Master Plan.

CARRIED

6. OFFICERS' REPORTS**COUNCIL RESOLUTION****MOVED:** *Cr Sinclair***SECONDED:** *Cr Kelly*

THAT Council resolve to adopt the Recommendations for items numbers 6.1.1, 6.1.2, 6.1.3, 6.2.2, 6.3.1, 6.4.3, 6.4.4 and 6.5.1 .

CARRIED

Group Adoption of Items En Bloc

Councillors may choose not to consider reports on the Notice Paper individually and to resolve to adopt, in one resolution, the recommendations listed on the Notice Paper for a number of reports. Such a resolution will have the effect of adopting the Officer's recommendation for each of the reports identified in the Council resolution. The remaining items of business are considered and voted on separately.

6.1 PLANNING AND MAJOR PROJECTS**6.1.1 59 CYPRUS STREET LALOR - CONSTRUCTION OF FOUR DOUBLE STOREY DWELLINGS**

File No:	715553
Attachments:	1 Locality Maps 2 Development Plans
Responsible Officer:	Director Planning & Major Projects
Author:	Senior Planner
APPLICANT:	P Rujanoski
COUNCIL POLICY:	Housing Diversity Strategy
ZONING:	General Residential Zone
OVERLAY:	Development Contributions Plan Overlay
REFERRAL:	Nil
OBJECTIONS:	Two
RECOMMENDATION:	That Council approve the application

REPORT**EXECUTIVE SUMMARY**

The applicant proposes to demolish the existing dwelling and construct four double storey dwellings. The existing vehicle crossing is to be removed and new vehicle crossovers provided for each dwelling.

Advertising of the proposal resulted in two objections being received. The grounds of objection relate to traffic and parking, overlooking, neighbourhood character and noise.

The proposal demonstrates a satisfactory level of compliance with the provisions of Clause 55 of the Whittlesea Planning Scheme and meets all standards relating to neighbourhood character and overlooking. The proposal also meets the requirements relating to site coverage, permeability and the provision of private open space.

The Housing Diversity Strategy (HDS) nominates this site as being within the Neighbourhood Interface Change Area. The proposal generally complies with the preferred density and design principles of this Change Area and is considered to be an acceptable four dwelling development in an appropriate location as nominated by the HDS.

On the basis of the Clause 55 assessment and the proposal's general compliance with the proposed HDS, it is recommended that Council approve the application.

SITE AND SURROUNDING AREA

The subject site is a residential property located on the southeast corner of Cyprus and Plane Streets, Lalor, approximately 105m east of Mount View Road (*see Attachment 1*). The

subject site is flat and rectangular in shape with a 4.35m long splay at the northwest corner of the site. The site has a frontage to Cyprus Street of 16.0m and a frontage of 42.7m giving a total site area of 680m². The site currently contains a detached single storey dwelling constructed out of weatherboard with a tiled hipped roof. There is no vegetation of significance contained within the site.

The surrounding area is generally characterised by a mixture of double and single storey dwellings. The adjoining properties to the east and south of the site are single storey, with the dwelling to the east constructed of weatherboard and the dwelling to the south construction of brick.

Examples of medium density development within the immediate vicinity are located at 55, 57, 63, 74, 75, 79, 81, 84 and 86 Cyprus Street and 54, 66, 74 and 101 Messmate Street. The subject site is located in proximity to the following sites, services and infrastructure:

- Lorne Park (390m northeast)
- Bus 570 Thomastown to RMIT Bundoora (430m south)
- Lorne Street Shops (470m northeast).
- St Lukes Primate School (500m northeast)
- Lalor Secondary College (530m northeast)
- Lalor Shops (600m west).

RESTRICTIONS AND EASEMENTS

The site is legally described as Lot 209 on Lot Plan 40753. A 2.4m wide easement (for drainage and sewerage) affects the southern portion of the site. There are no restrictions on title that preclude Council from determining the application.

BACKGROUND

An earlier planning permit, Permit 713780 was issued under delegation on 18 February 2013 for an identical development as proposed by the current application. Public notification was undertaken and no objections were received. Construction did not commence by 18 February 2015 and the permit subsequently expired.

The assessment of the previous application determined that the proposed garage over the easement needed to be modified to enable this structure to be easily removed if necessary. Permit conditions have been included in the recommendation of the current application to reflect this requirement.

PROPOSAL

It is proposed to construct four double storey dwellings (*see Attachment 2*). The existing dwelling will be demolished.

The proposed Dwelling No. 1 will contain an open plan kitchen/lounge/meals area, amenities, three bedrooms (one at ground level), bathroom and attached garage. The dwelling is to be provided with a new vehicle crossover from Cyprus Street.

The proposed Dwelling Nos. 2, 3 and 4 will each contain an open plan kitchen/lounge/meals area, amenities, two bedrooms (both at the upper level), bathroom and attached garage. Each dwelling is to be provided with a new vehicle crossover from Plane Street.

Details of the proposed development are outlined in the following table:

	Height /Scale	Number of Bedrooms	Setbacks	Private Open Space	Car Parking	Maximum Height
Dwelling No. 1	Double Storey	3	7.6m from the northern (front) boundary, 0m from the eastern (side) boundary and 3.1m from the western (side/Plane Street) boundary.	107m ² (including 28m ² of secluded private open space).	Single garage and one open tandem space.	7.35m
Dwelling No. 2	Double Storey	2	3.2m from the eastern (side) boundary and 3.0m from the western (side/Plane Street) boundary.	45m ² (including 31m ² of secluded private open space)	Single garage	7.3m
Dwelling No. 3	Double Storey	2	3.2m from the eastern (side) boundary and 3.0m from the western (side/Plane Street) boundary.	45m ² (including 31m ² of secluded private open space)	Single garage	7.1m
Dwelling No. 4	Double Storey	2	3.2m from the eastern (side) boundary, 3.0m from the western (side/Plane Street) boundary and 0.15m from the southern boundary.	45m ² (including 31m ² of secluded private open space)	Single garage	7.1m

PUBLIC NOTIFICATION

Advertising of the application has resulted in two objections being received. The grounds of objection can be summarised as follows:

1. Traffic and Parking
2. Overlooking/overshadowing into neighbouring properties.
3. Neighbourhood Character
4. Additional Noise

HOUSING DIVERSITY STRATEGY

The Housing Diversity Strategy (HDS) was introduced into the Whittlesea Planning Scheme (WPS) via Planning Scheme Amendment C181, gazetted on 22 October 2015. The Strategy provides a strategic framework for future residential development in the established areas of the municipality for the next 20 years. It aims to guide the future location and diversity of housing stock and identifies areas of housing growth and change, including areas where future housing growth will not be supported. In general, it aims to encourage higher residential densities and a diversity of housing types and sizes into areas within convenient walking distance to public transport and activity centres.

The HDS is now a reference document in the WPS and an assessment against it is provided under Standard B2 of the Clause 55 assessment.

ASSESSMENT AGAINST CLAUSE 55 OF THE WHITTLESEA PLANNING SCHEME

The following table provides details on whether the proposal complies with the requirements of Clause 55 of the Whittlesea Planning Scheme. Under these provisions a development:

- Must meet all of the objectives
- Should meet all of the standards

If Council is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
B1	Neighbourhood Character	✓	✓	<p>Developments within the area are generally from the 1960s and typically detached, double and single storey houses with weatherboard or brick facades. Garages, where provided, are generally located at the rear of the property whereas the verandah style carports are located in front of the main building line or aligned with the building façade.</p> <p>Neighbouring properties have varying street frontage setbacks ranging from 7-8m.</p> <p>The design of the proposed dwellings and material used including concrete roof tiles, brickwork, 22 degree roof pitch, gutters, fascia and eaves and front portico entrance, complement the existing character of the area.</p>

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
B2	Residential Policy	✓	✓	<p>The HDS nominates the subject site as located within the Neighbourhood Interface Change Area (Clause 21.09-4 of the WPS). This Change Area encourages medium and standard density development with the preferred housing types comprising single dwellings, dual occupancies (including duplexes), townhouses and multi-units.</p> <p>Key design principles include a range of building heights that support housing diversity, moderate front setbacks to allow for significant landscaping and medium canopy trees, medium site coverage, useable private open space and the provision of a large canopy tree in the rear setback.</p> <p>The proposed development is generally consistent with the preferred density and key design principles outlined in the HDS. The exception to this is the availability for space to provide a large canopy tree in the rear yard. However, it is noted that this is a corner site that will provide a small tree to the rear of each proposed dwelling and a large canopy tree within the front setback to Cyprus Street.</p>
B3	Dwelling Diversity	N/A	N/A	Only applicable to developments of ten or more dwellings
B4	Infrastructure	✓	✓	
B5	Integration with the street	✓	✓	
B6	Street setback	✓	x	<p>The average street setback is 7.8m and the proposed front setback is 7.65m.</p> <p>The proposed 0.15m variation to the front setback is considered to be a minor variation that will not result in a noticeable disruption of the Cyprus Street streetscape. The proposal also provides an increased setback of the garage (8.09m) at the eastern boundary where the property adjoins the neighbouring property.</p>
B7	Building height	✓	✓	
B8	Site coverage	✓	✓	
B9	Permeability	✓	✓	

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
B10	Energy efficiency	✓	✓	
B11	Open space	N/A	N/A	Only applicable if public or communal open space is to be provided on site or adjacent to the development.
B12	Safety	✓	✓	
B13	Landscaping	✓	✓	
B14	Access	✓	✓	
B15	Parking location	✓	✓	
B17	Side and rear setbacks	✓	✓	
B18	Walls on boundaries	✓	✓	
B19	Daylight to existing windows	✓	✓	
B20	North-facing windows	✓	✓	
B21	Overshadowing open space	✓	✓	
B22	Overlooking	✓	✓	
B23	Internal views	✓	✓	
B24	Noise impacts	✓	✓	
B25	Accessibility	✓	✓	
B26	Dwelling entry	✓	✓	
B27	Daylight to new windows	✓	✓	
B28	Private open space	✓	✓	

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
B29	Solar access to open space	✓	✓	
B30	Storage	✓	✓	
B31	Design detail	✓	✓	
B32	Front fences	N/A	N/A	No front fence is proposed.
B33	Common property	✓	✓	
B34	Site services	✓	✓	

CAR PARKING

Clause 52.06 of the Whittlesea Planning Scheme prescribes the rate and design standards for car parking spaces required on site. Pursuant to this clause the following car spaces are required:

Dwelling No.	No. of bedrooms	Car spaces required	Car spaces provided	Complies
1	3	2	2	Y
2	2	1	1	Y
3	2	1	1	Y
4	2	1	1	Y

Garages should be at least 6.0m long and 3.5m wide for a single space and 5.5m wide for a double space (measured inside the garage or carport). An open car space should be at least 4.9m long and 2.6m wide. The proposal complies with these requirements.

Clause 52.06 also requires that visibility splays be provided at each vehicle crossover. The proposed development is capable of meeting this requirement. Notwithstanding this, it is recommended that a permit condition be included requiring this to be shown on the plans prior to their endorsement.

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY (SCHEDULE 3)

The site is affected by the Development Contributions Plan Overlay. Pursuant to Clause 45.06 of the Whittlesea Planning Scheme, the Development Contributions Plan Overlay enables the levying of contributions for the provision of works, services and facilities prior to development commencing. Schedule 3 to the overlay requires contributions for drainage infrastructure for medium density residential development at a current rate of \$2.19 per square metre of the total site area. This requirement must be included as a condition on any planning permit that is issued.

COMMENTS ON GROUNDS OF OBJECTION**1. Traffic and Parking**

The proposed development provides the required number of car parking spaces for a development of this scale. All car parking spaces and accessways comply with the design standards set out in Clause 52.06. Accordingly, this ground of objection cannot be substantiated.

2. Overlooking/overshadowing into neighbouring properties

Through the use of 'hi-lite' windows and obscure glazing, the applicant has ensured that there will be no overlooking into neighbouring properties. The shadow diagrams submitted with the application show that the level of overshadowing experienced by neighbouring properties will be minimal and in accordance with Clause 55. Accordingly, this ground of objection cannot be substantiated.

3. Neighbourhood Character

The height, mass and bulk proposed is considered to be appropriate for the area and is similar to many other multi-dwelling and double storey dwellings within the immediate vicinity (including the recently constructed development on the southwest corner of Cyprus and Plane Streets). All dwellings are provided with appropriate recessing and articulation at first floor level to ensure their impact is diminished. Accordingly, this ground of objection cannot be substantiated.

4. Additional noise

The development as proposed complies with Standard B24 of the Whittlesea Planning Scheme which seeks to contain noise sources in developments that may affect existing dwellings and to protect residents from external noise. The proposal is for residential use of the land in a residential area and the development will not require external mechanical plant or any other inappropriate source of noise. While some additional noise will be generated by virtue of the greater number of residents on the land, this is acceptable in a residential area. Accordingly, this ground of objection cannot be substantiated.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The application has been assessed against the Whittlesea Planning Scheme and in particular the objectives and standards of Clause 55. The proposal demonstrates a satisfactory level of compliance subject to minor modifications as outlined. It is considered that the proposal will not have a detrimental impact on the character of the neighbourhood nor on existing surrounding residential properties and accordingly approval of the application is recommended.

RECOMMENDATION

THAT Council resolve to approve Planning Application No. 715553 and issue a Notice of Decision to Grant a Permit for the construction of four double storey dwellings at 59 Cyprus Street Lalor, in accordance with the endorsed plans and subject to the following conditions:

- 1. Prior to the endorsement of the plans required under Condition 3 of this permit, the permit holder must pay to Council a contribution for drainage pursuant to Clause 45.06 of the Whittlesea Planning Scheme. The drainage contribution will be subject to the Consumer Price Index (CPI) applicable at the time of payment.**
- 2. Prior to the endorsement of the plans required under Condition 3, or at such later date as the Responsible Authority may approve in writing, there shall be lodged with the Responsible Authority an amount of \$4,000 as security deposit for the satisfactory completion and maintenance of the landscaping works hereby permitted. Upon completion of the landscaping works to the satisfaction of the Responsible Authority, the Responsible Authority will refund the security deposit to the then owner of the subject land.**
- 3. Before the development starts, three copies of a revised plan must be submitted to and approved by the Responsible Authority, showing:**
 - (a) The garage to Dwelling No. 4 converted to a carport. The carport should be designed to present as a garage when viewed from Plane Street.**
 - (b) The location and details of tree protection measures required under Condition No. 6.**
 - (c) Visibility splays to all vehicle accessways in accordance with the design requirements of Clause 52.06 of the Whittlesea Planning Scheme.**
- 4. The development allowed by this permit and shown on the plans and/or schedules endorsed to accompany this permit shall not be amended for any reason without the consent of the Responsible Authority.**
- 5. Once the development has started it must be continued and completed to the satisfaction of the Responsible Authority.**
- 6. Prior to the commencement of works, a tree exclusion zone must be erected a minimum of one metre outside the alignment of the drip line of the street tree located in front of dwelling No. 3 prior to commencement of any demolition or construction works, in accordance with the relevant Australian Standard(s). The zone limit will vary depending on the form of the tree and location of existing and proposed works.**
- 7. Prior to the occupation of the dwellings hereby approved, landscaping works shown on the endorsed plan must be completed and then maintained to the satisfaction of the Responsible Authority.**
- 8. Prior to the occupation of the dwellings hereby approved, the car parking areas and access ways must be drained, fully sealed and constructed with asphalt, interlocking paving bricks, coloured concrete or other similar materials to the satisfaction of the Responsible Authority.**
- 9. In areas set aside for car parking, measures must be taken to the satisfaction of the Responsible Authority to prevent damage to fences or landscaped areas.**
- 10. Vehicular access to the site must be by way of a vehicle crossing constructed in accordance with Council's Vehicle Crossing Specifications to suit the proposed**

driveway(s) and the vehicles that will be using the crossing(s). The location, design and construction of the vehicle crossing(s) must be approved by the Responsible Authority. Any existing unused or redundant crossing(s) must be removed and replaced with concrete kerb, channel and naturestrip to the satisfaction of the Responsible Authority. All vehicle crossing works are to be carried out with Council supervision under a Road Opening Permit.

11. Before starting any buildings or works, engineering plans showing a properly prepared design (with computations) for the internal drainage and method of disposal of stormwater from all roofed and sealed areas, including the use of an on-site detention system (if required), must be submitted to Council for approval. These internal drainage works must be completed to Council's satisfaction prior to using or occupying any building on the site.
12. Prior to the occupation of the dwellings hereby approved, the permit holder is required to construct at no cost to Council, drainage works between the subject site and the Council nominated point of discharge. Such drainage works must be designed by a qualified engineer and submitted to and approved by Council. Computations will also be required to demonstrate that the drainage system will not be overloaded by the new development. Construction of the drainage system must be carried out in accordance with Council specifications and under Council supervision.
13. Prior to the occupation of the dwellings hereby approved, reticulated (water, sewerage, gas and electricity) services must be constructed and available to the satisfaction of the Responsible Authority.
14. The permit holder shall be responsible to meet all costs associated with reinstatement and/or alterations to Council or other Public Authority assets deemed necessary by such Authorities as a result of the development. The permit holder shall be responsible for obtaining prior specific written approval for any works involving the alteration of Council or other Public Authority assets.
15. Prior to occupation of any dwelling on the subject site, a letter box and house number to the satisfaction of the Responsible Authority shall be provided for each dwelling.
16. At all times during the construction phase of the development, the permit holder shall take measures to ensure that pedestrians are able to use with safety any footpath along the boundaries of the site.
17. Upon completion of all buildings and works authorised by this permit the permit holder must notify the Responsible Authority of the satisfactory completion of the development and compliance with all relevant conditions.
18. Any litter generated by building activities on the site shall be collected and stored in an appropriate enclosure which complies with Council's Code of Practice for building/development sites. The enclosures shall be regularly emptied and maintained such that no litter overflows onto adjoining land. Prior to occupation and/or use of the building, all litter shall be completely removed from the site.
19. During the construction phase, a truck wheel washing facility or similar device must be installed and used to the satisfaction of the Responsible Authority so that vehicles leaving the site do not deposit mud or other materials on roadways. Any mud or other materials deposited on roadways as a result of construction works on the site must be cleaned to the satisfaction of the Responsible Authority within two hours of it being deposited.
20. In accordance with the Planning and Environment Act 1987 a permit for the

development expires:

- (a) the approved development does not start within 2 years of the date of this permit; or
- (b) the approved development is not completed within 4 years of the date of this permit.

Notes:

Advanced Trees

An advanced tree under this permit shall generally constitute the following:

Evergreen – minimum container size 45 litre spring ring, calliper at ground level 50mm.

Deciduous – minimum calliper at ground level 65mm, minimum height 2 metres.

Easements

No structure may be built over an easement on the subject site without the consent of the relevant authority.

Property Numbering

Property Numbers will be allocated by the City of Whittlesea in accordance with Council's Street Numbering Policy. Please do not give potential buyers any interim numbering as this often leads to confusion and problems once the correct number is issued. Please check with Council's Growth Area Development Assessment Department or GIS Unit to verify all street numbering before commencement of any advertising for sale or lease.

COUNCIL RESOLUTION

MOVED: *Cr Sinclair*
SECONDED: *Cr Kelly*

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Sinclair, Seconded by Cr Kelly. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

6.1.2 12 CUTLER COURT LALOR - CONSTRUCTION OF THREE DOUBLE STOREY DWELLINGS

File No:	714821
Attachments:	1 Locality Maps 2 Development Plans
Responsible Officer:	Director Planning & Major Projects
Author:	Senior Planner
APPLICANT:	MS Designer Living Pty Ltd
COUNCIL POLICY:	Housing Diversity Strategy
ZONING:	Neighbourhood Residential Zone
OVERLAY:	Development Contributions Plan Overlay
REFERRAL:	Nil
OBJECTIONS:	Six
RECOMMENDATION:	That Council refuse the application

REPORT**EXECUTIVE SUMMARY**

The applicant proposes to demolish the existing dwelling and construct three double storey dwellings. The existing vehicle crossing is to be widened to accommodate the design of the development.

Advertising of the proposal resulted in six objections being received. The grounds of objection relate to overlooking, traffic and car parking, neighbourhood character, waste collection, noise and fire risk.

The proposal fails to meet several of the standards of Clause 55 of the Whittlesea Planning Scheme including neighbourhood character, landscaping, access and common property objectives. Furthermore, the proposal does not allow vehicles to enter and exit the site in a forwards direction as required by the design standards set out in Clause 52.06.

The site is in the Neighbourhood Residential Zone (Schedule 1), which allows for up to two dwellings only. As the application was lodged prior to the introduction of that Zone (by Amendment C181), there is a transition provision that allows an application for more than two dwellings to be considered.

On the basis of the Clause 55 assessment, it is recommended that Council refuse the application.

SITE AND SURROUNDING AREA

The subject site is a residential property located at the northern end of Cutler Court, Lalor. (see Attachment 1). The site is flat and irregular in shape with a frontage to Cutler Court of 12.2m, a depth of approximately 30.0m and a rear boundary of 47.5m giving a total site area of 931m². The site currently contains a detached single storey dwelling that has recently been damaged by fire. There is no vegetation of significance contained within the site.

The surrounding area is generally characterised by single storey dwellings with few examples of double storey dwellings present in the immediate area. The adjoining properties to the east and west of the site are single storey and constructed in brick. Examples of medium density development within the immediate vicinity are located at 8 and 6 Cutler Court and 1 Curtain Avenue.

The subject site is located in proximity to the following sites, services and infrastructure:

- Stockdale Park(160m south)
- Lalor Railway Station (250m southeast)
- Bus route 559 – Thomastown via Darebin Drive (250m southwest)
- Bus route 566 - Lalor to Northland (250m southwest)
- Partridge Recreation Reserve (640m northeast).

RESTRICTIONS AND EASEMENTS

The Certificate of Title for the property shows that the site is not affected by any encumbrances or restrictions.

PROPOSAL

It is proposed to construct three double storey dwellings (*see Attachment 2*). The existing dwelling will be demolished.

The three double storey dwellings will each contain an open plan kitchen/lounge/meals area, amenities, three bedrooms, bathroom and attached garage. The dwellings will utilise a shared accessway located on the frontage of the property.

Details of the proposed development are outlined in the following table:

	Height /Scale	Number of Bedrooms	Setbacks	Private Open Space	Car Parking	Maximum Height
Dwelling No. 1	Double Storey	3	8.8m front (south), 12.3m side (east), 1.2m side (west) and 3.9m rear (north)	114m ² (including 72m ² of secluded private open space)	Single garage (3.5m x 6m) and tandem car space (2.6m x 4.9m)	7.5m (overall)
Dwelling No. 2	Double Storey	3	8.8m front (south), 6.8m side (east), 7.7m side (west) and 3.9m rear (north)	83m ² (including 53m ² of secluded private open space)	Single garage (3.5m x 6m) and tandem car space (2.6m x 4.9m)	7.4m (overall)
Dwelling No. 3	Double Storey	3	11.8m front (south), 0m side (east), 16.7m side (west) and 4.9m rear (north)	139m ² (including 163m ² of secluded private open space)	Single garage (3.5m x 6m) and tandem car space (2.6m x 4.9m)	7.3m (overall)

PUBLIC NOTIFICATION

Advertising of the application has resulted in six objections being received. The grounds of objection can be summarised as follows:

1. Overlooking / loss of privacy
2. Traffic and car parking
3. Neighbourhood character

4. Waste collection
5. Additional noise
6. Fire risk
7. Contravention of a covenant

HOUSING DIVERSITY STRATEGY

The Housing Diversity Strategy (HDS) was introduced into the Whittlesea Planning Scheme (WPS) via Planning Scheme Amendment C181, gazetted on 22 October 2015. The Strategy provides a strategic framework for future residential development in the established areas of the municipality for the next 20 years. It aims to guide the future location and diversity of housing stock and identifies areas of housing growth and change, including areas where future housing growth will not be supported. In general, it aims to encourage higher residential densities and a diversity of housing types and sizes into areas within convenient walking distance to public transport and activity centres.

The subject site is within the area known as the “Peter Lalor Estate”. The HDS shows this area as being within the Neighbourhood Renewal Change Area (providing for high density development). Amendment C181 sought to include the area into the Residential Growth Zone (RGZ) accordingly – to implement the HDS encouragement for high density development.

However, the Amendment was altered at Ministerial level prior to its approval, and consequently the subject area was included in the Neighbourhood Residential Zone (NRZ). The NRZ is the residential zone of low density allowing up to only two dwellings on a lot.

The HDS is now a reference document in the WPS.

However, due to the implementation of the NRZ1 instead of the RGZ, it is no longer appropriate for the application to be assessed under the Neighbourhood Renewal Change Area of the HDS.

ASSESSMENT AGAINST CLAUSE 55 OF THE WHITTLESEA PLANNING SCHEME

The following table provides details on whether the proposal complies with the requirements of Clause 55 of the Whittlesea Planning Scheme. Under these provisions a development:

- Must meet all of the objectives
- Should meet all of the standards

If Council is satisfied that an application for an alternative design solution meets the objective, the alternative design solution may be considered.

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
B1	Neighbourhood Character	x	x	<p>Developments within the area are generally from the 1960s and typically detached, double and single storey houses in Cream Brick style. Garages, where provided, are generally located at the rear of the property whereas the veranda style carports are located in front of the main building line or aligned with the building façade.</p> <p>Neighbouring properties have varying street frontage setbacks ranging from 7-8m.</p> <p>The design of the dwellings is a side-by-side configuration and each has two storeys. While there are some examples of double storey dwellings in the area, the side-by-side configuration of dwellings at this scale is not considered to be complementary to the existing character of the area. This is exacerbated by the lack of landscaping opportunities provided within the front setback of the development and the dominance of garage and car parking areas.</p> <p>On balance, the proposed development does not provide a design outcome that is respectful of the existing neighbourhood character.</p>
B2	Residential Policy	x	x	<p>While the HDS still includes this area in the Neighbourhood Renewal Change Area, the corresponding Residential Growth Zone proposed by Amendment C181 was altered at Ministerial Level to the Neighbourhood Residential Zone for this part of the Peter Lalor Estate.</p> <p>Due to the change in Zone, it is not considered appropriate to assess the application under the Neighbourhood Renewal Change Area criteria. However, while it would meet the preferred density, it would not meet the frontage and landscaping requirements, with the design considered unsatisfactory in that respect, including by insufficient space provided for adequate landscaping within the front setback, and lack of integration with surrounding housing.</p>
B3	Dwelling Diversity	N/A	N/A	Only applicable to developments of ten (10) or more dwellings
B4	Infrastructure	✓	✓	
B5	Integration with the street	✓	✓	

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
B6	Street setback	✓	✓	
B7	Building height	✓	✓	
B8	Site coverage	✓	✓	
B9	Permeability	✓	✓	
B10	Energy efficiency	✓	✓	
B11	Open space	N/A	N/A	Only applicable if public or communal open space is to be provided on site or adjacent to the development
B12	Safety			
B13	Landscaping	x	x	The presentation of the proposed development is dominated by accessway, car parking spaces and garages. The space left over does not provide adequate space for appropriate landscaping within the front setback to soften the proposed built form or offset the accessway, car parking spaces and garages.
B14	Access	x	x	This standard requires that accessways occupy no more than 40% of the site frontage. The proposed development requires an accessway that occupies approximately 70% of the site frontage. In addition to this variation of the standard, the proposed vehicle crossover has not been positioned to maximise opportunities for on street car parking
B15	Parking location	✓	✓	
B17	Side and rear setbacks	✓	✓	
B18	Walls on boundaries	✓	✓	
B19	Daylight to existing windows	✓	✓	
B20	North-facing windows	✓	✓	
B21	Overshadowing open space	✓	✓	

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
B22	Overlooking	✓	x	While windows to the upper levels of the proposed dwellings appear to have been designed to comply with this standard, the plans lack the necessary detail to clearly demonstrate that this standard is achieved. Should a permit be issued, conditions are needed for the plans to be amended to show compliance with this standard.
B23	Internal views	✓	✓	
B24	Noise impacts	✓	✓	
B25	Accessibility	✓	✓	
B26	Dwelling entry	✓	✓	
B27	Daylight to new windows	x	x	The proposed dwelling No. 3 shows two windows that are not provided with the required minimum dimension of 1m clear to the sky. As proposed the development does not comply with this objective. In the event that a permit is issued, conditions are needed to remove the eave (at ground level) from the eastern most section of Dwelling No. 3.
B28	Private open space	✓	✓	
B29	Solar access to open space	✓	✓	
B30	Storage	✓	✓	
B31	Design detail	✓	x	In the event that a permit is issued, a condition will require a colour and material schedule to be submitted.
B32	Front fences	N/A	N/A	

	✓ - Compliance x - Non compliance	Objectives	Standards	Comments
B33	Common property	x	x	The proposed vehicle access and car parking arrangement results in awkward spaces that may be misused and subsequently difficult to manage. For example, Dwelling No. 3 has a 11.9m long driveway that could accommodate two cars in tandem. However, this may prevent or make access difficult for cars travelling to and from Dwelling Nos. 1 and 2. Furthermore, there is a lack of delineation between private car parking spaces between Dwelling Nos. 1 and 2. While aspects of these issues could be improved via conditions of permit, the proposed development is not considered to provide an appropriate response to this objective.
B34	Site services	✓	✓	

CAR PARKING

Clause 52.06 of the Whittlesea Planning Scheme prescribes the rate and design standards for car parking spaces required on site. Pursuant to this clause the following car spaces are required:

Dwelling No.	No. of bedrooms	Car spaces required	Car spaces provided	Complies
1	3	2	2	Y
2	3	2	2	Y
3	3	2	2	Y

Garages should be at least 6.0m long and 3.5m wide for a single space and 5.5m wide for a double space (measured inside the garage or carport). An open car space should be at least 4.9m long and 2.6m wide. The proposal complies with these requirements.

Clause 52.06 requires that common accessways serving four or more vehicles must be designed to enable vehicles to enter and leave the site in a forwards direction. The proposed development provides for six cars. However, the proposed access does not allow any vehicles to enter and leave the site in a forwards direction.

DEVELOPMENT CONTRIBUTIONS PLAN OVERLAY (SCHEDULE 3)

The site is affected by the Development Contributions Plan Overlay. Pursuant to Clause 45.06 of the Whittlesea Planning Scheme, the Development Contributions Plan Overlay enables the levying of contributions for the provision of works, services and facilities prior to development commencing. Schedule 3 to the overlay requires contributions for drainage infrastructure for medium density residential development at a current rate of \$2.19 per square metre of the total site area. This requirement must be included as a condition on any planning permit that is issued.

COMMENTS ON GROUNDS OF OBJECTION**1. Overlooking / loss of privacy**

While windows to the upper levels of the proposed dwellings appear to have been designed to comply with this standard, the plans lack the necessary detail to clearly demonstrate that this standard is achieved. Accordingly, this ground of objection can be substantiated.

2. Traffic and car parking

The proposed provision of car parking satisfies the requirements of Clause 52.06. However, the configuration of the vehicle access does not comply with the design standards of Clause 52.06 and requires a large vehicle crossover that reduces opportunities for on-street parking. Accordingly, this ground of objection can be substantiated.

3. Neighbourhood character

The proposed development presents a built form outcome that is not consistent with the existing character of the surrounding streetscape due to the side-by-side double storey built form. This built form also results in garages and car parking areas being dominant and there is a lack of opportunities for appropriate landscaping. Accordingly, this ground of objection can be substantiated.

4. Waste collection

The efficient collection of waste requires sufficient space for the placement of bins. While this can be challenging within a court setting, the collection of bins from within Cutler Court may become more difficult over time should the demand for car parking generated from Lalor Railway Station increase. The width of the crossover limits the area available for bin collection. Accordingly, this ground of objection can be substantiated.

5. Additional noise

The development as proposed complies with Standard B24 of the Whittlesea Planning Scheme which seeks to contain noise sources in developments that may affect existing dwellings and to protect residents from external noise. The proposal is for residential use of the land in a residential area and the development will not require external mechanical plant or any other inappropriate source of noise. While some additional noise will be generated by virtue of the greater number of residents on the land, this is acceptable in a residential area.

6. Fire risk

If approved, the proposed development would need to be constructed in accordance with the relevant building regulations that address fire prevention. Accordingly, this ground of objection cannot be substantiated.

7. Contravention of a covenant

The subject site is not affected by a covenant. Accordingly, this ground of objection cannot be substantiated.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The application does not provide a satisfactory response to the requirements of the Whittlesea Planning Scheme and in particular Clause 52.06 and Clause 55. It is considered that the proposal will result in unreasonable impacts on the character of the neighbourhood and surrounding residential properties.

Accordingly, refusal of the application is recommended.

RECOMMENDATION

THAT Council resolve to Refuse Planning Application No. 714821 and issue a Refusal to Grant a Planning Permit for the construction of three double storey dwellings at 12 Cutler Court Lalor, on the following grounds:

1. The proposed development does not represent an appropriate built form outcome having regard to the neighbourhood character, streetscape and the context of surrounding properties.
2. The proposal does not comply with Clause 52.06 as the accessway has not been designed to allow vehicles to enter and exit the site in a forward direction.
3. The proposal does not comply with Clause 55. Specifically, the application does not achieve the following objectives:
 - a) Neighbourhood Character Objective (Standard B1)
 - b) Residential Policy Objective (Standard B2)
 - c) Landscaping Objective (Standard B13)
 - d) Access Objective (Standard B14)
 - e) Daylight to New Windows Objective (Standard B27)
 - f) Common Property Objective (Standard B33)

COUNCIL RESOLUTION

MOVED: Cr Sinclair
SECONDED: Cr Kelly

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Sinclair, Seconded by Cr Kelly. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

**6.1.3 WHITTLESEA PLANNING SCHEME AMENDMENT C68 - 46 COOKES ROAD
DOREEN****File No:** 194825**Attachments:**

1	Subject Site Plan
2	Mernda Strategy Plan - Precinct 2A Plan
3	Bassetts Road Development Plan
4	Planning Permit 713483 endorsed concept Subdivision Plan

Responsible Officer: Director Planning & Major Projects**Author:** Strategic Planning and Design**REPORT****EXECUTIVE SUMMARY**

The owner of 46 Cookes Road, Doreen, has requested a planning scheme amendment which seeks to facilitate the development of a local convenience centre in accordance with the *Mernda Strategy Plan* and *Bassetts Road Development Plan*. The proposed amendment affects the north-eastern portion of the subject site. The existing General Residential Zone (GRZ) currently limits the range of uses able to be established within the local convenience centre. As such the Mixed Use Zone (MUZ) is proposed to be applied as part of the amendment.

Rezoning activity centres within the *Mernda Strategy Plan* from the underlying residential zone to a more appropriate zone has been consistently applied to the other local centres within the *Mernda Strategy Plan* area. This report recommends seeking authorisation from the Minister for Planning to prepare the proposed planning scheme amendment.

BACKGROUND

The subject site was rezoned to Residential 1 Zone (now GRZ) in 2004 at the time of the *Mernda Strategy Plan* (MSP) (*Attachment 1- Subject site*). The MSP identifies a number of local precinct activity centres throughout the Mernda/Doreen growth corridor, which includes the subject site. The land was initially rezoned to facilitate residential development on the subject land with the potential for a local activity centre, identified within the MSP, to serve the eastern extent of the Mernda/Doreen growth corridor (*Attachment 2 - MSP*). A number of Planning Scheme Overlays were also applied (Incorporated Plan Overlay, Development Plan Overlay, Development Contributions Plan Overlay and Vegetation Protection Overlay) when the site was rezoned. At the western end of the site a small portion is currently zoned Farming Zone, abutting the Mushroom Exchange to the north-west. No changes are proposed to any of the overlays or the area of Farming Zone as part of this amendment.

The *Bassetts Road Development Plan* (BRDP), which affects the subject site, was approved by Council in February 2009 (*Attachment 3*). The BRDP designates and details the location of future residential areas, schools, open space and the local internal road network for the broader area. The BRDP also nominates a proposed area for potential residential/commercial development at the corner of Cookes Road and Bassetts Road. This nomination is consistent with the strategic intent of the MSP.

AMENDMENT PROPOSAL

The proposal seeks to rezone land from GRZ to MUZ. This rezoning of part of the subject site will enable the delivery of a mixed use local convenience centre (to allow for a range of

retail, home office, and residential uses) as envisaged by the MSP and BRDP. *Attachment 4* shows the approved subdivision plan (under Planning Permit 713483) for the site which has set aside 2213m² in area for the local convenience centre. No detailed design concept plans have been provided at this stage for the local convenience centre.

CRITICAL DATES

- **October 2004:** Approval of the *Mernda Strategy Plan*;
- **February 2009:** Approval of the *Bassetts Road Development Plan*;
- **November 2013:** Planning Permit 713483 (Multi-lot subdivision and Removal of Native Vegetation) approved;
- **November 2015:** Request received to undertake planning scheme amendment.

DISCUSSION

The MSP and BRDP provide for limited retail opportunities in this location to serve the convenience and day-to-day needs to the locality. It is noted that this only affects a portion of the overall property.

Upon approval of the MSP, all land within its boundaries was rezoned to Residential 1 Zone (now GRZ). Within each residential precinct, a series of local activity centres were nominated to serve the daily needs of future residential catchments.

Proposals for each of the local activity centres are prepared and submitted to Council at the time of development which allows for the accurate definition of the boundaries of these centres and application of the ultimate zoning. This approach is consistent with that applied to centres in the MSP including the Laurimar Town Centre, Mernda Villages and the Mernda Town Centre Precinct which were subsequently rezoned to Comprehensive Development Zone from the underlying residential zone. The Renaissance Rise local town centre which is most similar in scale to this proposal, was rezoned to Commercial 1 Zone, and the corner of Elation Boulevard and Orchard Road, within the Riverstone Estate, was rezoned to Mixed Use Zone. This amendment seeks to mirror this established approach by providing the ultimate and most appropriate zone to the landholding in question now that the boundaries are defined.

The current underlying zone applying to the subject site is the GRZ. This is essentially a “residential” zone that encourages residential development, but which prohibits core retail uses. In terms of the Mixed Use Zone (MUZ) proposed to be applied for this local convenience centre, it is considered that this provides the best flexibility to enable the range of additional uses (e.g. home offices, medical centre, childcare centre or shop top housing etc) which will complement the role of the local convenience centre. This approach is considered to be consistent with the strategic intent of the MSP. The area subject of this rezoning has been developed in conjunction with concept/subdivision planning of the balance of the site to define the boundaries. To this end the area proposed for rezoning is slightly larger than that nominated within the MSP but less than that nominated within the BRDP.

This level of refinement is to be expected given the nature of the site and scale of the centre. It is not considered that the size of the land subject to the amendment will alter the role of the centre or impact on the retail hierarchy set out in the MSP. The land size proposed considered large enough to attract investment and ensure the local convenience centre is viable, whilst also deterring the ability of large scale retail (such as a supermarket) to locate there and adversely impact on the MSP retail hierarchy.

At this stage all that is requested is that the exhibition of the amendment be authorised by the Minister for Planning. Council will formally determine the merits of the rezoning following the exhibition process and consideration of any submissions received.

LINKS TO THE COUNCIL PLAN

FUTURE DIRECTION	Growing our economy
Theme	Economic development
Strategic Objective	Local businesses are supported

The proposed amendment will enable the delivery of a local convenience centre to service the day-to-day needs of residents and result in the creation of local jobs in the Bassetts Road development area. The delivery of this amendment will enable the realisation of the centre as envisaged by the MSP and BRDP and will strengthen the economic function of the broader Mernda-Doreen growth area.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the *Local Government Act 1989* officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

Rezoning part of the land on the north-east corner of 46 Cookes Road, Doreen, from General Residential Zone to Mixed Use Zone will facilitate residential and commercial development as envisaged in the approved *Mernda Strategy Plan* and *Bassetts Road Development Plan*. It seeks to more adequately reflect the land use function of the site as a local activity node. It is consistent with the approach applied to all existing activity centres in *the Mernda Strategy Plan* area. It is therefore recommended that Authorisation be sought from the Minister for Planning for the preparation and exhibition of Whittlesea Planning Scheme Amendment C68.

More specifically it is recommended that Council resolve to:

1. Seek authorisation from the Minister for Planning to prepare and exhibit Amendment C68 to the Whittlesea Planning Scheme to rezone part of the land at 46 Cookes Road, Doreen from the General Residential Zone to the Mixed Use Zone;
2. Prepare and exhibit the planning scheme amendment if Authorisation set out in 1. above is provided;
3. Notify the amendment proponent of 1. and 2. above.

RECOMMENDATION

THAT Council resolve to:

1. **Seek authorisation from the Minister for Planning to prepare and exhibit Amendment C68 to the Whittlesea Planning Scheme to rezone part of the land at 46 Cookes Road, Doreen from the General Residential Zone to the Mixed Use Zone;**
2. **Prepare and exhibit the planning scheme amendment if Authorisation set out in 1. above is provided;**
3. **Notify the amendment proponent of 1. and 2. above.**

COUNCIL RESOLUTION

MOVED: *Cr Sinclair*
SECONDED: *Cr Kelly*

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Sinclair, Seconded by Cr Kelly. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

6.1.4 DEVELOPMENT PLAN PROPOSAL - 510 & 560 FINDON ROAD, SOUTH MORANG

File No:	193765
Attachments:	1 Site Context Map 2 South Morang Local Structure Plan (Plan Only) 3 Exhibited Development Plans
Responsible Officer:	Director Planning & Major Projects
Author:	Strategic Planner

REPORT**EXECUTIVE SUMMARY**

An application has been lodged on behalf of the landowners of 510 Findon Road, South Morang, for a Development Plan encompassing two properties (510 & 560 Findon Road). The Development Plan proposes a mix of residential densities including two and three storey townhouse typologies, a three storey apartment building which includes convenience retail opportunities on the ground floor and a maximum four storey aged care facility. The Development Plan proposes a diversity of housing choice, but also provides employment opportunities as part of the aged care facility, retention of significant River Red Gums in new public open space, access to public transport (bus route on Findon Road and within 1km of the future train station) and local services. It includes the transfer of the majority of the land within the transmission easement, from Findon Road through the Lakes Boulevard and beyond. This forms a strategic regional open space/ shared path link through the broader South Morang Local Structure Plan area. At the completion of the non-statutory advertisement of the proposal to adjoining landowners, eleven objections were received, including a petition with 22 signatures. The proponent has since approached Council and proposed some changes to the exhibited plan to address some aspects of the objection submissions. These changes are generally considered positive. It is recommended that the Development Plan is approved, subject to some amendments.

INTRODUCTION

The purpose of this report is to discuss the Development Plan (DP) submission that has been lodged on behalf of the landowners at 510 Findon Road, for properties at 510 & 560 Findon Road, South Morang. The DP encompasses both properties however the substantive detail in the DP proposed relates only to 510 Findon Road, while development of 560 Findon Road is proposed as a future stage 2, subject to further DP approval. As such, for the purpose of this report, the subject site refers only to 510 Findon Road, South Morang.

The subject site forms one of the few remaining undeveloped parcels in the wider Mill Park Lakes residential development area, within the South Morang Local Structure Plan area. The total combined area of the properties is 5.03 ha. The DP area is generally flat, irregular in shape, and bound by Findon Road to the south, existing residential development to the east and electricity easements to the west (*Attachment 1*). It has a number of existing River Red Gums clustered predominantly in the eastern part of the site.

Surrounding areas generally consist of existing residential estates to the north, east and west, the Hillsview Recreation Reserve (west) and the AusNet Terminal Station (south of Findon Road). Densities in the local area are predominantly of standard residential scale with numerous examples of medium density development generally fronting areas of public open

space. The zoning and overlay provisions applicable to the land provide for this site to be developed for urban purposes.

BACKGROUND

The South Morang Local Structure Plan 1997 (SMLSP) is an incorporated document within the Whittlesea Planning Scheme which provides the overarching framework to guide development in the South Morang growth area. The SMLSP nominates the key infrastructure items, the collector road network and separation of different land uses for the local area (*Attachment 2*). Also relevant within the SMLSP is the direction to provide increased densities along major access nodes and the aim of retaining and incorporating as much of the existing River Red Gums to assist with creating a sense of place. It is noted that the SMLSP nominates employment uses on the subject site, but in addition recognises that the market will ultimately decide locations for employment uses.

Planning Scheme Amendment C141 facilitated the rezoning of the subject site and a small amount of surrounding land from the Commercial 2 Zone to the General Residential Zone. This amendment was approved by Council on 27 August, 2013, and gazetted in February 2014. The land subject to the amendment was assessed as physically and visually removed from other employment land located to the south of Findon Road. The future duplication of Findon Road to a two lane arterial road would also result in the parcel becoming an isolated pocket of Commercial 2 zoned land on the north side of Findon Road, which would need to integrate with the existing residential interface along its eastern boundary. It was considered that the land was not economically or physically suited for future commercial purposes, and that a residential zoning would deliver an appropriate mix of residential and commercial uses with a more suitable interface to existing residential development. The Development Plan Overlay Schedule 32 was also applied at this time to appropriately manage and integrate development of the land.

PLANNING ASSESSMENT

Zoning

The subject land is affected by the General Residential Zone (Clause 32.08), which applies to the entire DP area. Additionally, the General Residential Zone aims to provide a diversity of housing types and moderate growth in locations offering good access to services and transport.

Overlays

The subject land is covered by two separate overlays, which are as follows:

- Development Plan Overlay (DPO32) and
- Vegetation Protection Overlay (VPO1).

The DPO32 applicable to the subject site requires that a Development Plan (DP) be prepared and endorsed by Council, prior to the formal consideration of any subdivision, use or development of the subject landholdings. The DP must be produced in accordance with the provisions of the DPO Schedule 32. In this regard, the DP is required to retain and integrate mature River Red Gums, provide for development no greater than four storeys, and nominate a site for an aged care facility.

The Vegetation Protection Overlay provisions more specifically aim to preserve and maintain significant native vegetation.

DEVELOPMENT PLAN PROPOSAL

The Development Plan proposes a mix of residential densities, an aged care facility, retention of significant River Red Gums within new public open space, shared path connections to Hillsview Recreation Reserve and transmission easement shared path link, an internal road layout and key access to Findon Road (Attachment 3).

Development proposed includes a four storey aged care facility and a three storey residential apartment at Findon Road, incorporating an existing River Red Gum within a smaller public open space. This provides a physical and landscape buffer between the apartment building and proposed adjacent townhouses. The proposed aged care site has frontage to both Findon Road and the electricity easement, with views to Hillsview Reserve.

The remaining majority of the site to the north and east is proposed for two storey townhouses, with a small section of three storey townhouses central to the subject site. This is designed to minimise any direct impact on the adjacent, existing residential area along the eastern boundary by transitioning from single storey to double storey housing.

Buildings are proposed to provide architectural prominence to Findon Road, while open space areas are to be fronted by dwellings to provide passive surveillance to increase safety. Pedestrian paths, street lighting and public seating will be provided throughout the site, particularly to points of landscape interest.

A local road network has been proposed that will provide internal circulation for both vehicles and pedestrians, with pedestrian crossings included at key points. Key road access will be provided to Findon Road which is a nominated arterial, to be constructed to the satisfaction of Councils Transport Engineering Department as well as VicRoads.

New public open spaces are incorporated into the plan to retain existing vegetation, namely large significant trees, with 6 of 7 trees being retained. Shared paths and embellishment within the transmission easement will help reduce the visual impact of transmission lines but also provide pedestrian and cycling connections to Hillsview Recreation Reserve, Quarry Hills Regional Park, Vincent Park and the surrounding residential area. Land forming part of the shared path link within the transmission easement will be handed over to Council.

Following the initial submission, a series of revised DP layouts were prepared and submitted to Council for internal consideration. Subsequently, the DP was placed on non-statutory exhibition in mid-October 2015 for a period of 28 days. Details of submissions received as a result of the exhibition process will be discussed later in the report.

NOTIFICATION

As is standard practice a non-statutory exhibition process of the Development Plan was undertaken to adjoin and potentially affected landowners, with submissions closing on Friday 13 November, 2015.

There were a total of eleven separate objections received, which included a petition containing 22 individual signatures. Whilst there were a range of different grounds of objection within individual submissions, they have been summarised into key themes, which are discussed below in turn and accompanied by an officer response. The matters raised in the petition are included in the summary below with the individual submissions received.

- 1. The proposal will result in an increase in traffic on the surrounding/existing local road network, and further exacerbate congestion particularly at peak periods. Development should not occur until required upgrades are complete.**

Officer Response: It is acknowledged that there are broader congestion issues occurring in the South Morang area. It is recognised that there are a number of significant infrastructure upgrades required in the surrounding area to help alleviate these pressures, such as the Findon Road Extension/Duplication. The DP will result in some additional traffic volumes due to the increase in the number of residential dwellings; however it is not considered that these volumes will be unreasonable when dispersed across the local road network. Clearly the extension of Findon Road would improve traffic movement in the area however we are unable to confirm an exact timing of this project. Additionally, it is planned to stage the development over a four year period, which may allow time for traffic upgrades to come forward. Notwithstanding, it would be unreasonable to halt development on this parcel noting that it has formed part of the South Morang Local Structure Plan like the rest of the adjoining properties. It is noted that options for development under the previous commercial zone would also potentially have had similar or greater traffic impacts.

- 2. Indication of parking allocation is not provided, and the development will increase pressures on visitor car parking.**

Officer Response: The nature of the subject site means that car parking will be managed within the site as there are no through road connections with the adjacent residential areas. Both Figure 2 within the Development Plan and information contained in the accompanying Traffic Report demonstrate locations where visitor car parking can be accommodated on the subject site, including a substantial car park within a portion of the electricity easement. The statutory requirements for car parking, including visitor parking must be met and will be further assessed at the detailed planning permit stage. Road cross-sections will be sized accordingly to maximise parking opportunities.

- 3. The scale of development is inappropriate for the local context, will impact the existing amenity and character, and will impede view lines to the Quarry Hills.**

Officer Response: The building heights have been nominated in accordance with the relevant General Residential Zone and Schedule 32 to the DPO which specifies a maximum of four storeys within the site and provision for an aged care facility. Notwithstanding, only the aged care facility is proposed at four storeys in the south-west corner of the site. A three storey apartment is proposed, also in the south-west corner. Some three storey townhouses are proposed central to the site while two storey townhouses are proposed across the majority of the site. Development greater than two storeys is proposed away from existing residential development on the eastern side to minimise any impact of the built form on existing residents.

- 4. Subject site and surrounding undeveloped areas currently used by Kangaroos with concern regarding their safety and movement within the area.**

Officer Response: It is noted that this area is zoned for urban development. There is a substantial transmission easement corridor and Hillsview Reserve to the west of the site. Land will be developed up to the boundary of the existing residential development thus limiting land locking potential. The proposed development will not 'land lock' any existing or proposed conservation area or public open space, where kangaroos might get trapped. While in some cases it may develop land currently trafficked by kangaroos, the proposed development will not unnecessarily impede their current movement paths. Ultimately kangaroo issues are the responsibility of the State Government.

5. Concern regarding the impact on the amenity of the existing neighbouring residential properties including privacy/overlooking, overshadowing and blocking airflow.

Officer Response: Details regarding privacy/overlooking and overshadowing are appropriately addressed within the Whittlesea Planning Scheme at the planning permit application stage. The same provisions and standards will be applied to these sites, which are applied to all residential developments within the General Residential Zone, including amenity considerations. However, it is not anticipated that this will be an issue for areas designated as three or four storeys on the plan given they are located away from the existing residential interface. However, the proposal for two storey housing adjacent to single storey housing is not generally considered unconventional or excessive. To provide greater assurance to residents, it would be appropriate to formalise minimum rear setback requirements on the plan.

6. The proposed development will result in the loss of a native tree and impact the natural character of the area.

Officer Response: The significant contribution made by native trees to the character and liveability of the municipality is recognised. In this instance, 6 of the 7 trees on site are to be integrated into the development within new public open space. The most substantial open space is provided in the south-east corner, and will include a network of footpaths and seating for use by all local residents. This achieves an 85% retention rate within the subject site. The tree proposed for removal was assessed as having low arboricultural value (Tree Report prepared by TreeLogic) and as such is afforded a lower retention priority (compared to larger, healthier trees), while an additional dead tree will also be removed. Associated biodiversity offsets for the removal of this one tree will be resolved at the appropriate planning permit application stage.

A landscape concept plan has been prepared that demonstrates proposed street trees and landscaping that will provide amenity and soften built form edges. Shared path connections will also be provided as part of the development beneath the transmission easement. This will provide direct access from the development and Findon Road into the Hillview Reserve and surrounds.

7. Insufficient details are provided generally.

Officer Response: The intent of a DP is to provide guidance on the general layout (i.e. local roads), land use (i.e. residential) and key design treatments of future development to help ensure an integrated outcome. It is not the purpose of a DP to fully resolve all matters to a high degree of detail, or to the level required as part of a detailed planning permit application. Any planning permit application that follows must be 'generally in accordance' with any overarching strategic documents, such as an approved Development Plan, as well as the Whittlesea Planning Scheme. Detailed design considerations are addressed at the appropriate planning permit application stage. It is noted that detailed supporting documentation is provided within both the DP report and associated technical reports.

8. Extent of advertising was inadequate.

Officer Response: There is no statutory requirement for Council to undertake public exhibition of the Development Plan. However, it is standard practice to give potentially affected residents an opportunity to raise any relevant matters, and as such, undertakes a non-statutory exhibition process for all proposed Development Plans. It is understood that the wider community may have an interest in these proposals, however in this instance given the nature of the proposal and the fact it is also not connected to adjoining road networks, the area advertised was considered appropriate.

9. Lack of information regarding the type and amount of retail proposed.

Officer Response: The proposed retail component is restricted to the ground floor of the apartment building. To this end, the makeup of the overall three storey apartment building is proposed to incorporate ground floor retail and two floors of residential above. Any future proposed retail use in this location must comply with the General Residential Zone applicable to the site. This is restricted to food and drink, or a convenience shop. For the purpose of clarity, this detail should be updated on the relevant plans.

10. The aged care facility is considered excessive with regard to the market need within the community.

Officer Response: The DP provides for the development of an aged care facility to a maximum of four storeys. This is directly in accordance with the relevant planning controls and does not preclude the development of a smaller facility if there is not demand. It is also noted that Council's Housing Diversity Strategy identifies a notable increase in residents living within the municipality's established areas aged over 60, and in particular aged 70-84. Recent experience has highlighted a strong demand and take-up for these facilities within the municipality.

REFERRAL AUTHORITIES

The Development Plan was provided to relevant external servicing authorities. Submissions were received from Melbourne Water, VicRoads and AusNet Services. Notwithstanding several considerations from VicRoads, no objections were received. Melbourne Water, SP AusNet, Yarra Valley Water and VicRoads are also consulted as statutory referral authorities at the subsequent subdivision stage, which includes the opportunity to provide permit conditions.

With the exception of VicRoads requiring changes be made to the ultimate access arrangements from Findon Road, where right turn lanes will not be appropriate. The circumstance of this occurring was addressed within the DP and accompanying traffic report. As such, the DP did not require any changes to address matters raised by external authorities.

DEVELOPMENT CONTRIBUTIONS

The DP area will be required to pay Development Contributions in accordance with the Infrastructure Levy nominated within the SMLSP. This will be a requirement at the subsequent subdivision application stage.

POST SUBMISSION CHANGES

Having reviewed the submission received, the applicant has proposed a number of changes that seek to address some of the matters raised within resident objections. These are summarised below relative to the issue they respond to.

Retail Nomination

It was raised that there was a lack of detail regarding the proposed retail nomination on the ground floor of the proposed apartment. It is proposed to revise the nomination of 'Retail' to 'Food and Drink or Convenience Shop'. This more accurately reflects what would be provided in accordance with the General Residential Zone applicable to the site.

Built Form/Setbacks

Concerns were raised regarding the potential for continuous built form interfacing with existing residential dwellings, and possible amenity impacts such as overshadowing, visual bulk and privacy. As such, the proponent has proposed the following measures:

- Revise note on plan DP04 to include 'Articulated and visually interesting forms to present to abutting properties'.
- Include an additional note on *Figure 3: Design Elements – Interface Treatments*, stating 'No balconies, and upper level windows screened to avoid overlooking.'
- Revise plan DP02 to nominate a minimum 4 metre ground level setback and a minimum 6 metre first floor setback at the rear of the development interfacing with existing neighbouring residential properties.

These changes will help minimise the impact of development on adjacent, existing residential dwellings. It does this by ensuring that new buildings will not be situated too close to the boundary, it reduces the potential for any overlooking and it ensures that interfacing buildings will not present large, blank walls.

Further information was also provided related to staging that demonstrates development is planned over a four year period. This may provide the opportunity for several planned infrastructure upgrades to be constructed in this time. This could assist in addressing concerns relating to the local traffic network.

All of the proposed changes are considered reasonable, and should be included within the DP.

DISCUSSION

The DP prepared for the landholding at 510 Findon Road, South Morang, is required to ensure a coordinated strategic approach to the development of the land. The DP provides Council and the community with increased certainty regarding the future development of the property.

With regard to the objections received, the more substantive matters raised related to traffic impacts and density. The existing network issues identified particularly along Findon Road, Great Eastern Way and The Lakes Boulevard cannot be resolved as a function of this DP area and process. It is reiterated that the site is not connected to adjoining development, and as such parking access will be dealt with internal to the subject site. The subject land is zoned for residential development and needs to be integrated as much as practicable with existing residential and open space areas. The site had the potential to be developed for commercial purposes under the previous zoning. The role of the DP is to ensure that the potential for any adverse impacts of infill development are minimised as much as possible.

A number of the objections relate to detailed design issues that are appropriately addressed at the planning permit application stage, in particular at Clauses 54, 55 and 56 within the Whittlesea Planning Scheme that relate to residential subdivision and design.

The DP provides for diversity in housing choice, with increased densities being specifically nominated in locations to the west and centre of the subject site to minimise any potential impact on existing residents to the eastern boundary. Within all existing Development Plans that have been approved and applied in the existing growth areas, medium density development has been strategically located in order to utilise direct access to amenity, services, higher order roads and public transport corridors. Findon Road aligns the southern boundary of the study area and is one of the main east-west arterial links in the municipality. Existing bus services operate along Findon Road and connect with the Plenty Valley Shopping Centre and South Morang Train Station located approximately just over 1km south-west of the study area.

A series of additional local services including the Marymede P-12 school, the Lakes South Morang P-9 School and the City of Whittlesea Council Offices are located within a 1.1km

radius. These services are appropriately supported by a series of open space areas connecting the residential estates through the suburb of South Morang.

The proposed DP meets requirements for landscaping and open space in order to provide amenity for future and existing residents. This includes the proposed retention of six of the seven River Red Gums on the subject site within areas of new public open space, with an additional dead tree also to be removed.

A number of internal roads will provide access/movement within the development site. A direct access off Findon Road will provide the key access to the site at the southern boundary.

The specifics of design and built form for individual development proposals should be appropriately addressed at the planning permit application stage, having consideration for the suitability and integration with the existing residential area. The subject site is well-placed to take advantage of local services and infrastructure, and the built form response outlined within the DP is considered appropriate to reflect this.

The residential zoning of this area was applied as part of Amendment C141 from its previous Commercial Zoning. The question whether or not the land is suitable for development is not considered pertinent given it has always been nominated for development in the *South Morang Local Structure Plan 1997*, even under the previous zone. Therefore the key question should focus on the nature of the development to occur on the site and this is largely driven by the existing DPO Schedule 32 requirements.

As highlighted throughout the report, the strategic location of the site offers:

- A central location to a wide range of local services and facilities;
- Existing and future direct access to major roads and public transport, noting access to an existing bus route to the Plenty Valley Town Centre and South Morang Train Station, the Mernda Rail Line Extension and Findon Road major arterial; and
- Access to open space, shared path links, and the retention of existing vegetation within additional open space on the subject site.

The proposed land uses and building heights are directly in accordance with the provisions of both the General Residential Zone and Schedule 32 of the Development Plan Overlay (DPO32). Notably DPO32 requires nomination of a site for an aged care facility, and also specifies a maximum four storey building height. The proposed aged care facility and indeed the apartment building are therefore considered to accurately reflect both the relevant policy and strategic location of the site, and as previously noted, steps have been taken to appropriately integrate the higher density components in locating away from the existing residential interface.

Should the Development Plan be approved, any subsequent development or subdivision applications will not need to be advertised if considered to be in general accordance with the Development Plan.

CRITICAL DATES

- February 1997 – South Morang Local Structure Plan Approved
- February 2014 – Subject land rezoned from Commercial 2 Zone to General Residential Zone
- September 2014 – Lodgement of initial Development Plan submission
- May 2015 – Re-submission of DP following initial Council feedback
- September 2015 – Re-submission of DP following internal council review
- October 2015 – Commencement of non-statutory exhibition of the Development Plan concluding mid-November

POLICY STRATEGY AND LEGISLATION

The DP has been prepared in accordance with the relevant zones, overlays and policies. In particular it addresses the requirements of Schedule 32 to the Development Plan Overlay, which forms Clause 43.04 of the Whittlesea Planning Scheme.

LINKS TO THE COUNCIL PLAN

FUTURE DIRECTION	Growing our economy
Theme	Employment
Strategic Objective	There are a diverse range of local employment opportunities

The proposed DP incorporates a four storey aged care facility which will provide ongoing employment opportunities to the local community. A small retail component is also proposed at the ground floor of the proposed apartment. This will most likely contain a food and drink premise or convenience shop. This will also provide an additional, limited economic opportunity.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The proposed Development Plan prepared for 510 Findon Road, South Morang, is considered appropriate to facilitate the integrated development of the subject site. The mix of medium density residential opportunities suitably responds to the applicable Development Plan Overlay (Schedule 32) controls and policy direction for well-located diverse housing types, given the property’s location in proximity to public open space, local services and transport opportunities, including the Plenty Valley Activity Centre and Mernda Rail Extension.

Although a number of objections were received, including a petition, the built form response including predominantly two storey housing in the east, and several three and four storey

components located in the central and western parts of the site, are considered appropriate in this location. New public open space is also provided, strategically located to retain and incorporate the majority of existing River Red Gums on the site and to provide for continuation of the transmission easement shared path link.

It is therefore recommended that Council resolve to approve the Development Plan as it applies to 510 Findon Road, South Morang, subject to a series of minor changes being made to the plan. Several of these proposed changes seek to respond to matters raised throughout the exhibition period, and also additional changes put forward by the proponent post-exhibition. The key changes include:

- Revise nomination of Retail to specify 'Food and Drink or Convenience Shop' uses;
- Revise note on DP04 of the report that 'Articulated and visually interesting forms to present to abutting properties';
- Include an additional note on Figure 3: Design Elements – Interface Treatments, stating 'No balconies, and upper level windows screened to avoid overlooking';
- Revise plan DP02 to nominate a minimum 4 metre ground level setback and a minimum 6 metre first floor setback at the rear of the development interfacing with existing neighbouring residential properties.
- Revise title on 'Landscape Development Plan' to the 'Landscape Development Concept Plan', and include notation on the plan that it is subject to change at the detailed design stage.
- Re-align the proposed pedestrian path beneath the transmission easement so that it more accurately link in with planned works within the Hillview Reserve, to be shown on the Landscape Concept Plan;
- Note nominated private and council roads are strictly indicative only, to be finalised at the detailed planning permit stage subject to council standards;
- All building heights shown on plans should be revised to include the term 'maximum', e.g. 'maximum 2 storey townhouses';
- Revise to show consistent street tree species on the 'Landscape Concept Development Plan' along key routes;
- Nominate trees in the communal landscape area to provide additional amenity and screening.

RECOMMENDATION

THAT Council resolve to:

1. Approve the 510 Findon Road Development Plan, South Morang subject to the following amendments:
 - a. Revision of the Retail nomination to specify 'Food and Drink or Convenience Shop' uses;
 - b. Revision of the note on DP04 of the report that 'Articulated and visually interesting forms to present to abutting properties';
 - c. Inclusion of an additional note on Figure 3: Design Elements – Interface Treatments, stating 'No balconies, and upper level windows screened to avoid overlooking';
 - d. Revision of plan DP02 to nominate a minimum 4 metre ground level setback and a minimum 6 metre first floor setback at the rear of the development interfacing with existing neighbouring residential properties.

- e. Revision of the title on 'Landscape Development Plan' to the 'Landscape Development Concept Plan', and include notation on the plan that it is subject to change at the detailed design stage.
 - f. Re-alignment of the proposed pedestrian path beneath the transmission easement so that it more accurately link in with planned works within the Hillsvie Reserve, to be shown on the Landscape Concept Plan;
 - g. Inclusion of a notation on the plan that nominated private and council roads are strictly indicative only, to be finalised at the detailed planning permit stage subject to Council requirements and standards;
 - h. Revision of all building heights shown on plans to include the term 'maximum', e.g. 'maximum 2 storey townhouses';
 - i. Revision of the 'Landscape Concept Development Plan' to show consistent street tree species along key routes;
 - j. Nomination of trees in the communal landscape area to provide additional amenity and screening.
2. Notify submitters, and referral authorities of 1. above.

Cr Pavlidis left the Council Chamber at 6:57pm prior to the vote on item 5.1.3 Petition – Removal and Replacement of Gum Trees on Highpoint Drive South Morang and returned to the Council Chamber at 07:03 PM prior to the vote on this item 6.1.4 Development Plan Proposal – 510 & 560 Findon Road, South Morang.

COUNCIL RESOLUTION

MOVED: *Cr Kirkham*

SECONDED: *Cr Kelly*

THAT Council resolve to:

1. Approve the 510 Findon Road Development Plan, South Morang subject to the following amendments:
 - a. Inclusion of a condition for more detailed Traffic Impact Assessment Reports to be submitted with each stage of the development, to the satisfaction of the Responsible Authority. The assessments must have specific regard to the impact of the development on Findon Road and demonstrate how any impacts will be mitigated;
 - b. Inclusion of a condition requiring that the proposed dwellings along the eastern boundary of the site that abuts the existing residential development to be of a semi-detached built form;
 - c. Revision of the Retail nomination to specify 'Food and Drink or Convenience Shop' uses;
 - d. Revision of the note on DP04 of the report that 'Articulated and visually interesting forms to present to abutting properties';
 - e. Inclusion of an additional note on Figure 3: Design Elements – Interface

Treatments, stating 'No balconies, and upper level windows screened to avoid overlooking';

- f. Revision of plan DP02 to nominate a minimum 4 metre ground level setback and a minimum 6 metre first floor setback at the rear of the development interfacing with existing neighbouring residential properties.
 - g. Revision of the title on 'Landscape Development Plan' to the 'Landscape Development Concept Plan', and include notation on the plan that it is subject to change at the detailed design stage.
 - h. Re-alignment of the proposed pedestrian path beneath the transmission easement so that it more accurately link in with planned works within the Hillsvie Reserve, to be shown on the Landscape Concept Plan;
 - i. Inclusion of a notation on the plan that nominated private and council roads are strictly indicative only, to be finalised at the detailed planning permit stage subject to Council requirements and standards;
 - j. Revision of all building heights shown on plans to include the term 'maximum', e.g. 'maximum 2 storey townhouses';
 - k. Revision of the 'Landscape Concept Development Plan' to show consistent street tree species along key routes;
 - l. Nomination of trees in the communal landscape area to provide additional amenity and screening.
2. Notify submitters, and referral authorities of 1. above.

CARRIED

6.2 COMMUNITY SERVICES

6.2.1 VISUAL ART AND CIVIC HISTORY COLLECTIONS POLICY

File No:	191753
Attachments:	1 Draft Visual Art and Civic History Collections Policy
Responsible Officer:	Director Community Services
Author:	Team Leader Arts, Heritage and Events

REPORT

SUMMARY

The City of Whittlesea Visual Art and Civic History Collections Policy (Attachment 1) is presented to Council for consideration.

The Policy provides a clear direction for the future development of the Visual Art and Civic History Collections that is underpinned by a vision, principles, objectives, criteria and a governance model that supports effective and transparent decision making. This will ensure the collections are relevant and meaningful, and grow in cultural, social and economic value.

The Visual Art and Civic History Collections Policy (Policy) states that: *the City of Whittlesea will acquire, maintain and preserve, interpret and make accessible visual art and civic history items that represent and record the diverse range of social, physical, aesthetic, spiritual and cultural experiences in the past and present life of the City.*

The vision for the Visual Art and Civic History Collections is that they will: *contribute to creating vibrant and self-sustaining communities by reflecting and documenting: growth and change; the diversity of people, land and environment; and the social and cultural life of the municipality.*

BACKGROUND

The City of Whittlesea has a rich and diverse Cultural Collection that reflects and contributes to the City's identity. The collection is a significant Council and community asset that includes approximately 2,400 artworks and heritage items. The collection is currently managed according to Council's Cultural Collection Strategy 2008-2012 and includes three components: the Visual Art, Civic History and Public Art Collections. The Visual Art and Civic History Collections Policy specifically relates to the Visual Art and Civic History components of the collection.

For the most part 'visual art' refers to paintings and works on paper and can also include drawings, prints, textiles, ceramics, photographs and small sculptures. 'Civic history' refers to heritage items relating to the history and activities of the City of Whittlesea and includes objects and memorabilia, such as: awards, plaques, badges, medals, clothing, photographs, documents, maps and plans, posters, signs, cultural and commemorative gifts, crockery and instruments used by Council staff in the course of their work. The public art component of the Cultural Collection is outside the scope of this policy. 'Public art' refers to artwork installed in the public realm, traditionally large sculptural outdoor installations.

The strategy principles state that the Cultural Collection will *be managed as a financial and cultural asset by implementing best practice collection management policies and procedures;* and the aims *acknowledge the Cultural Collection as a valuable municipal asset both*

financially and culturally and (identify the need to) set in practice collection management processes and procedures. (Cultural Collection Strategy 2008-2012, page 6)

While the Cultural Collection Strategy has provided a foundation for the development and management of the collections, for continued effective implementation of the strategy and to meet current governance requirements, it is necessary to adopt:

- A policy to provide clear direction for the future development of the collections that is underpinned by a vision, principles, objectives and criteria, that ensures the collections are relevant and meaningful, and grow in cultural, social and economic value; and
- A governance model that supports effective and transparent decision making.

GOVERNANCE

To ensure good governance of the collections it is proposed that Council establish an Acquisition Advisory Group (AAG) to make key decisions regarding significant acquisitions over \$2,000 in value. The AAG will comprise (as required): a Councillor, Council's Team Leader Arts, Heritage and Events, the Cultural Collection Co-ordinator and/or Team Leader Information Management, professional arts practitioners and/or local history representatives, and other Council staff with relevant specific expertise.

The AAG will be guided by the Visual Art and Civic History Collections Policy, which outlines the vision, principles, objectives and criteria for acquisition and de-accessions.

For artworks and heritage items valued at \$2,000 or less it is proposed that these can be accepted into the collections by the CEO or delegated officer, who will be guided by the Policy.

ACQUISITIONS

Criteria have been developed to clearly guide acquisitions for the collections which are based on the Visual Art and Civic History Collections Policy principles and objectives. The criteria fall into two categories: compulsory acquisition criteria and priority acquisition criteria.

The compulsory criteria will ensure that Council acquires artworks and heritage items that it has the capacity to manage and will not create unnecessary liabilities. The priority criteria will guide the acquisition of artworks and heritage items that contribute to the development of the collections and ensure they continue to be relevant and meaningful, and grow in cultural, social and economic value.

From time to time Council is offered artworks and heritage items as gifts, donations or bequests. Prior to accepting the artwork or heritage item they need to be assessed according to both the compulsory and priority acquisition criteria to ensure they also enhance the collection and do not create liabilities for Council. Artworks and heritage items should not be automatically accepted into the collections.

De-accession

On rare occasions Council needs to have the capacity to de-access (remove) artworks or heritage items from the collection. For example, an item may be de-accessed if it is severely damaged and beyond repair. The Policy outlines the criteria for de-accession.

DESCRIPTION OF THE COLLECTIONS

Visual Art Collection

The Visual Art Collection currently comprises over 320 artworks recently valued at nearly \$630,000. The collection includes artworks that date from colonial times to the present day and incorporates works by artists from a wide range of backgrounds including European settlers, modern and contemporary artists, and importantly Aboriginal artists and artists who have recently made Australia their home. It includes paintings, drawings, prints, textiles, ceramics, photographs and small sculptures. Council has also received two valuable

bequests: the John and Gillian Borrack Federation Bequest of 40 watercolours by John Borrack, and the Thomas de Kessler gift of 41 works on paper. The collection records local scenes and life, as well as reflecting Australia's diverse cultural makeup.

Civic History Collection

The Civic History Collection comprises over 2,000 heritage items relating to the history and activities of the City of Whittlesea (this collection is currently not valued). It includes a range of objects and memorabilia such as awards, plaques, badges, medals, clothing, photographs, documents, maps and plans, posters, signs, cultural and commemorative gifts, crockery and instruments used by Council staff in the course of their work. The Collection contributes to the history and corporate memory of the City of Whittlesea by providing a record of many of its activities and events, and highlights the relationship between the Council and the community. Most of the heritage items in the collection have been acquired internally and a small number have been donated.

PROPOSAL

That Council adopt the Visual Art and Civic History Collections Policy (Attachment 1).

CONSULTATION

The development of the Policy was informed by consultation sessions held with community members and City of Whittlesea staff during June 2015.

The development of the Policy also involved undertaking research, including a literature review of Council's relevant strategic documents, as well as considering the impact of relevant external factors such as Federal and State policies, legislation and industry trends. Account was also taken of the City of Whittlesea demographic profile and trends, and benchmarking was undertaken of other municipalities' approaches to collection development and management.

FINANCIAL IMPLICATIONS

Financial Requests arising from the implementation of the Visual Art and Civic History Collections Policy will be considered in Council's annual budget process.

POLICY STRATEGY AND LEGISLATION

The Visual Art and Civic History Collections Policy is particularly aligned with a number of other Council strategies and will be implemented within this context. These strategies are:

- City of Whittlesea Cultural Collection Strategy 2008-2012
- City of Whittlesea Cultural Heritage Policy and Strategy 2015-2018
- City of Whittlesea Arts Development Policy and Strategy 2016-2020

The acquisition of artwork and civic history items, according to the Visual Art and Civic History Collections Policy, will also need to meet the requirements of the following State and Federal Government legislation:

- Public Records Act (1973)
- Copyright Act (1968) and Copyright Amendment Act (2006)
- Aboriginal Heritage Act 2006

LINKS TO THE COUNCIL PLAN

FUTURE DIRECTION	Inclusive & Engaged Community
Theme	Community spirit
Strategic Objective	We have access to arts and cultural programs

Shaping Our Future, the Whittlesea 2030 Strategic Community Plan supports the development of the Visual Art and Civic History Collections Policy which particularly addresses the Future Direction Inclusive and Engaged Community. The development of Visual Art and Civic History Collections Policy will assist Council to meet Council Plan Goal 1.3: *Council will take a strategic approach to planning for the future needs of art across the municipality.* The Policy will provide a clear strategic framework for the effective development of each collection.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The Visual Art and Civic History Collections are a valuable cultural, social and economic asset for the City of Whittlesea community. Each collection reflects and documents the diversity, richness and evolving nature of the municipality, an important function in an area that is changing and growing so quickly. The collections contribute to the City’s cultural identity and sense of place, documenting our heritage and looking to the future. The Policy will ensure that the Visual Art and Civic History Collections continue to be managed effectively and are relevant and meaningful to the community, and support the realisation of the vision to *contribute to creating vibrant and self-sustaining communities by reflecting and documenting: growth and change; the diversity of people, land and environment; and the social and cultural life of the municipality.*

RECOMMENDATION

THAT Council resolve to adopt the Visual Art and Civic History Collections Policy.

COUNCIL RESOLUTION

MOVED: Cr Lajos
SECONDED: Cr Kelly

THAT Council resolve to defer consideration of this item to a subsequent Meeting.

CARRIED

6.2.2 YARRA PLENTY REGIONAL LIBRARY AGREEMENT

File No:	141851
Attachments:	1 Yarra Plenty Regional Library Supplemental Agreement
Responsible Officer:	Director Community Services
Author:	Director Community Services

REPORT**PURPOSE**

To approve amendments to the Yarra Plenty Regional Library Agreement that have resulted from recent consideration of the apportionment of income and expenditure.

BACKGROUND

On 14 December 1995, Council entered into an Agreement with Banyule and Nillumbik Councils to form a regional library. The Agreement established the Yarra Plenty Regional Library Service (YPRLS) and provided for the management and operation of the Library. The Primary Agreement requires that the member Councils and the Board of the YPRLS review the operation of the Agreement at least once in every five years.

PROPOSAL

The most recent review undertaken in late 2015 focused particularly in the apportionment of the income and expenditure to each of the member Councils. An independent consultant was engaged to undertake this review, which was comprehensive in nature and included two workshops with Board Members and senior library and Council staff.

The resultant changes are detailed in Attachment 1 and have been considered and resolved upon by the Library Board at its Meeting of 26 November 2015, as follows (in part):

- “2. a) That LSS executive management costs be separated from LSS administration costs and apportioned as per the usage formula.
- b) That salaries and on-costs related to community engagement, collections, IT and organisational development functions that are currently included in LSS administration be reallocated to the respective cost area and distributed between branches in line with the cost drivers that are already used in the model.
- c) That the balance of LSS administration costs be apportioned equally to each YPRL branch.
3. That YPRL’s cost apportionment model be adjusted to allocate community engagement costs to branches on the basis of total attendance at library programs at each branch.
4. That YPRL’s cost apportionment model be adjusted to determine the usage profile at each branch (and overall) as the average annual figure over the past three calendar years. That is, calculation of cost contributions for the 2016-17 financial year would be undertaken in January 2016 based on the average of annualised usage data from January 2013 to December 2015.

5. That YPRL's cost apportionment model be adjusted to recognise a broader and more relevant definition of library use. That is, in allocating both costs and income the model allocate:
 - 50% on the basis of loans of physical collection items
 - 25% on the basis of attendance at library programs
 - 25% on the basis of the number of computer and wifi sessions.
6. a) That in the absence of more definitive data the YPRL cost apportionment model use the distribution of loans by LGA at branch level as a proxy indicator of within branch library use for both program attendance and computer use.

b) That YPRL undertake further testing of library attendance and computer use by user's residential location to validate the use of the proxy indicator or establish separate profiles of within branch use by LGA.
7. That YPRL's cost apportionment model be adjusted so that the amount of the State Government Grant attributed to each Council be deducted from each Council's cost of using library services.
8. That there be no change to the method of allocating direct income in the model, other than any change arising from the adoption of Recommendations 5 and 6.
9. That the above recommendations be forwarded to Maddocks to be incorporated into a supplemental agreement.
10. That Member Councils be forwarded the supplemental agreement for approval.
11. That the supplemental agreement be then forwarded to the Minister for Local Government for approval.
12. That the supplemental agreement be forwarded to Member Councils for signing."

The most significant change to the apportionment of income and expenditure is that the amount of the State Government Grant attributed to each Council will now be allocated to offset the costs of that Council. This is advantageous to the City of Whittlesea and reflects the method of allocation prior to 2010.

To formalise this change to the Supplemental Agreement it is required that it be signed and sealed by each member Council.

FINANCIAL IMPLICATIONS

It is estimated that the changes to the apportionment of income and expenditure as resolved by the YPRLS Board at its meeting on 26 November 2015 will result in a direct decrease in the cost of library operations to the City of Whittlesea of \$108,076 in the 2016/17 financial year, compared to the 2015/16 budget, based upon the draft Library budget projections.

POLICY STRATEGY AND LEGISLATION

The operation of the Yarra Plenty Regional Library is governed by the Regional Library Agreement which requires review at least once every five years.

LINKS TO THE COUNCIL PLAN

FUTURE DIRECTION	Growing our economy
Theme	Skill development
Strategic Objective	There are opportunities for life-long learning

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The revised cost apportionment requires formalisation by the City of Whittlesea by the signing and sealing of the attached Supplemental Agreement.

RECOMMENDATION

THAT Council resolve to sign and seal the amended Supplemental Agreement to the Yarra Plenty Regional Library Service Agreement.

COUNCIL RESOLUTION

MOVED: *Cr Sinclair*
SECONDED: *Cr Kelly*

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Sinclair, Seconded by Cr Kelly. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

6.3 FINANCE AND ORGANISATION IMPROVEMENT

6.3.1 UNCONFIRMED MINUTES OF AUDIT & RISK COMMITTEE MEETING

File No: 160616

Attachments:

- 1 Unconfirmed Minutes of Audit & Risk Committee Meeting 26 November 2015
- 2 Audit & Risk Committee Charter

Responsible Officer: Acting Director Governance & Economic Development

Author: Internal Compliance Officer

REPORT

SUMMARY

As part of Council's Audit & Risk Committee Charter, minutes of meetings are to be presented to Council after each Audit & Risk Committee meeting.

BACKGROUND

The Audit & Risk Committee is an independent advisory committee of Council and its role is to report to Council and provide appropriate advice and recommendations on matters presented to it. It acts in this capacity by monitoring, reviewing and advising on issues within its scope of responsibility and assisting Council's governance obligations to its community.

The Audit & Risk Committee considered a number of reports at its meeting held on 26 November 2015, as well as confirming minutes from previous meetings held on 27 August 2015.

Main agenda items included:

- Audit & Risk Committee Work Plan
- CEO's Report on Compliance / Non-Compliance
- Corporate Business Report
- Risk Management Report
- Internal Audit:
 - Internal Audit Status Report
 - Internal Audit Review: Local Laws Infringements
- Outstanding Action items Report from Previous Internal Audits
- External Audit:
 - Final Closing Report and Management Letter 2014-15
- Internal Compliance Reviews
- Fraud and Corruption Control Policy and Plan
- Response to IBAC Report – Local Government: Review of Council Work Depots
- Review of Audit & Risk Charter

- Review of Audit & Risk Committee’s Performance
- Private Discussion with Internal Auditors

Audit & Risk Charter Review

In accordance with the Audit & Risk Committee Charter, the Committee is required to review and assess the adequacy of the Charter on an annual basis, with any proposed changes recommended to Council for approval.

The Committee’s most recent review of the Charter took place at its meeting on 26 November 2015. A number of minor amendments were proposed. These included:

- Removing the provision that allowed for staggering of independent member appointments. This was enacted as part of the recent member appointment process;
- Altering the requirement to review the Charter from an annual basis to a biennial basis; and
- Rewording the Committee’s responsibilities in relation to fraud.

The Charter with amendments highlighted (*Attachment 2*) is provided for Council’s consideration.

LINKS TO THE COUNCIL PLAN

Future Direction	Good Governance
Theme	Resource Management
Strategic Objective	Council is financially sustainable for the long term

The establishment of the Audit & Risk Committee and the reports it receives are reflective of Council’s commitment to the implementation of good governance principles. The Committee provides advice to Council to assist with fulfilling its oversight responsibilities for the financial and non-financial reporting process, internal controls, the audit process, risk management and Council’s process for monitoring compliance with legislation and regulations and the Code of Conduct.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The minutes of the Audit & Risk Committee meeting held on 26 November 2015 are provided for Council’s information.

The Audit & Risk Committee Charter has been updated to reflect current Committee practices.

RECOMMENDATION

THAT Council resolve to:

- 1. Note the unconfirmed minutes of the Audit & Risk Committee meeting held on 26 November 2015.**
- 2. Approve the updated City of Whittlesea Audit & Risk Committee Charter.**

COUNCIL RESOLUTION

MOVED: *Cr Sinclair*
SECONDED: *Cr Kelly*

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Sinclair, Seconded by Cr Kelly. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

6.4 INFRASTRUCTURE

6.4.1 BASKETBALL COURT FACILITIES IN CHANCELLOR ESTATE, BUNDOORA

File No: SU158059

Attachments:

- 1 Attachment A - Context Plan
- 2 Attachment B - Images
- 3 Attachment C - Consultation Location

Responsible Officer: Director Infrastructure

Author: Landscape Architect

REPORT

SUMMARY

To provide a report back to Council regarding a petition received from 80 residents requesting Council construct a half-court basketball facility within the Chancellor Estate, Bundoora (University Hill) at either the existing park located adjacent to Fitzjohns Drive (commonly known as Central Park) or the park bound by Clovermont Way and Queens Gardens.

This report also responds to the 2015/16 Budget Advisory Committee to Council recommendation that detailed design for a half court basketball facility be carried out internally during the 2015/2016 budget year and that the project be referred to the New Works Program for 2016/2017.

BACKGROUND

A petition to construct basketball facilities within a park within the Chancellor Estate was tabled at the Council Meeting on Tuesday, 4th August 2015 and Council resolved to receive the petition and for officers to prepare a report on the matter.

Council Officers were already investigating the feasibility of a basketball facility within the Chancellor Estate following a submission made to the draft 2015/16 Budget and the recommendations made by the Advisory Committee of Council appointed to hear the submissions and Council's subsequent acceptance of the recommendation.

Therefore this report deals with both the petition and Council's consideration of the item as part of the 2015/16 Budget.

The petition requests that City of Whittlesea install a small basketball area with a ring in the /University Hill Estate at either the park located at the corner of Fitzjohns Drive and Worcester Crescent (SITE B) or at the existing park located at the corner of Queens Gardens and Clovermont Way (SITE C) – refer attachments.

The petition also states:

- Whilst there are good quality park facilities in the University Hill Estate which cater for young children, there are no facilities which cater for teenagers;
- Basketball is a good form of exercise which is popular amongst a lot of young people and the installation of a small basketball area will create an extra incentive for young people to be active;

- The closest basketball facilities are located across Plenty Road at Taunton Drive which is too far to walk for many University Hill (Chancellor Estate) residents.
- With ongoing development occurring in the University Hill Estate and the resident population continuing to grow there will be more teenagers who move into the area who would benefit from a basketball area being installed.

The Chancellor Estate, Bundoora comprises of three medium sized areas of public open space (totalling 8.75 ha) which have been designed and constructed to be sympathetic towards the adjacent Plenty Gorge Parklands and the Plenty River to the east – refer attachment. Each of the three parks connects to the extensive 2.5m wide shared path network but only one (Central Park – adjacent to Fitzjohns Drive) includes play equipment, multiple park shelters, drinking fountain and park furniture such as picnic tables and seats. The combination of all three parks and reserves provides a good balance of passive recreation space, active recreation space, conservation areas, mature trees and water course embellishment.

The playground at Central Park provides play provision to the majority of the residential area in the Chancellor Estate however a secondary play equipment to the south of Queens Gardens which is outside the City of Whittlesea boundary provides play provision for the minor balance of the residential area (SITE D)– refer attachment.

The City of Whittlesea Draft Open Space Strategy (2015) recommends that basketball courts:

- are sited and designed to minimise the impacts on adjoining residential properties, and where possible located away from road ways or have adequate design features to prevent the risk of balls entering the road.
- meet universal access design principals.
- are designed for multi-use to maximise use and appeal by different age groups, genders and cultural backgrounds.
- include other complementary infrastructure such as shade structures, seating, drinking fountains and picnic facilities where appropriate.
- are located where they receive some natural shade during the middle of the day.
- are orientated in a north south direction in accordance with current sport facility design standards (where possible).
- meet best practice design for fencing, surface drainage and surface treatment

are located so clear views and access into the public open space is retained. **PROPOSAL**

The petition requests Council construct recreation facilities to cater for the needs of teenagers within the Chancellor Estate, Bundoora. The petition suggested this be in the form of a basketball facility with rings located at either the existing park adjacent to Fitzjohns Drive (Central Park) or the existing park bound by Clovermnt Way and Queens Gardens.

The table below indicates the benefits and constraints with each of the three Chancellor Estate sites and the site just outside the City of Whittlesea boundary:

Site:	Benefits:	Constraints:
Site A – North west corner of Linacre Drive and Fitzjohns Drive.	<ul style="list-style-type: none"> • Close proximity to high density residential area • Plenty of natural shade 	<ul style="list-style-type: none"> • Steep grade • Not centrally located for Chancellor Estate residents • Reduction of already limited grassed open space • Detracts from visual and

Site:	Benefits:	Constraints:
		physical character of the reserve <ul style="list-style-type: none"> • Potential noise impact on adjoining residents • Limited on street parking • No existing park infrastructure
Site B – between Fitzjohns Way Drive and Clovermont Way	<ul style="list-style-type: none"> • Existing park infrastructure such as drinking fountain, furniture, multiple shelters and play equipment. • Central to residential catchment 	<ul style="list-style-type: none"> • Steep grade • Reduction of already limited grassed open space • Detracts from visual and physical character of the reserve • Potential noise impact on adjoining residents • Potential for balls to entre roadways • Very limited on street parking
Site C – between Clovermont Way and Queens Gardens	<ul style="list-style-type: none"> • Close proximity to a large residential catchment • Plenty of natural shade • Suitable grades • Adequate grassed area to accommodate a basketball facility and maintain passive recreation activities i.e kite flying, soccer. 	<ul style="list-style-type: none"> • Detracts from visual and physical character of the reserve • Potential noise impact on adjoining residents • Limited on street parking • No existing park infrastructure
Site D – Shire of Nillumbik land, south of Queens Gardens	<ul style="list-style-type: none"> • Centrally located to a very large residential catchment on both sides of the municipal boundary. • Plenty of natural shade • Existing play equipment to complement a basketball facility • Reduced potential for balls to enter road way. • Suitable grades 	<ul style="list-style-type: none"> • Outside the boundary of the municipality • Limited lighting from road • Agreement required with Shire of Nillumbik

All three sites within the Chancellor Estate had limitations for the development of basketball facilities. However, based on the site assessment of all sites, and the fact that site C is the

least limited consultation was undertaken with residents around Site C. Refer to Consultation Section below for details.

Of all sites assessed Site D was the most suitable for basketball facilities on the basis of its central location, landscape character, topography, complementary facilities and siting that affords a batter to adjoining residents.

CONSULTATION

Council Officers have met with the head petitioner on a number of occasions since August 2015 to discuss options on where a potential half-court basketball facility could be located within the Chancellor Estate. It was agreed that the existing park adjacent to Fitzjohns Drive would not be suitable for a half-court basketball facility. Although this park has existing infrastructure such as play equipment, shelters, drinking fountain and public furniture which is in line with the recommendations of the Draft Open Space Strategy and would complement a basketball facility, the steep grade and limited amount of available space severely reduces its feasibility.

Based on this decision, a letter was sent to residents within the catchment area of the secondary potential location for a half-court basketball facility. The letter was sent to 85 properties and included a concept plan identifying the proposed location within the existing park bound by Clovermont Way and Queens Gardens – refer attachment 2.

This community consultation received 13 formal responses in total of which 12 were not supportive of a basketball facility being built at the proposed location and 11 advising that they do not support a basketball facility being constructed at all within the Chancellor Estate due to adequate park and recreation opportunities already available. The residents opposing the basketball facility also advised that if the project were to progress any further they would circulate their own petition against a basketball facility.

This strong level of opposition was based on the potential for a basketball facility to undermine the existing landscape character created by the developer. It was also identified that some residents who originally signed the petition are now strongly against a basketball facility because they were led to believe it was proposed within the activity centre closer to Plenty Road. However, this area is not owned by Council and part of a commercial development.

Council Officers also spoke directly with the Manager Leisure and Social Infrastructure at Nillumbik Shire Council to discuss whether they have any short or medium term plans to upgrade the existing playground directly south of the City of Whittlesea municipal boundary which directly abuts the Chancellor Estate. The Manager Leisure and Social Infrastructure advised there is no short term plans to upgrade the park or playground nor are they in a position to cost share the design and construction of a basketball facility on their land.

FINANCIAL IMPLICATIONS

A breakdown of the approximate cost to undertake the works as listed in the petition are as follows:

Description:	Approx Cost:
Design preliminaries: -Site investigations -soil testing -service depthing	\$5,000.00

Description:	Approx Cost:
Structural design and certifications for half-court basketball slab, drainage, footings and goal tower.	\$7,000.00
Construction of half-court basketball including plexi-pave surface, drainage, line marking and goal towers.	\$45,000.00
Public furniture and drinking fountain (including water tapping and all permits and certifications)	\$10,000.00
Landscape reinstatement	\$8,000.00
TOTAL:	\$75,000.00

The 2015/16 Budget process recommended that detailed design for the proposed works be carried out internally during the 2015/2016 budget year and that the project be referred to the New Works Program for 2016/2017.

If Council supports the provision of a basketball facility on the Shire of Nillumbik park an allocation of \$75,000 will be required assuming Council fully pays for the facility. In order to consider this allocation in the 2016/17 Budget an agreement with the Shire of Nillumbik will be required.

POLICY STRATEGY AND LEGISLATION

LINKS TO THE COUNCIL PLAN

FUTURE DIRECTION	Places and spaces to connect people
Theme	Leisure & recreation
Strategic Objective	Our recreation facilities and open spaces are accessible and respond to local need

Providing half court basketball facilities and associated infrastructure helps to ensure the public open spaces within the municipality are appealing, functional and engaging to a wider group of users. However this type of infrastructure needs to be strategically located to ensure local and neighbourhood parks are not over developed, ensure that it is compatible with the landscape setting of the parks and that the infrastructure can be utilised by a large catchment of residents.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The three medium sized areas of public open space within the Chancellor Estate have been designed and landscaped to complement the existing tranquil bushland character of the adjacent Plenty Gorge Parklands and Plenty River to the east of the residential area. The undulating grades, numerous mature trees and densely planted garden beds of these parks and reserves do not easily lend themselves to the introduction of basketball key or half court

without significantly changing the use, characteristic and function of the neighbourhood park it would become a part of.

Incorporating basketball facilities at the least limited site, being the park located between Clovermont Way and Queens Garden, (Site C), was opposed to by surrounding residents of that park.

The most suitable site to locate the basketball facility is at the park south of Queens Gardens, which is within the Shire of Nillumbik.

It is therefore recommended that Council not pursue the petition request further to construct basketball facilities within the Chancellor Estate but continue discussions with Council Officers from Nillumbik Shire Council to determine if an agreement can be made to construct a similar facility just south of the City of Whittlesea municipal boundary which would service a larger catchment of residents and be in the most suitable location.

Based on initial discussions with officers the half court basketball facility in the Shire of Nillumbik reserve would need to be funded solely by the City of Whittlesea. The cost of the facility would be up to \$75,000.

RECOMMENDATION

THAT Council resolve to:

1. Not support the request to construct a half-court basketball facility within the Chancellor Estate.
2. Advise the Head Petitioner and all residents involved in the community consultation of this decision.
3. Request Council Officers to continue discussions with the Shire of Nillumbik to determine if agreement can be reached to construct a half-court basketball facility just south of the City of Whittlesea municipal boundary including the potential for the City of Whittlesea to fund the construction of the basketball facility.
4. Consider \$75,000 for the facility in the formation of the draft 2016/17 New Works Program, subject to agreement being reached with the Shire of Nillumbik.

MOTION

MOVED: *Cr Lalios*
SECONDED: *Cr Kelly*

THAT Council resolve to:

1. Request Council Officers to continue discussions with the Shire of Nillumbik to determine if agreement can be reached to construct a half-court basketball facility just south of the City of Whittlesea municipal boundary including the potential for the City of Whittlesea to fund the construction of the basketball facility.
2. If agreement cannot be reached with the Shire of Nillumbik, before 30/6/2016, that officers further explore other opportunities within Site C of Attachment 1 and/or other sites within the University Hill Estate.
3. Consider \$75,000 for the facility in the formation of the draft 2016/17 New Works Program.

AMENDMENT

MOVED: *Cr Alessi*
SECONDED: *Cr Pavlidis*

THAT Council resolve to amend point 2 to the following:

2. If agreement cannot be reached with the Shire of Nillumbik, before 30/6/2016, that officers further explore other opportunities within Site C of Attachment 1 and/or other sites within the University Hill Estate and report to Council.

CARRIED

The amendment was put and carried and the motion with the amendment became the substantive motion, as set out below.

COUNCIL RESOLUTION

MOVED: *Cr Laliros*
SECONDED: *Cr Kelly*

THAT Council resolve to:

1. Request Council Officers to continue discussions with the Shire of Nillumbik to determine if agreement can be reached to construct a half-court basketball facility just south of the City of Whittlesea municipal boundary including the potential for the City of Whittlesea to fund the construction of the basketball facility.
2. If agreement cannot be reached with the Shire of Nillumbik, before 30/6/2016, that officers further explore other opportunities within Site C of Attachment 1 and/or other sites within the University Hill Estate and report to Council.
3. Consider \$75,000 for the facility in the formation of the draft 2016/17 New Works Program.

CARRIED

6.4.2 TRAFFIC CONDITIONS - BOTANICA BOULEVARD, BUNDOORA**File No:** ST/155203**Attachments:**
1 Signatories (Botanica Boulevard Area)
2 Locality Map
3 Traffic Conditions
4 Botanica Boulevard Concept Plan**Responsible Officer:** Director Infrastructure**Author:** Asset Engineer**REPORT****SUMMARY**

The purpose of this report is to consider a joint letter regarding road safety and traffic conditions in Botanica Boulevard, Bundoora.

BACKGROUND

A joint letter regarding road safety and traffic in Botanica Boulevard, Bundoora, was tabled at Council's meeting on 4 August 2015, where Council resolved *to receive the joint letter requesting Council implement speed limiting measures in Botanica Boulevard, Bundoora and a report be prepared.*

The joint letter contained 17 signatures representing 15 dwellings along Botanica Boulevard (Attachment 1) and requested Council implement some form of speed limiting measures on Botanica Boulevard, Bundoora. In support of the request, the signatories raised concerns about:

- Traffic speeds;
- Increased traffic flow; and
- Damage to private and public property.

As a result of this joint letter, Council Officers engaged the services of Trafficworks Pty Ltd (Trafficworks) to conduct a holistic review of road safety and traffic management in Botanica Boulevard, Bundoora between McKimmies Road and Betula Avenue.

DISCUSSION**ROAD NETWORK AND FUNCTION**

Botanica Boulevard is in north-western Bundoora. It is generally aligned in the north-west to south-east direction, providing connection between McKimmies Road and Betula Avenue. Botanica Boulevard is generally configured as an undivided carriageway with single traffic lanes and parking lanes in each direction. The section of road between McKimmies Road and Wisteria Drive is configured as a divided carriageway with single traffic and parking lanes in each direction.

There are three Pedestrian Crossings in Botanica Boulevard at the following locations:

- north of Pride Avenue;
- north of Zelkova Terrace; and
- west of Bramble Crescent.

The road was designed as a collector road, with a cross section between McKimmies Road and Wisteria Drive that includes two 3.5m traffic lanes with parking lanes separated by an 8.6m centre median, and a cross section between Wisteria Drive and Betula Avenue that includes two 3.5m traffic lanes with parking lanes or indented parking bays at various locations. The road was designed for a traffic volume of up to approximately 6,000 vehicles per day (VPD).

The majority of the abutting land use is residential with the exception of Botanica Park (a passive recreation reserve) on the eastern side of the road between Silky Oak Drive and Robusta Avenue.

Botanica Boulevard services the 570 (Thomastown to RMIT University via Betula Avenue and Plenty Road) and 572 (University Hill to Doreen) bus routes. The speed limit on Botanica Boulevard is 50km/h.

Botanica Boulevard and the surrounding road network as shown in Attachment 2.

CURRENT TRAFFIC CONDITIONS

A summary of the results of traffic surveys undertaken and recommended maximum curve speeds in Botanica Boulevard are shown in the following table:

Year	Location (House No.)	Vehicles per Day (VPD)	Speed (km/h)			Curve Speed (km/h)	
			Average	85 th %ile	Maximum Speed Recorded	Maximum Curve Speed	% / Volume over Max Curve Speed
2015	5	6,187	40	46	73	N/A	N/A
2015	21	4,792	42	46	88	30	97 / 4,648
2015	27	4,710	46	52	90	N/A	N/A
2015	33	4,482	34	39	59	30	85 / 3,810
2015	54	3,406	42	47	72	N/A	N/A
2015	58	3,374	48	55	110	N/A	N/A
2015	63	3,442	42	47	73	40	70 / 2,409
2015	71	3,471	48	54	80	40	87 / 2,096

TRAFFIC SURVEY RESULTS

From these results, Trafficworks determined that traffic speeds were higher than desirable at locations, and that vehicle speeds exceed the maximum safe curve speeds at the following locations:

- At the Silky Oak Drive / Botanica Boulevard intersection (Curve 1);
- At the Robusta Avenue / Botanica Boulevard intersection (Curve 2);
- Between Bramble Crescent and Vitis Drive (Curve 3); and
- Between Vitis Drive and Lilly Pilly Avenue (Curve 4).

CRASHES

VicRoads' CrashStats (casualty crash data) indicates that there has been one crash recorded in Botanica Boulevard for the ten-year period ending 31 December 2013. This incident occurred at the intersection of Bramble Crescent and Botanica Boulevard.

There have been multiple instances of property damage crashes, as reported by local residents and Council's Infrastructure Department along the street.

ANALYSIS

Speeds which exceed the maximum safe curve speed along Botanica Boulevard present a potential road safety issue and should be addressed. As such, Trafficworks provided a

number of treatment options for road safety improvements along Botanica Boulevard, these are summarised below:

- Reduction of lane widths;
- Installation of traffic management devices;
- Installation of kerb outstands; and
- Installation of ‘Advanced Roundabout Warning’ signage at all roundabouts.

The most obvious and cost effective option is the installation of asphalt road cushions. In this case, because Botanica Boulevard is a bus route, the bus operator was consulted, and agreeable to, the installation of asphalt road cushions.

To be effective, asphalt road cushions would need to be installed at 80-120m intervals, as recommended by Austroads and VicRoads. The existing pedestrian crossings coincide with this spacing recommendation, although an additional traffic calming device is required to the south-east of Botanica Boulevard. Therefore, asphalt road cushions should be installed at the three existing pedestrian crossings and outside 63 Botanica Boulevard.

‘Advanced Roundabout Warning’ signage must be installed in accordance with the relevant Australian Standards.

CONSULTATION

A multilingual letter, questionnaire and reply paid envelope was mailed to owners and occupiers of Botanica Boulevard directly affected by the proposed traffic management improvements, the results as at 30 December 2015, are as follows:

Number of Surveys Sent	Responses Received	Supportive	Not Supportive
64	40 (63%)	34 ¹ (85%)	4 ¹ (10%)

¹Two residents abstained from responding

The National Statistical Service calculator indicates that the response rate is acceptable and that Council can be confident that between 78% - 91% of surveyed owners and occupiers support the proposed works. Notwithstanding, a number of concerns have been raised about the proposed traffic management improvements, these are summarised with Officer comments below.

Additional Asphalt Road Cushions

A number of residents requested additional asphalt road cushions to those proposed, in particular:

- Between McKimmies Road and Wisteria Drive; and
- East of Curve 4.

Traffic surveys between McKimmies Road and Wisteria Drive indicate speeds are within an acceptable range through this section of Botanica Boulevard, thus additional traffic management is not warranted.

Trafficworks have identified Curve 4 as potential hazard point, where traffic speeds are higher than maximum safe curve speed. The proposed measures originally had a set of asphalt road cushions to the west of Curve 4, however upon further review an additional set of asphalt road cushions to the east (i.e. outside 70 Botanica Boulevard) is warranted.

Lack of Law Enforcement

Enforcement of the speed limit is the responsibility of Victoria Police, and Council often advocates on behalf of the community for increased enforcement of speeds in local streets.

The most recent traffic surveys taken on Botanica Boulevard in September 2015 indicate that on average 7% or over 240 vehicles per day exceed the 50km/h speed limit. Taking into account the frequency and number of speeding vehicles and Victoria Police operational constraints, permanent speed deterrent devices are warranted.

Ineffectiveness of Traffic Management Devices

The perception by some community members is that traffic management devices are ineffective. However, the installation of road cushions has proven effective in reducing the operating speeds of vehicles to a level that is acceptable to the community, e.g. operating speeds of 60.4km/h and 57.0km/h, in Victoria Drive and Kingsway Drive, were reduced to 46.7km/h and 49.5km/h (20% to 25%) respectively in 2007 and 2010, following the installation of asphalt road cushions.

FINANCIAL IMPLICATIONS

The cost of installing three raised crossings and two sets of asphalt road cushions on Botanica Boulevard would be approximately \$37,500.

As there is no specific budget allocation for this work in the 2015/2016 New Works Program or the Collector Road Traffic Management – Various Locations Program, through which traffic management devices in similar instances are funded. This program is already fully allocated to similar works. A budget submission will be prepared for these works to proceed in 2016/2017.

The cost of installing ‘Advanced Roundabout Warning’ signage would be approximately \$2,500. These will be installed in 2015/2016 through existing operational budgets.

POLICY STRATEGY AND LEGISLATION

The investigation, consultation and implementation of traffic management measures accords with Council’s Community Plan (CP) and Road Safety Strategy 2004 (RSS), in particular:

- CP Item 1.1 – Engage and consult with our community, stakeholders and customers in a meaningful way;
- CP Item 2.6 – Deliver road safety improvement projects to the satisfaction of authorities and residents; and
- RSS – Action Plans 2 (relating to community consultation on road safety matters), 4 (pedestrian safety), 7 (children and road safety), 8 (older person and road safety) and 9 (speed management).

LINKS TO THE COUNCIL PLAN

FUTURE DIRECTION	Health and Wellbeing
Theme	Safety
Strategic Objective	Our built form incorporates safety design

The installation of raised crossings would reduce traffic speeds and thus the likelihood and severity of crashes, improving vehicle and pedestrian safety.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

At curves along Botanica Boulevard traffic speeds exceed the maximum safe curve speeds. Asphalt road cushions are the most obvious and cost effective option to reduce traffic speeds.

Botanica Boulevard residents have indicated a good level of support for asphalt road cushions; however resident feedback would be sought in relation to the installation of individual devices prior to any works proceeding.

The operator of the Botanica Boulevard bus service has been consulted, and is agreeable to, the installation of asphalt road cushions.

It is estimated that approximately \$37,500 will be required to install the raised crossings and road cushions. A budget submission for approval will be prepared for the works to proceed in 2016/2017 due to the existing budget in 2015/16 for traffic management devices being already allocated.

‘Advanced Roundabout Warning’ signage will be installed at all roundabouts along Botanica Boulevard in 2015/2016 through existing operational budgets.

Cr Harris left the Council Chamber at 7:35 PM prior to the vote on this item 6.4.2 Traffic Conditions – Botanica Boulevard, Bundoora and returned to the Council Chamber at 7:59 PM prior to the vote on item 9.1 Urgent Business Municipal Road Safety Strategy Committee.

RECOMMENDATION

THAT Council resolve to:

- 1. Install three asphalt raised crossings and two sets of asphalt road cushions at the following locations:**
 - Pedestrian crossing north of Pride Avenue;
 - Pedestrian crossing north of Zelkova Terrace;
 - Pedestrian crossing west of Bramble Crescent;
 - Outside 63 Botanica Boulevard; and
 - Outside 70 Botanica Boulevard.

- 2. Refer the cost of installing the raised crossings and road cushions to the 2016/2017 New Works Program.**

3. Install 'Advanced Roundabout Warning' signage in accordance with the Australian Standards at all roundabouts along Botanica Boulevard.
4. Advise the head signatory of Council's decision on this matter and consult with residents in the immediate vicinity of the raised crossings and asphalt cushions, about their design.

COUNCIL RESOLUTION

MOVED: *Cr Laios*
SECONDED: *Cr Kelly*

THAT Council resolve to adopt the Recommendation.

CARRIED

6.4.3 NORTHERN REGIONAL TRAILS STRATEGY**File No:** SU/191890**Attachments:**
1 Executive Summary of the Strategy
2 Map of Priority Trails
3 Whittlesea Priority Trails**Responsible Officer:** Director Infrastructure**Author:** Team Leader Transport Planning and Development**REPORT****SUMMARY**

The Northern Regional Trails Strategy (the Strategy) details a vision for a unified 'off road' recreational trail network across Melbourne's northern region. The purpose of this report is to seek Council endorsement of the Strategy.

INTRODUCTION

The Strategy (refer to attachment 1 for an executive summary) seeks to realise an integrated trail network for the northern Melbourne region building on the existing network of pathways. The Strategy identifies 120 existing off road regional trails and 96 proposed trails (consisting of 121 individual projects), spanning 780 km of accessible trails across the northern region.

BACKGROUND

In 2014, the strategy was listed as a priority short term project in the NORTH Link Northern Horizons – 50 Year Infrastructure Strategy for Melbourne's North, which identified the need for a strategic and regional approach to off road trails.

The strategy provides a blueprint and strategic framework for the development and maintenance of a network of recreational off road trails, for the purpose of cycling and walking. The Strategy recognises the contribution that a highly connected regional trail network can make in supporting and enhancing economic growth, social wellbeing and environmental quality across the north.

The Strategy was developed by the municipalities of Melbourne's north, namely Banyule City Council, Darebin City Council, Hume City Council, Moreland City Council, Nillumbik Shire Council, Whittlesea City Council and Yarra City Council, in partnership with the Victorian Government and with funding from Sport and Recreation Victoria.

This collective approach to the strategy demonstrates the strength of partnerships that exist between the northern Council's, and the ability of the northern Council's to have a regional agenda which supports the development of each individual municipality. The strategy adds to a previous suite of regional documents, such as the Northern Horizons Infrastructure Strategy, which have helped to procure funding for large projects based on a co-ordinated approach from north regional Councils.

This collective approach to the strategy demonstrates the strength of partnerships that exist between the northern Council's, and the ability of the northern Council's to have a regional agenda which supports the development of each individual municipality. The strategy adds to a previous suite of regional documents, such as the Northern Horizons Infrastructure Strategy, which have helped to procure funding for large projects based on a co-ordinated approach from north regional Councils.

The Strategy is focused on delivering regionally significant trails that connect multiple municipalities and tie together significant regional features or destinations such as regional parks and key town centres. The network also contributes to the improvement of local connectivity tying together activity centres, schools, local sporting venues and other local destinations.

The Strategy aligns closely and supports the intent and direction of the strategic plan for Melbourne, Plan Melbourne. Finalised in May 2014, and refreshed in late 2015, Plan Melbourne provides a vision for Melbourne's growth to 2050, identifying a pipeline of major infrastructure, services and projects. Melbourne's cycling network is recognised as a crucial aspect of an integrated regional transport network which will underpin regional growth.

Further, in complementing this, the Metropolitan Planning Authority (MPA) is developing a new open space strategy. The Northern Regional Trails Strategy provides a significant contribution to the development of an open space strategy for Melbourne.

The Strategy aligns with the principles of the draft Whittlesea Bicycle Plan (WBP) and incorporates the key trail development projects identified in the Bicycle Plan.

In developing the Strategy, many hundreds of existing and proposed off road trail projects were reviewed and refined into a strategic network of regionally significant assets. Implemented as a whole, the network will provide an invaluable recreational and tourism resource to support economic growth and social wellbeing across Melbourne's north.

As part of the development of the Strategy projects have been prioritised using multi criteria and cost benefit analysis. Twenty nine of the 96 proposed trails have been identified as 'priority trails' and have also been identified to be implemented in the short term.

PROPOSAL

The City of Whittlesea is home to a number of recreational, environmental and tourism features including the Plenty Gorge Park, the Yan Yean Reservoir Park, the Quarry Hills Park and the Plenty Ranges Arts and Convention Centre. The City of Whittlesea also hosts a number of major off road trails including the South Morang Rail Trail, the Plenty River Trail, the Merri Creek Trail, the Edgars Creek Trail, and the Darebin Creek Trail.

Twenty nine new or extended trails across the region have been identified as being the priority projects for establishing a connected and integrated trail network. These have been identified based on a range of criteria, including spatial and cost benefits analysis. Five of the high priority regional trail development projects identified are within the City of Whittlesea as follows:

- Edgars Creek Trail
- Merri Creek Trail
- Whittlesea Rail Trail
- Yan Yean Pipe Trail
- Plenty Road Shared Path

Of the 96 new or extended trails noted in the Strategy in total, twenty nine projects are identified for the City of Whittlesea (refer to attachment 2). These new or extended trails are located along waterway corridors, road corridors, transmission line easements, pipe easements and railway corridors.

In addition, to improve the trail surface and promote increased usage, the following existing trails within the municipality are recommended to be upgraded from granitic sand to concrete:

- Darebin Creek Trail
- Merri Creek Trail

- Henderson's Road Drain Trail
- South Morang Pipe Trail

These projects have all been identified in the draft Whittlesea Bicycle Plan (WBP) (2015 - 2019), and details of each of the priority trails (as identified in the Strategy) are further described in attachment 3. The upgrade of the Darebin Creek Trail has been included within Council's new works programs over a number of years.

Implementation of the Strategy will provide a wide range of community and regional benefits that include enhanced connectivity and access to open space and the environment, promotion of recreation, health and wellbeing outcomes, and economic and employment benefits. The results of the cost-benefit analysis demonstrate that over the long term period, every dollar invested in the trail network will yield \$12 in value. The Strategy identifies opportunities to use the recreational trails network to link tourism destinations with a view to make Melbourne's north a destination of choice.

A collaborative approach to the implementation of the Strategy is required from northern region Councils and relevant State Government agencies to ensure that regional trails are developed in a consistent and coordinated way. As an initial step in the implementation of the Strategy, the development and formation of a Memorandum of Understanding (MOU) between Councils and relevant State Government agencies is proposed.

The intent of the MOU is to define an agreed set of governance principles that will guide the design, construction, operation and maintenance of trails identified in the Strategy. The fundamental principle of the MOU will be a focus on fostering a collaborative approach between Councils and relevant agencies to implement the Strategy. This approach is necessary to address the challenges posed by multiple landowners, optimising the user experience and attractiveness of the network and the requirement for ongoing trail maintenance. The MOU will be the subject of a future Council report.

CONSULTATION

Consultation has been undertaken with officers from the seven regional Councils and relevant State Government agencies to inform the development of the Strategy. Broader consultation with the community was not part of the scope of the Strategy project, on the basis that local consultation was undertaken in the formation of bicycle plans for each individual municipality. The regional Strategy draws together information from the municipal plans. Each specific priority trail proposed in the Strategy for the City of Whittlesea was identified and included in the recent consultation of the draft Whittlesea Bicycle Plan (2015-2019).

CRITICAL DATES

Over the course of February 2016, the seven regional Councils will consider the Northern Regional Trails Strategy. Subject to the Strategy being endorsed by all Councils, a Strategy launch is proposed in March/ April 2016.

FINANCIAL IMPLICATIONS

All seven participating Councils (including City of Whittlesea) have contributed \$20,000 towards the Strategy, and Sport and Recreation Victoria have provided a \$50,000 grant.

In addition to the above, an advocacy toolkit has also been formulated to further assist in obtaining external funding from relevant agencies.

The funding of regional trails projects identified in the Strategy will be the responsibility of individual Councils and State Government agencies such as Parks Victoria. Funding will be coupled with potential State and Federal Government grant opportunities. Opportunities such as the Interface Growth Fund and bicycle/ cycling grants, grant submissions that demonstrate regional benefits and a wider collective and collaborative approach by local

governments have much greater potential for success than submissions by a single municipality. This opportunity was a key rationale for the development of the Regional Trails Strategy.

The City of Whittlesea’s priority trails have been estimated in the order of \$10.5M to \$13.5M. These projects will be part of Council’s consideration in the formation of annual budgets, co-opted with opportunities for State and Federal funding to these projects.

POLICY STRATEGY AND LEGISLATION

The following local and state policies, strategies, legislation and policies related to the Strategy contained in this report are as follows:

- City of Whittlesea (2014) *Integrated Transport Strategy*.
- City of Whittlesea (2015, Draft) *Open Space Strategy*.
- City of Whittlesea (2015-2019, Draft) *Whittlesea Bicycle Plan*.
- Heart Foundation (2004) *Healthy by Design*, National Heart Foundation (Vic).
- Metropolitan Planning Authority (2014) *Plan Melbourne*.
- Tourism Victoria (2014) *Victoria’s Trails Strategy 2014 - 2024*.
- Victorian Government Department of Transport, Planning and Local Infrastructure (DTPLI) (2012) *Cycling into the Future 2013 – 2023 Victoria’s Cycling Strategy*.

LINKS TO THE COUNCIL PLAN

FUTURE DIRECTION	Accessibility in, out and around our city
Theme	Transport
Strategic Objective	We can cycle safely

The City of Whittlesea has developed its Integrated Transport Strategy 2014 to identify the transport priorities for the municipality and actions necessary to ensure that the transport needs of the community are met. In addition, the development of the draft Whittlesea Bicycle Plan 2015-2019 identifies key off road trail projects. The Northern Regional Trails Strategy aligns with objectives of, and projects identified within the draft Whittlesea Bicycle Plan, which will be considered by Council for adoption in April 2016.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

The strategy provides a blueprint and strategic framework for the future development and maintenance of a network for recreational off road trails. The Strategy identifies opportunities to use the recreational trails network to link tourism destinations. The City of Whittlesea is home to a number of recreational, environmental and tourism features including the Plenty Gorge Park, the Yan Yean Reservoir Park, the Quarry Hills Park and the Plenty Ranges Arts and Convention Centre, which are, or have the potential to be, regional destinations.

The Strategy will provide a wide range of community and regional benefits that include enhanced connectivity and access to open space and the environment, promotion of recreation, health and wellbeing outcomes, and economic and employment benefits

Five priority trail projects have been identified in the Strategy for the City of Whittlesea, being the Edgars Creek Trail, Merri Creek Trail, Whittlesea Rail Trail, Yan Yean Pipe Trail and Plenty Road Shared Path.

RECOMMENDATION

THAT Council resolve to endorse the Northern Regional Trails Strategy.

COUNCIL RESOLUTION

MOVED: *Cr Sinclair*
SECONDED: *Cr Kelly*

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Sinclair, Seconded by Cr Kelly. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

6.4.4 PLENTY FOOD GROUP ASIA EXPORT MISSION FOCUS 2016

File No: 165908

Responsible Officer: Director Infrastructure

Author: Manager Economic Development and Organisation Planning

REPORT**SUMMARY**

The Plenty Food Group (PFG) will be representing and assisting local food manufacturers with two regional export missions focussed on providing new market opportunities and continued growth into the Asia Pacific region. Food and Hotel Asia 2016 is being held from 12 to 15 April 2016 in Singapore. This is a major regional trade event attracting in excess of 65,000 trade buyers from the greater Asia Pacific region. It is proposed PFG will be working with and supporting local food manufacturers and the Victorian State Government mission. PFG also proposes to be a participant on its first mainland China visit with the Victorian State Government Trade Mission to SIAL China, 5 to 6 May 2016. SIAL China attracts in excess of 64,000 trade buyers predominantly China based.

BACKGROUND

The Plenty Food Group is a local Government initiative that supports over 160 food manufacturers based in Melbourne's north. It is primarily a conduit for information and services to and from food manufacturers, buyers, service providers and other industry representatives.

The PFG is financially supported by the City of Whittlesea and Hume City Council, with additional contributions from the Victorian State Government and industry. The Plenty Food Group Executive Officer is an employee of Council and facilitates the delivery of the PFG's objectives.

PFG has a strong focus on export throughout the Asia Pacific region, having assisted in developing over \$30million in export leads and business for local industry, in turn creating additional employment and industry opportunities. PFG has engaged in export initiatives since 2003, developing strong relationships with key regional buyers, as well as developing a strong industry reputation and recognisable branding.

International engagement enables PFG to continue to strengthen existing contacts and develop new opportunities within these export markets for our local Victorian food manufacturers. These connections allow PFG to keep up to date with market trends, opportunities, difficulties and general information to be able to guide the development of industry opportunities for our manufacturers.

The sustainability of the local Victorian food manufacturing sector is the primary focus of PFG. By encouraging and supporting export and market diversification to local manufacturers, PFG is creating additional growth and employment opportunities to further strengthen the food manufacturing sector and its future. This has been evidenced by past attendance at similar shows.

PROPOSAL

The Asia Pacific region is a major focus for Australian exporters as this area is rapidly growing and becoming more affluent. The potential of this region has been outlined in the

Federal Government's *Asian Century Business Engagement Plan*, the Victorian State Government's *Food to Asia Action Plan*, and the *Food and Beverage Growth Plan, Melbourne's North*. Additionally PFG manufacturers have shown increased interest and active participation in this region.

PFG proposes to manage, coordinate and participate in regional stands both at Food and Hotel Asia and SIAL China 2016 to assist local manufacturers with entering into and/or gaining additional export opportunities, as well as promoting the range of its food-related businesses to international markets.

Products from the PFG region will be showcased, displayed and promoted. PFG will be providing opportunities and assistance to all attending members, including exhibiting space, product promotion, freight, marketing, networking, buyer introductions, market intelligence and hosting.

It is proposed that the Plenty Food Group Executive Officer participates at Food and Hotel Asia 2016 and SIAL China 2016, showcasing the PFG and supporting the region's manufacturers by partaking in the mission's activities which include:

Food and Hotel Asia 2016

- Participation with dedicated PFG exhibition space at the Food and Hotel Asia (12 to 15 April 2016) trade show in Singapore, a four day food trade show directly focused on retail, food service and hospitality industries;
- Tailored buyer matching program in Singapore – one on one meetings with retail and food service buyers, distributors, consolidators, Government and other industry representatives, facilitated by the Victorian State Government;
- "Victorian Delegate Reception" – an evening event specifically created to provide networking opportunities between Victorian manufacturers and key participants and buyers within the Asia Pacific food industry; and
- Assisting local businesses with freight consolidation, flight and accommodation arrangements, promotional and other needs as required.

SIAL China 2016

- Participation at the SIAL China 2016 (5 to 7 May 2016) trade show in Shanghai China, a three day food trade show directly focused on retail, food service and hospitality industries;
- Tailored buyer matching program in Shanghai – one on one meetings with retail and food service buyers, distributors, consolidators, Government and other industry representatives, facilitated by the Victorian State Government;
- "Victorian Delegate Reception" – an evening event specifically created to provide networking opportunities between Victorian manufacturers and key participants and buyers within the Asia Pacific food industry;

CONSULTATION

Consultation has been initiated and will continue with the Victorian State Government and local food manufacturers as participants and service providers.

CRITICAL DATES

The Food and Hotel Asia event is being held between 12 and 16 April 2016.

The SIAL China event is being held 5 to 7 May 2016.

FINANCIAL IMPLICATIONS

There is budget for all trade missions – national and international. However, in most cases, trade mission strive to be cost neutral, as income is generated from participating businesses. PFG usually invoices participants for freight, registration and co-ordination activities and the sale of exhibition space.

For the Food and Hotel Asia event, budgeted costs total \$33,600 but budgeted income is predicted to be \$34,000. This event will aim to recover all costs.

For the SIAL China event, budgeted costs total \$3,300. It is expected this can be offset by the predicted \$3,500 income to be generated from a separate export initiative in February 2016, supplying a freight consolidation service from Melbourne to the Middle East for Victorian State Government trade mission participants.

POLICY STRATEGY AND LEGISLATION

The corporate Travel Policy applies to this report as it relates to a staff member travelling overseas on Council business and is seeking prior approval in accordance with the policy.

LINKS TO THE COUNCIL PLAN

FUTURE DIRECTION	Growing our economy
Theme	Economic development
Strategic Objective	Local businesses are supported

Attendance at these trade shows are a tremendous opportunity for local food manufacturers to have their product and industry sector promoted to international buyers, with the aim of establishing export business. By encouraging and supporting export and market diversification to local manufacturers, PFG is creating additional growth and employment opportunities to further strengthen the food manufacturing sector and its future.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

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

CONCLUSION

Food and Hotel Asia 2016 and SIAL China 2016 are major food and hospitality trade events in the Asia Pacific region, attracting major international trade buyers from the retail, food service and hospitality sectors. The Plenty Food Group will be directly assisting local food manufacturers with exhibition space, marketing, logistics and exhibition needs. Plenty Food Group will also be representing and promoting the products and services of more than 160 local food manufacturers and the Plenty Food Group brand as a resource to international buyers.

RECOMMENDATION

THAT Council resolve to approve the attendance of the Plenty Food Group Executive Officer at both the Food and Hotel Asia 2016 event and SIAL China 2016 event and that a written report be provided to Councillors detailing the outcomes of each event.

COUNCIL RESOLUTION

MOVED: *Cr Sinclair*
SECONDED: *Cr Kelly*

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Sinclair, Seconded by Cr Kelly. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

6.5 GOVERNANCE AND ECONOMIC DEVELOPMENT

6.5.1 ASSEMBLIES OF COUNCILLORS - 2 FEBRUARY 2016

File No: 188199
Responsible Officer: Acting Director Governance & Economic Development
Author: Governance Officer

REPORT

SUMMARY

To report to Council the records of Assemblies of Councillors in accordance with Section 80A(2) of the Local Government Act.

BACKGROUND

The Local Government Act 1989 requires records of Assemblies of Councillors to be reported to an ordinary Council meeting and recorded in the minutes of that meeting.

A meeting is an assembly of Councillors if it considers matters that are likely to be the subject of a Council decision or the exercise of a Council delegation and the meeting is:

- A planned or scheduled meeting that includes at least half the Councillors and a member of Council staff; or
- An advisory committee of Council where one or more Councillors are present.

A record must be kept of an assembly of Councillors which lists the Councillors and members of Council staff attending, the matters discussed, disclosures of conflict of interest and whether a Councillor left the meeting after making a disclosure.

PROPOSAL

Assemblies of Councillors records not previously reported to Council are detailed in the following table:-

Assembly Details	Councillor attendees	Officer attendees	Matters discussed
Council Forum 19 November 2015	Cr Kozmevski (Mayor) Cr Kelly (Deputy Mayor) Cr Griffin Cr Harris Cr Kirkham Cr Laios Cr Sinclair Cr Stow	CEO DCS DFOI-A DGED-A DI DPMP MP&C MCA-A TLP	1. Review of Procedural Matters Local Law 2. Forward Strategic Plan – January to October 2016 3. Reporting on Councillor Expenses 4. Safe Work Methods for Councillor Safety 5. Procedure for Preparing alternate motions for Councillors 6. End of Term Mayoral 'gift' proposed discontinuance 7. Amendments to Local Government Act 8. Contract Variation Approval Process <i>Nil disclosures</i>

Assembly Details	Councillor attendees	Officer attendees	Matters discussed
<p>Council Forum 24 November 2015</p>	<p>Cr Kozmevski (Mayor) Cr Kelly (Deputy Mayor) Cr Griffin Cr Harris Cr Lalios Cr Sinclair Cr Spinelli Cr Stow</p>	<p>DAC DCS DFOI-A DGED-A DI DPMP EMA UD COD PP LP TLBDP TLAHE MCCD TLIM</p>	<p>1. Plenty Valley Town Centre Structure Plan Update 2. 460 Cooper Street Epping – Use and Development of a Materials Recycling Centre 3. City of Whittlesea Club In-Kind Contribution Policy 4. Visual Art & Civic History Collections Policy 5. General Business (a) Location of Forum Meetings (b) Mernda Rail</p> <p style="text-align: right;"><i>Nil disclosures</i></p>
<p>Whittlesea Reconciliation Advisory Committee 26 November 2015</p>	<p>Cr Pavlidis</p>	<p>ALC MASP</p>	<p>1. Annual Program and arrangements for the Koori Christmas Barbecue 2. Community Launch of the Whittlesea Aboriginal Community Charter 3. Budget 4. RAP 2 Community Consultation 5. St Damians Primary School – Second Reconciliation Action Plan</p> <p style="text-align: right;"><i>Nil disclosures</i></p>
<p>Arts Cultural Sporting Grants for Young People Advisory Committee 3 December 2015</p>	<p>Cr Kozmevski (Mayor) Cr Kelly (Deputy Mayor) Cr Pavlidis Cr Sinclair Cr Spinelli Cr Stow</p>	<p>DGED-A</p>	<p>The advisory Committee made a recommendation to the delegate regarding the following application via a virtual meeting:</p> <p style="padding-left: 20px;">1. Anthony Grigoropoulos</p> <p style="text-align: right;"><i>Nil disclosures</i></p>
<p>Arts Cultural Sporting Grants for Young People Advisory Committee 10 December 2015</p>	<p>Cr Kozmevski (Mayor) Cr Kelly (Deputy Mayor) Cr Kirkham Cr Pavlidis Cr Sinclair Cr Spinelli Cr Stow</p>	<p>DGED-A</p>	<p>The advisory Committee made a recommendation to the delegate regarding the following application via a virtual meeting:</p> <p style="padding-left: 20px;">1. Angel Ozokwelu</p> <p style="text-align: right;"><i>Nil disclosures</i></p>

Assembly Details	Councillor attendees	Officer attendees	Matters discussed
Council Forum 15 December 2015	Cr Kozmevski (Mayor) Cr Kelly (Deputy Mayor) Cr Griffin Cr Kirkham Cr Laios Cr Sinclair Cr Stow	CEO DAC DCS DFOI-A DGED-A DI DPMP MP&C EMA MFS SSA CSLUP UD	<ol style="list-style-type: none"> 1. Victorian Bus Association Presentation 2. Long Term Financial Plan for the City of Whittlesea 3. Aurora Development Plan Part 2 – Amendment to Resize Town Centres 4. General Business <ol style="list-style-type: none"> (a) Traffic Exiting from Bunnings to Edgars Road Epping (b) Betula Avenue Resurfacing and Traffic Management Devices <p style="text-align: right;"><i>Nil disclosures</i></p>

The table below represents an Index of Officer titles:

Initials	Title of Officer	Initials	Title of Officer
CEO	Chief Executive Officer – David Turnbull	UD	Urban Designer – Iain Brodie
DAC	Director Advocacy & Communications – Griff Davis	CUD	Coordinator Urban Designer – Margie McKay
DCS	Director Community Services – Russell Hopkins	PP	Principal Planner – Murray Ness
DFOI	Director Finance & Organisation Improvement – Rod Wilkinson	LP	Leisure Planner – James Lake
DGED – A	Acting Director Governance & Economic Development – Michael Tonta	TLBDP	Team Leader Business Development and Planning
DI	Director Infrastructure – Nick Mann	TLAHE	Team Leader Arts, Heritage & Events – Sarah Finlay
DPMP	Director Planning & Major Projects – Steve O’Brien	MCCD	Manager Community Cultural Development – Catherine Rinaudo
EMA	Executive Manager Advocacy – Mary Agostino	TLIM	Team Leader Information Management – Mary Ann Rosenthal
MP&C	Manager People & Culture – Sam Dureau	TLP	Team Leader Procurement – Tom Masters
MFS	Manager Financial Services – Darryl Nelson	MCA-A	Acting Manager Civic Administration – Angelo Mamatis
CSLUP	Coordinator Strategic Land Use Planning – Aidan O’Neill	SSA	Strategy and Systems Accountant – Emily Phillips
MASP	Multicultural & Aboriginal Strategic Planner – Ross Barnett	ALC	Aboriginal Liaison Coordinator – Donna Wright

CONSULTATION

Consultation has taken place with internal Council Officer representatives of each of the meetings and committees that qualify as an Assembly of Councillors.

FINANCIAL IMPLICATIONS

There are no financial implications as a result of this report.

POLICY STRATEGY AND LEGISLATION

Section 3C(2)(g) of the Local Government Act 1989 provides that one of Council’s facilitating objectives is to have regard to ensuring transparency and accountability in Council decision making.

Accordingly, section 80A of the Local Government Act 1989 requires that the Chief Executive Officer must ensure that the written record of an assembly of Councillors is, as soon as practicable:-

- (a) reported at an ordinary meeting of the Council; and
- (b) incorporated in the minutes of that Council meeting.

LINKS TO THE COUNCIL PLAN

Future Direction	Good Governance
Theme	Continuous improvement
Strategic Objective	Best practice models of operation are adopted by Council
Council Goal	Council adopts best practice models of operation

The provision of this report is in line with the Future Direction 7 – Good Governance of Council’s Community Plan by ensuring Council adopts best practice models of operation.

DECLARATIONS OF CONFLICTS OF INTEREST

Under section 80C of the Local Government Act 1989 officers providing advice to Council must disclose any interests, including the type of interest.

The Responsible 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.

CONCLUSION

That Council note the record of the Assemblies of Councillors meetings in the table set out in the report.

RECOMMENDATION

THAT Council note the record of the Assemblies of Councillors meetings in the table set out in the report.

COUNCIL RESOLUTION

MOVED: Cr Sinclair
SECONDED: Cr Kelly

The above Recommendation was adopted unchanged as part of an en bloc Resolution Moved by Cr Sinclair, Seconded by Cr Kelly. See Section 6 - Officers' Reports for further information on items adopted en bloc.

CARRIED

6.6 ADVOCACY AND COMMUNICATION

NIL REPORTS

6.7 EXECUTIVE SERVICES

NIL REPORTS

7. NOTICES OF MOTION

NIL REPORTS

8. QUESTIONS TO OFFICERS

NIL

9. URGENT BUSINESS

9.1 URGENT BUSINESS MUNICIPAL ROAD SAFETY STRATEGY COMMITTEE

Cr Kirkham requested that the following matter be dealt with as an item of urgent business:

THAT Council resolve to:

1. Establish a Municipal Road Safety Committee comprising of the following minimum members:
 - a) Council Planners and Transport Engineers
 - b) Victoria Police and Emergency Service Representatives; and
 - c) Interested Councillors.
2. Develop the Committee Terms of Reference focusing on:
 - a) Reducing local road trauma;
 - b) Improving road safety for pedestrians and cyclists
 - c) Sharing and analysing road safety data; and
 - d) Monitoring complaints from residents.
3. Present the Terms of Reference for Council endorsement.
4. Appoint Cr Ricky Kirkham as the Chair of the strategy working group.
5. Develop a Municipal Road Safety Strategy for implementation in 2016/17.

Cr Harris left the Council Chamber at 7:35 PM prior to the vote on item 6.4.2 Traffic Conditions – Botanica Boulevard, Bundoora and Cr Harris returned to the Council Chamber at 7:59 PM prior to the vote on this item 9.1 Urgent Business Municipal Road Safety Strategy Committee.

COUNCIL RESOLUTION

MOVED: *Cr Kirkham*
SECONDED: *Cr Lalios*

THAT Council resolve that this matter be dealt with as an item of Urgent Business.

CARRIED

COUNCIL RESOLUTION

MOVED: *Cr Kirkham*

SECONDED: *Cr Laliros*

THAT Council resolve to:

1. **Establish a Municipal Road Safety Committee comprising of the following minimum members:**
 - a) **Council Planners and Transport Engineers**
 - b) **Victoria Police and Emergency Service Representatives; and**
 - c) **Interested Councillors.**
2. **Develop the Committee Terms of Reference focusing on:**
 - a) **Reducing local road trauma;**
 - b) **Improving road safety for pedestrians and cyclists**
 - c) **Sharing and analysing road safety data; and**
 - d) **Monitoring complaints from residents.**
3. **Present the Terms of Reference for Council endorsement.**
4. **Appoint Cr Ricky Kirkham as the Chair of the strategy working group.**
5. **Develop a Municipal Road Safety Strategy for implementation in 2016/17.**

CARRIED

10. REPORTS FROM DELEGATES APPOINTED TO COUNCIL BY OTHER BODIES

10.1 YARRA PLENTY REGIONAL LIBRARY BOARD

Cr Lalios provided an overview of a recent meeting of the Yarra Plenty Regional Library Board when the following items were discussed:

- Surprise farewell to outgoing Chief Executive Officer, Christine MacKenzie.

COUNCIL RESOLUTION

MOVED: *Cr Kelly*
SECONDED: *Cr Sinclair*

THAT Council resolve to note the Delegate's report and write a letter of congratulations to former Chief Executive Officer of the Yarra Plenty Regional Library Services, Christine MacKenzie.

CARRIED

11. QUESTIONS TO COUNCILLORS

The answers provided verbally by the Mayor at the meeting in response to questions asked by members of the public are preliminary answers provided on a without prejudice basis. A formal written response to each question is sent following the Council meeting which contains Council official position on the matter.

NIL

12. CONFIDENTIAL BUSINESS

12.1 PLANNING AND MAJOR PROJECTS

**12.1.1 EXTENSION AND REFURBISHMENT WORKS AT THE BARRY ROAD
COMMUNITY ACTIVITY CENTRE CONTRACT 2015-160 - TENDER
EVALUATION REPORT**

12.2 COMMUNITY SERVICES

NIL REPORTS

12.3 FINANCE AND ORGANISATION IMPROVEMENT

NIL REPORTS

12.4 INFRASTRUCTURE

**12.4.1 SUPPLY OF ROAD, DRAINAGE AND ASSOCIATED STREET LIGHTING
WORKS - SR101111 A-F - FINALISATION**

**12.4.2 PROVISION OF MAINTENANCE SERVICE TO EXIT AND EMERGENCY
LIGHTING - CONTRACT NO. CT091039 - CONTRACT VARIATION**

12.4.3 SUEZ GREEN WASTE PROCESSING VARIATION

**12.4.4 SUPPLY OF MAINTENANCE SERVICES TO CAPSTONE COGENERATION
PLANT - CONTRACT 2015-211 - TENDER EVALUATION**

**12.4.5 MCKIMMIES ROAD URBANISATION - CONTRACT NO. 2015-192 -
TENDER EVALUATION REPORT**

12.5 GOVERNANCE AND ECONOMIC DEVELOPMENT

NIL REPORTS

12.6 ADVOCACY AND COMMUNICATION

NIL REPORTS

12.7 EXECUTIVE SERVICES

**12.7.1 CONTRACT VARIATION REPORT - CONTRACT NO. MAPS 1410-0618
PROVISION OF RECRUITMENT, TRAINING & ASSOCIATED SERVICES**

**12.7.2 MEETINGS OF THE CHIEF EXECUTIVE OFFICER - 30 NOVEMBER 2015
TO 22 JANUARY 2016**

COUNCIL RESOLUTION

MOVED: Cr Kelly
SECONDED: Cr Sinclair

THAT Council resolve to close the meeting to members of the public for the purpose of considering details relating to the confidential matters above in accordance with Section 89(2) of the Local Government Act 1989 as follows:

12.1.1 EXTENSION AND REFURBISHMENT WORKS AT THE BARRY ROAD COMMUNITY ACTIVITY CENTRE CONTRACT 2015-160 - TENDER EVALUATION REPORT

Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989.

12.4.1 SUPPLY OF ROAD, DRAINAGE AND ASSOCIATED STREET LIGHTING WORKS - SR101111 A-F - FINALISATION

Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989.

12.4.2 PROVISION OF MAINTENANCE SERVICE TO EXIT AND EMERGENCY LIGHTING - CONTRACT NO. CT091039 - CONTRACT VARIATION

Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989.

12.4.3 SUEZ GREEN WASTE PROCESSING VARIATION

Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989.

12.4.4 SUPPLY OF MAINTENANCE SERVICES TO CAPSTONE COGENERATION PLANT - CONTRACT 2015-211 - TENDER EVALUATION

Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989.

12.4.5 MCKIMMIES ROAD URBANISATION - CONTRACT NO. 2015-192 - TENDER EVALUATION REPORT

Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989.

12.7.1 CONTRACT VARIATION REPORT - CONTRACT NO. MAPS 1410-0618 PROVISION OF RECRUITMENT, TRAINING & ASSOCIATED SERVICES

Confidential in accordance with Section 89(2)(d) of the Local Government Act 1989.

12.7.2 MEETINGS OF THE CHIEF EXECUTIVE OFFICER - 30 NOVEMBER 2015 TO 22 JANUARY 2016

Confidential in accordance with Section 89(2)(h) of the Local Government Act 1989.

CARRIED

ACCORDINGLY, THE MEETING WAS CLOSED TO THE PUBLIC AT 8:04 PM.

THE MEETING WAS RE-OPENED TO THE PUBLIC AT 9:59 PM.

13. CLOSURE

THERE BEING NO FURTHER BUSINESS THE MAYOR DECLARED THE MEETING CLOSED AT 9:59 PM.

CONFIRMED THIS 23RD FEBRUARY 2016

CR STEVAN KOZMEVSKI
MAYOR