

Agenda

Ordinary Meeting of Council

Tuesday, 26 November 2019

6:30pm

Ordinary Meeting of Council

Tuesday, 26 November 2019 at 6:30pm
to be held at the Moonee Valley Civic Centre

Members:	Cr Samantha Byrne	Mayor
	Cr John Sipek	Deputy Mayor
	Cr Jim Cusack	
	Cr Rebecca Gauci Maurici	
	Cr Richard Lawrence	
	Cr Nicole Marshall	
	Cr Cam Nation	
	Cr Narelle Sharpe	
	Cr Andrea Surace	
Officers:	Bryan Lancaster	Chief Executive Officer
	Kendrea Pope	Group Manager Operations
	Vincent Cammell	Group Manager City Development
	Jessie Keating	Executive Manager Planning
	Kate McCaughey	Executive Manager Community Planning
	Petrus Barry	Manager Statutory Planning
	Meghan Hopper	Senior Coordinator Governance and Advocacy

Business:

1. Opening

2. Reconciliation Statement

3. Apologies and Leave of Absence

4. Confirmation of Minutes

Ordinary Meeting of Council held on Tuesday, 12 November 2019.

5. Declarations of Conflict of Interest

6. Presentations

7. Petitions and Joint Letters

Nil.

8. Public Question Time

9. Reports from Special Committees

Nil.

10. Reports

10.1 Airport West Local Area Traffic Management study5

10.2 MV2040 Action Plan: Fair (Draft) 13

10.3 Response to Notice of Motion 2019/17 - Pedestrian crossings in
Essendon North 18

10.4 Update to Response to Notice of Motion 2018/17 - Commercial
Car Hire.....24

10.5 Response to Petition - Market Lane, Aspen/Hall Streets traffic
flow29

10.6 Participation in the Cities Power Partnership Program35

10.7 Proposed Leases to Axicom and Optus over part of Walter Street
Reserve.....40

10.8 Councillor appointments to portfolios, committees and external
bodies45

10.9 Assemblies of Councillors51

11. Notices of Motion

Nil.

- 12. Urgent Business**
- 13. Delegates Reports**
- 14. Confidential Reports**
Nil.
- 15. Close of Meeting**

BRYAN LANCASTER
Chief Executive Officer

REPORTS

10.1 Airport West Local Area Traffic Management study

Author: James Kempen - Traffic and Transport Engineer

Business Unit: Engineering Services

1. Purpose

- 1.1 This report provides the outcome of the community consultation for the Airport West Local Area Traffic Management study and recommends adoption of the Final Traffic Management Plan and Final Parking Management Plan, updated with consideration of the community feedback.

2. Background

- 2.1 In December 2011, Council adopted the Municipal Parking Strategy, including actions to complete a Local Area Traffic Management (LATM) Implementation Program. Council adopted the LATM process and priority program in May 2012, and most recently updated in May 2018.
- 2.2 One LATM precinct was identified for completion in 2018-19, being the Airport West LATM study.
- 2.3 The Airport West LATM study area is bound by the Tullamarine Freeway to the east, the Calder Freeway to the south, and the Western Ring Road to the north-west.
- 2.4 The Airport West LATM study area comprises a mixture of land-uses including schools (Niddrie Primary School, Essendon East Keilor College – Niddrie Campus, and St Christopher’s Primary School), parkland (Hansen Etzel Reserve and AJ Davis Reserve), commercial and industrial areas particularly along Matthews Avenue and the western end of Fullarton Road, Westfield Shopping Centre, and broad areas of residential development.
- 2.5 The LATM process involves a number of steps. The first is identifying existing traffic and parking issues and opportunities by considering community input and collecting data. A Draft TMP and Draft PMP are then developed and circulated to the broader community for feedback. The feedback is considered before a Final TMP and Final PMP are completed and reported to Council for consideration and endorsement.
- 2.6 The tasks undertaken to date include:
 - 2.6.1 June 2018: Every property occupier and landowner in the Airport West LATM study area was invited to provide feedback to Council on issues, concerns and opportunities around traffic and parking in the local area. This was undertaken in the form of a circular and it included a questionnaire survey.

- 2.6.2 July 2018: Council appointed an independent consultant (O'Brien Traffic) to assist in the development of the Airport West LATM Study.
- 2.6.3 October 2018: Parking occupancy surveys and tube surveys were conducted throughout the study area.
- 2.6.4 December 2018: Draft LATM report submitted to Council officers for review.
- 2.6.5 May 2019: The Draft TMP and Draft PMP was distributed to all property occupier and landowner in the Airport West LATM study area. Feedback on the draft proposals was requested.

3. Issues

Final Traffic Management Plan

- 3.1 A copy of the Draft TMP is provided in **Attachment A** (separately circulated) and a summary of all feedback is provided in **Attachment B** (separately circulated). Additional traffic issues raised during the consultation are discussed in **Attachment C** (separately circulated).
- 3.2 Based on the feedback all draft proposals to be incorporated into the Final TMP without amendment, however the following additional items will be considered as part of the plan:
 - 3.2.1 As part of item D, install STOP signage and line marking on Cope Street at the intersection.
 - 3.2.2 As part of item D, further investigation of pedestrian/vehicle numbers at the McNamara Avenue / South Road / King Street intersection to determine if pedestrian crossing would be justified.
- 3.3 All feedback was considered with Council officers determining which additional traffic items required action or not. Major items identified are listed below, with full details available in **Appendix C** (separately circulated):
 - 3.3.1 McNamara Avenue / Fraser Street – Upgrade the centre annulus of the roundabout to concrete. This is shown as item AF on the Final TMP.
 - 3.3.2 Parer Road / Louis Street – Install kerb extensions at this location with the potential for a future upgrade to pedestrian crossing. This has been incorporated into item H on the Final TMP.
 - 3.3.3 Sexton Street – Upgrade pram ramps near Victory Road. This is shown as item AG on the Final TMP.
 - 3.3.4 Moore Road – Remove existing Watt Profile road hump at No.97 and install two (2) flat top road humps at No.93 and No.105. This is shown as item AH on the Final TMP.
- 3.4 The Final TMP is presented in **Attachment D** (separately circulated).

Final Parking Management Plan

- 3.5 The Draft PMP is provided in **Attachment E** (separately circulated) and a summary of all feedback is provided in **Attachment F** (separately circulated). Additional parking issues raised during the consultation are discussed in **Attachment G** (separately circulated).
- 3.6 Based on the feedback the following is recommended for the Final PMP:
- 3.6.1 Abandon the 3P parking proposal in Altna Avenue and Highlawn Avenue.
- 3.6.2 Amend the proposed parking changes in the following streets:
- 3.6.2.1 Bowes Avenue – Amend the parking proposal as follows: 2P west side between King Street and Fraser Street, 2P east side between Fraser Street and York Street, Unrestricted parking applying on all other sides. Undertake additional consultation with adjacent owners and occupiers.
- 3.6.2.2 Halsey Road – Amend the parking proposal with 2P applying to the north side of the street and unrestricted parking apply on the south side. Undertake additional consultation with adjacent owners and occupiers.
- 3.6.2.3 King Street – Abandon the 2P parking change as part of the Final PMP. Establish unrestricted parking in this the section between McNamara Avenue and Bowes Avenue. Continue to monitor parking demands in the residential section of King Street.
- 3.6.3 Consult on additional parking proposals as follows:
- 3.6.3.1 Clydesdale Road - Consult on the installation of No Stopping restrictions on the west side of Clydesdale Road between Roberts Road and Ian Crescent.
- 3.6.3.2 Fullarton Road – Install formal No Stopping restrictions on the south side of Fullarton Road between Grange Road and Matthews Avenue.
- 3.6.3.3 Fullarton Road – Install formal No Stopping restrictions on both sides of Fullarton Road between Moorna Drive and McNamara Avenue.
- 3.6.3.4 King Street – Undertake additional consultation on appropriate parking restrictions in King Street between Bowes Avenue and Matthews Avenue.
- 3.7 Proceed with all other parking changes from the Draft PMP.
- 3.8 The Final PMP is presented in **Attachment H** (separately circulated).

Revised LATM study process

- 3.9 At the Ordinary Meeting of 8 May 2018, Council adopted a revised consultation process in advancing the Local Area Traffic Management Precinct Plans.
- 3.10 The Council Resolution included the requirement for a report which details how the revised process worked, any issues that arose through the new process and whether any refinements to the process are needed. These matters are addressed as part of this report.
- 3.11 In revising the process for undertaking the LATMs, the requirement to undertake Study Group Committee Meetings and the tasks relating to this component (including, but not limited to the development of a draft LATM Council report, multiple accompanied site visits, phone calls, meetings and bus tours) was removed.
- 3.12 Some delay in the study process was primarily the result of additional refinements of the Draft TMP and Draft PMP in order to get the plans to an acceptable standard for community consultation. In addition the number of owners and occupiers in the Airport West LATM study area is approximately 70-100% larger than recent LATM studies in North Essendon and Valley Lake 2A areas.
- 3.13 At this point in time no refinements to the process are recommended. However Council officers are looking at options to bring some of the LATM activities in-house; analysis of the baseline conditions for the consultant to review, and the drafting of the plans.

Costing and Staging

- 3.14 The parking changes and minor traffic items will be implemented immediately as part of the Transport operating budget. The estimated cost of these minor items is \$37,000.
- 3.15 Any significant works will be designed and constructed as part of the Capital Works program. There is \$100,000 in the 2019/20 program to progress the design of key projects. The estimated cost of the delivery of major traffic items as part of the Airport West is \$1,305,000. This is yet to be allocated within Council's Capital Works program. Further details are provided in **Attachment I** (separately circulated).
- 3.16 Council will advocate to VicRoads for funding of projects on roads which they are the Responsible Road Authority.

Recommendation

That Council resolves to:

- a. **Adopt for implementation the Final Traffic Management Plan as presented in Attachment D (separately circulated).**
- b. **Adopt for implementation the Final Parking Management Plan as presented in Attachment H (separately circulated).**
- c. **Note the additional traffic and parking issues raised by the local community presented in Attachment C (separately circulated) and Attachment G (separately circulated).**

- d. **Refer significant works with the Final Traffic Management Plan and Final Parking Management Plan to the future Capital Work Program for funding consideration.**
- e. **Advise owners and occupiers within the Airport West LATM study area of the outcome of this report.**

Attachments

- A: Draft Traffic Management Plan - Airport West LATM (separately circulated) 
- B: Feedback on Draft Traffic Management Plan - Airport West LATM (separately circulated) 
- C: Additional Traffic Issues - Airport West LATM (separately circulated) 
- D: Final Traffic Management Plan - Airport West LATM (separately circulated) 
- E: Draft Parking Management Plan - Airport West LATM (separately circulated) 
- F: Feedback on Draft Parking Management Plan - Airport West LATM (separately circulated) 
- G: Additional Parking Issues - Airport West LATM (separately circulated) 
- H: Final Parking Management Plan - Airport West LATM (separately circulated) 
- I: Costing and staging of LATM items - Airport West LATM (separately circulated) 

Impact Assessment

1. Relationship to Council commitment MV2040 or Council Plan

1.1 The Local Area Traffic Management program supports Theme 3: Connected (Yanoninnon Maggolee, which means 'travel here' in Woi wurrung language) of MV2040. In particular the program supports Strategic Direction 11: A city with streets and spaces for people, and the following actions:

1.1.1 Action 11.1.2: Consider reducing the speed limit on Council roads

1.1.2 Action 11.2.2: Create a high-quality bicycle network, including dedicated separated bicycle paths where possible.

1.1.3 Action 11.3.1: Provide parking that is well designed, well located, appropriately priced and flexibly managed.

1.1.4 Action 11.3.2: Introduce technology to enable parking assistance, enforcement, data collection and management in areas of high demand.

1.1.5 Action 11.4.1: Deliver road infrastructure improvements to increase safety in areas with the highest crash risk

1.1.6 Action 11.4.2: Advocate for infrastructure improvements at arterial road problem locations

2. Legislative obligations

2.1 The recommendation of this report accords with powers concerning traffic and parking set out in the Schedule 11 of the Local Government Act 1989.

2.2 There are no Human Rights implications associated with the recommendation of this report.

3. Legal implications

3.1 No significant legal implications have been identified.

4. Risks

4.1 No significant risks have been identified.

5. Social impact assessment

5.1 The recommendation of this report will impact positively on the Airport West community by addressing key traffic and parking raised as part of the LATM study.

6. Economic impact assessment

6.1 The nature of this report does not have any significant economic development implications.

7. Environmental impact assessment

7.1 The nature of this report does not have any significant environmental implications.

8. Reputational impact assessment

- 8.1 The recommendation of this report supports Council's reputation as a responsible road manager.

9. Financial implications

- 9.1 The parking changes and minor traffic items will be implemented immediately as part of the Transport operating budget. The estimated cost of these minor items is \$37,000.
- 9.2 Any significant works will be designed and constructed as part of the Capital Works program. There is \$100,000 in the 2019/20 program to progress the design of key projects. The estimated cost of the delivery of major traffic items as part of the Airport West is \$1,305,000. Further details are provided in **Attachment I**.
- 9.3 Council will advocate to VicRoads for funding of projects on roads which they are the Responsible Road Authority.

10. Sensitivity / scenario analysis

- 10.1 No significant variables or externalities relating to the recommendation of this report have been identified.

11. Conflict of interest declaration

- 11.1 No officer involved in the preparation of this report has any direct or indirect interest in this matter or the decision.

12. Consultation undertaken or planned

- 12.1 In June 2018, a circular (including a questionnaire survey) was sent to every property occupier and landowner in the Airport West study area. The circular requested feedback on community concerns around traffic and parking issues.
- 12.2 5403 circulars were distributed and a total of 179 responses were received, representing a response rate of 3.3 percent. The typical response rate for a self-completed questionnaire around metropolitan Melbourne is usually in the order of 5 to 10 per cent.
- 12.3 The Draft TMP and Draft PMP were distributed to every property occupier and landowner in the Airport West study area in May 2019. 146 responses were received, a response rate of 2.7 percent. The level of feedback was lower than in previous LATM studies. This is likely due to two factors:
- 12.3.1 Asking respondents to provide a free-text response rather than a vote of support appeared to receive less positive feedback.
- 12.3.2 In general the traffic and parking proposals are targeted to a small subset of roads. Whilst item A applies to all local roads (excluding Matthews Avenue and Fullarton Road), the majority of roads were found to require no other traffic or parking changes.
- 12.4 Consultation was also undertaken with key stakeholders including schools, emergency services, public transport providers and VicRoads.

12.5 Feedback on the proposed traffic and parking changes was considered and incorporated into the Final TMP and Final TMP where appropriate.

10.2 MV2040 Action Plan: Fair (Draft)

Author: Melissa Ensink - Health Planner

Business Unit: Community Planning

1. Purpose

- 1.1 To present a draft MV2040 Action Plan: Fair (Qeente Boordup) for Council endorsement and public exhibition from 27 November 2019 to 24 January 2020.

2. Background

- 2.1 Council's long-term strategy, MV2040 was adopted in June 2018.
- 2.2 MV2040 has a vision for a 'healthy city' and outlines how Council will achieve this through strategic directions, objectives and actions under the five themes of fair, thriving, connected, green and beautiful. It has a specific focus on neighbourhood planning to support 13 walkable neighbourhoods.
- 2.3 The draft MV2040 Action Plan: Fair (draft Fair Action Plan) provides additional detail as to how Council will deliver on the fair theme of MV2040 over the next six years (2020 – 2025). It focuses on reducing inequality through neighbourhood place-based approaches and working with target populations facing barriers to inclusion. This approach is consistent with:
 - 2.3.1 Other cities around the world who have adopted long term strategies, and produced additional supporting plans to progress social justice and equity seeking outcomes.
 - 2.3.2 Long-term policy approaches which emphasize the importance of 'co-benefits' in program design and delivery. That is, "*...any good solution should have co-benefits. If it just addresses one problem then it's probably not the right solution.*" (Lisa Helps, Mayor of Victoria, British Columbia at the 2019 NewCities Wellbeing Cities Forum in Montreal Canada)
 - 2.3.3 A discernible trend where local governments across Australia have worked successfully in partnership with communities to realise better social outcomes.
 - 2.3.4 Definitions of equity as being the right of every person to have access to opportunities necessary for satisfying essential needs and advancing their well-being.

3. Issues


- 3.1 Moonee Valley is a diverse community, made up of 13 distinct neighbourhoods with their own strengths and distinctive characteristics. Moonee Valley's neighbourhoods experience different levels of health and wellbeing (with some better than others). Similarly, some members of our community face social, cultural, recreational and economic barriers and access to services.

- 3.2 The draft Fair Action Plan (**Attachment A** – circulated separately) aims to achieve a fairer city through neighbourhood planning (place-based solutions and partnerships); and by focusing on target populations to increase inclusion, access and equity. Reducing inequality is a central way in which Council will work to improve health and wellbeing outcomes for everyone in our city.
- 3.3 The draft Fair Action Plan brings together a number of previous separate social policies, strategies and actions plans addressing specific target populations and/or priorities, such as the Early Years Plan, the Disability Action Plan, the Diversity, Access and Equity Policy, the Active Ageing Strategy, Thrive (Youth) Strategy and the Community Safety Plan. Subject to the draft Fair Action Plan being endorsed by Council in 2020, it is proposed that these previously endorsed policies, strategies and plans be formally made redundant.
- 3.4 Some 12 Council departments will work with partners and community to deliver the Plan over the next six years. This integrated approach across both policy and service delivery allows Council to better align its work, reduce duplication and increase effectiveness. To this end, the draft Fair Action Plan has identified ten major programs to:
- 3.4.1 Be better positioned to realise ‘co-benefits’ and shared outcomes.
 - 3.4.2 Emphasise collaboration across Council teams and with our community and partners.
 - 3.4.3 Deliver well-designed and impactful programs to improve the health, social and economic outcomes for our community.
- 3.5 The Reconciliation Plan will continue to be separate and is currently in development. It will be presented to Council in 2020.

Recommendation

That Council endorses the draft *MV2040 Action Plan: Fair* for public exhibition from 27 November 2019 to 24 January 2020 with the view to bringing it back to Council for endorsement in early 2020.

Attachments

A: MV2040 Action Plan: Fair (Draft) (separately circulated) 

Impact Assessment

1. Relationship to Council commitment MV2040 or Council Plan

- 1.1 Theme 1: Fair (Qeente Boordup, which means 'fair' in Woi wurrung language).

2. Legislative obligations

- 2.1 The *Local Government Act 1989 (Vic)* requires councils to “ensure that services and facilities provided by the Council are accessible and equitable” (3C (2)(e)).
- 2.2 The *Public Health and Wellbeing Act 2008 (Vic)* requires councils to work towards achieving the health and wellbeing priorities of our community in line with the Victorian Public Health and Wellbeing Plan. It also requires community involvement in the development, implementation and evaluation of this work.
- 2.3 *Charter of Human Rights and Responsibilities Act 2006 (Vic)* requires councils to be consistent with the 20 fundamental human rights of the Charter.
- 2.4 The *Disability Act 2006 (Vic)* requires Councils to address access to goods, services and facilities; barriers to employment; inclusion and participation and attitudes and discriminatory practices for people with disability.
- 2.5 There are also a number of other relevant legislative obligations for Council, that align with items identified in the draft Action Plan, under the following Victorian legislation:
 - 2.5.1 *Planning and Environment Act 1987*
 - 2.5.2 *the Equal Opportunity Act 2010*
 - 2.5.3 *the Family Violence Protection Act 2008*
 - 2.5.4 *the Multicultural Victoria Act 2011*
 - 2.5.5 *the Victorian Racial and Religious Tolerance Act 2001*
 - 2.5.6 *the Carers Recognition Act 2012*
- 2.6 Other relevant Commonwealth legislation includes: the *Disability Discrimination Act 1992 (Cwlth)*, the *Racial Discrimination Act 1976 (Cwlth)*, the *Sex Discrimination Act 1984 (Cwlth)*, the *Age Discrimination Act 2004 (Cwlth)*, the *Sex Discrimination Amendment (Sexual Orientation, Gender Identity and Intersex Status Act 2013 (Cwlth)*.

3. Legal implications

- 3.1 No legal implications have been identified.

4. Risks

- 4.1 No risks have been identified.

5. Social impact assessment

5.1 The draft Fair Action Plan outlines how Council will implement the Fair theme with a focus on neighbourhood planning and target populations to improve the health and wellbeing of our community. It will positively impact on the health and safety of our community with specific actions to address access, equity and inclusion.

6. Economic impact assessment

6.1 The draft Fair Action Plan will positively impact on the economic development of the municipality. It aims to reduce the economic burden of disease, increase economic equality and promote economic opportunities for everyone.

7. Environmental impact assessment

7.1 The draft Fair Action Plan supports the green theme of MV2040 and aims to develop resilient neighbourhoods by increasing community connections and reducing inequality. Inequality is known to exacerbate climate change impacts on our community. By reducing inequality, Council is aiming to increase community resilience to climate shocks.

8. Reputational impact assessment

8.1 The draft Fair Action Plan will positively impact on Council's reputation by providing a comprehensive approach to improving the lives of all community members.

9. Financial implications

9.1 Financial resources and Council's workforce have been aligned to deliver the draft Fair Action Plan.

9.2 Council has an ability to deliver all items articulated in the plan. The extent to which progress can be made on some items over the six-year period will depend on a range of factors including: external funding, future partnerships, emerging priorities at other levels of government; unforeseen external major projects affecting the municipality and other emerging social trends.

10. Sensitivity / scenario analysis

10.1 Multiple variables are anticipated over the life the six-year draft Fair Action Plan. These include: changing demographics; emerging community needs and issues; changing State and Federal government policy and priorities; as well as new funding opportunities. Implementation will include action research models and use evidence to inform how Council learns from, plans and delivers services.

11. Conflict of interest declaration

11.1 No officer involved in the preparation of this report has any direct or indirect interest in this matter or the decision.

12. Consultation undertaken or planned

- 12.1 Consultation was undertaken with a range of stakeholders and community members to help inform the draft Fair Action Plan. This included: the Inclusion, Diversity, Equity and Access and Wellbeing Portfolio Advisory Committee members, a Fair Action Plan Reference Group - made up of community members and representatives from key organisations who met during the development of the draft Fair Action Plan, a Combined Portfolio Advisory Committee meeting, the Disability Reference Group, the Active Ageing Reference Group, the Early Years' Reference Group, Young People's Committee and homelessness stakeholders roundtable.
- 12.2 The draft Fair Action Plan will be on public exhibition for eight weeks from 27 November to 24 January and promoted to our partners and community members.
- 12.3 The final Action Plan incorporating feedback from the public, will be presented to Council in February 2020.

10.3 Response to Notice of Motion 2019/17 - Pedestrian crossings in Essendon North

Author: James Kempen - Traffic and Transport Engineer

Business Unit: Engineering Services

1. Purpose

- 1.1 This report is a response to the Notice of Motion 2019/17 from the Ordinary meeting of 25 July 2019.

2. Background

- 2.1 The Notice of Motion at the Ordinary meeting of 25 July 2019 requires a report to be brought back to Council with regard to traffic and pedestrian safety in Essendon North Village which identifies:
- 2.1.1 Particular areas or points of concern raised through LATM studies and feedback from the community
 - 2.1.2 Work already undertaken or scheduled to be undertaken in the area and timelines
 - 2.1.3 Advocacy previously undertaken in this area (details of form taken, to whom and dates)
 - 2.1.4 Further potential advocacy to address items of concern
 - 2.1.5 Any other relevant matters.
- 2.2 The matter also relates to a previous Notice of Motion at the Ordinary meeting of 12 March 2019, where Council resolved to write to each of the following:
- 2.2.1 State Member for Essendon, Mr Danny Pearson MP
 - 2.2.2 State Member for Niddrie, The Hon Ben Carroll MP
 - 2.2.3 Minister for Transport Infrastructure, The Hon Jacinta Allan MP
 - 2.2.4 Minister for Roads and Minister for Road Safety and the TAC, The Hon Jaala Pulford MLC
- requesting they acknowledge the current unacceptable state of the North Essendon junction (Bulla Road/Keilor Road/Lincoln Road) and take immediate action to address the safety concerns at this North Essendon junction (Bulla Road/Keilor Road/Lincoln Road)".
- 2.3 Implementation Initiative #104 of *MV2040*, Council's guiding strategy, states that Council will 'Advocate for improvements to the Keilor Road and Mt Alexander Road intersection'.

3. Issues

- 3.1 Particular areas or points of concern raised through LATM studies and feedback from the community includes the following:
- 3.1.1 During the development of the Fletcher, St Therese's and North Essendon Local Area Traffic Management (LATM) studies,

significant concerns were raised by the local community with regards to safety issues at the following intersections:

- Mt Alexander Road / Keilor Road / Bulla Road / Lincoln Road (Intersection 1); and
- Mt Alexander Road / Leake Street / Glass Street (Intersection 2).

3.1.2 A review of VicRoads' casualty crash statistics found that in the five year period of 2014-2018, there were a significant number of casualty accidents recorded at both intersections. 25 casualty accidents have been recorded at Intersection 1, and 9 casualty accidents at Intersection 2.

3.1.3 The casualty accidents at Intersection 1 were varied, but several common aspects were identified, including rear end collisions, side swiping, and failures to give way on the southern Mt Alexander approach and the western Keilor Road approach. The number and varied nature of the casualty accidents suggest an integrated transport improvement approach is required to address road safety, congestion, pedestrian, cycling and transport issues. Council officers recommend the intersection be upgraded to have full traffic signal control.

3.1.4 At Intersection 2, four of the nine casualty accidents involved pedestrians crossing at the existing pedestrian crossings at the intersection. Council officers consider the existing crossing facilities are performing poorly, and recommend they be upgraded to pedestrian operated signals.

3.2 Both intersections are Declared Arterial Roads and VicRoads is the responsible road authority for the operation and management of the intersections. Work already undertaken or scheduled to be undertaken in the area and timelines includes the following:

3.2.1 At Intersection 1 the following work has been undertaken recently:

- Early 2017: signage and line marking amendments were completed by VicRoads to make the tram zone more prominent, and improve the visibility/compliance of various signs.
- January 2019: a member of the public submitted a Road Safety Audit to Council officers following a fatal pedestrian accident at the Lincoln Road pedestrian operated signals. The audit was reviewed by Council officers and referred to VicRoads.
- May 2019: VicRoads advised Council officers that a number of options were being considered for the site as part of the project development for a future funding submission.
- June 2019: Council officers requested re-marking of the northbound lanes through the roundabout.

- 3.2.2 In September 2018, Council officers requested some modifications to signage at Intersection 2 and a review of the lighting levels.
- 3.2.3 VicRoads is not proposing any significant upcoming works at either intersection in the 2019/20 financial year.
- 3.3 Advocacy previously undertaken in this area (details of form taken, to whom and dates) includes the following:
 - 3.3.1 Council officers meet bi-monthly with VicRoads officers from the North-West region to discuss any issues arising on the Arterial Road network. Issues at both intersections have been raised at these meeting.
 - 3.3.2 Council officers met with the Essendon North Traders Association in August 2018, with the safety and operation of these intersections discussed.
 - 3.3.3 Council endorsed the inclusion of 'A plan for a safer Essendon North Intersection' in the refreshed Advocacy Strategy 2018-21 at its meeting of 26 March 2019. Subsequently a copy of the new Advocacy Prospectus including this item was circulated to all local candidates in the Federal Election as well as relevant Federal Ministers and Shadow Ministers and State Members of Parliament.
 - 3.3.4 Following the Notice of Motion in March 2019, the Mayor wrote to members of the State Government. The Minister for Roads and Minister for Road Safety and the TAC, The Hon. Jaala Pulford MLC, responded that VicRoads will work with all safety partners, including Council, in order to prepare a funding submission for a future program.
 - 3.3.5 Safety at the Essendon North roundabout was the subject of an article which appeared in the Moonee Valley Leader on 20 August. The article was supportive of Council's call for signalisation.
- 3.4 Further potential advocacy to address items of concern
 - 3.4.1 The response from The Hon. Jaala Pulford MLC regarding Intersection 1 is considered promising, with the Minister advising VicRoads will work with the City of Moonee Valley and all road safety partners to prepare a funding submission in a future program.
 - 3.4.2 As such, it is considered appropriate Council continue to work with VicRoads to prepare a proposal for funding for this project.
 - 3.4.3 This proposal would be supplied to local Members of Parliament with the request that they advocate for its inclusion as part of the State Budget 2020-21.
- 3.5 Other relevant matters for noting within correspondence with local Members of Parliament include the following:
 - 3.5.1 Safety concerns at Intersection 2, which could be dealt with as part of the same project development.

- 3.5.2 Accessible parking upgrades are currently being progressed in Leake Street and the eastern Mt Alexander Road service road (near SIA medical clinic) as part of the 2019/20 Capital Works Program.
- 3.5.3 In March 2019, road humps were installed in the Mt Alexander Road centre median parking to address issues with northbound traffic on Mt Alexander Road 'rat running' at excessive speeds through the carpark in order to get ahead of the queue on Mt Alexander Road. In doing so, those vehicles were jeopardising the safety of users of the carpark.

Recommendation

That Council resolves to:

- 1. Continue to work with VicRoads to prepare a funding submission for improvements to the intersection of Mt Alexander Road / Keilor Road / Bulla Road / Lincoln Road.**
- 2. Provide a copy of this funding submission to the following MPs, with a request they advocate for its inclusion in the 2020-21 Victorian State Budget:**
 - a. State Member for Essendon, Mr Danny Pearson MP**
 - b. State Member for Niddrie, The Hon. Ben Carroll MP**
- 3. Advocate for safety improvements at the intersection of Mt Alexander Road / Leake Street / Glass Street.**

Attachments

A: Casualty Crash Summary (separately circulated) 

Impact Assessment

1. Relationship to Council commitment MV2040 or Council Plan

1.1 Key priorities and strategies of MV2040 supported by the upgrade of arterial road intersections are Theme 3: Connected (Yanoninnon Maggolee, which means 'travel here' in Woi wurrung language), including the following:

1.1.1 STRATEGIC DIRECTION 11: A city with streets and spaces for people

1.1.2 Objective 11.4: Focus on road safety

1.1.3 Action 11.4.2: Advocate for infrastructure improvements at arterial road problem locations

2. Legislative obligations

2.1 No legislative obligations have been identified in relation to this report.

3. Legal implications

3.1 No significant legal implications have been identified.

4. Risks

4.1 No significant risks have been identified.

5. Social impact assessment

5.1 The recommendation of this report will impact positively on Council's continued advocacy efforts to improve road safety outcomes at the two intersections.

6. Economic impact assessment

6.1 The nature of this report does not have any significant economic development implications.

7. Environmental impact assessment

7.1 The nature of this report does not have any significant environmental implications.

8. Reputational impact assessment

8.1 The recommendation of this report supports Council's reputation as an advocate on behalf of the local community for improvements on the Arterial Road network.

9. Financial implications

9.1 The nature of this report does not have any significant financial implications.

10. Sensitivity / scenario analysis

10.1 No significant variables or externalities relating to the recommendation of this report have been identified.

11. Conflict of interest declaration

11.1 No officer involved in the preparation of this report has any direct or indirect interest in this matter or the decision.

12. Consultation undertaken or planned

12.1 Consultation with the community has previously been undertaken as part of the Fletcher, St Therese's and North Essendon Local Area Traffic Management (LATM) studies.

12.2 Council officers will work collaboratively with VicRoads during any future community consultation as part of the project development for upgrades at these intersections.

10.4 Update to Response to Notice of Motion 2018/17 - Commercial Car Hire

Author: Gary Green - Senior Traffic and Transport Engineer

Business Unit: Engineering Services

1. Purpose

- 1.1 The purpose of the report is to respond to Notice of Motion 2018/17 – Commercial Car Hire with respect to a specific operating model run by SHARE NOW (formerly Car2Go) and its suitability to operate within the City of Moonee Valley.

2. Background

- 2.1 This report is in response to a previous Council Report presented at the 27 November 2018 Ordinary Council Meeting setting out options to regulate and/or manage the issue of commercial car hire/share providers (such as Car Next Door) parking in residential streets, Council resolved to:

1. Note this report.
2. Prepare for the potential entry of one-way/ floating car share service providers (e.g. Car2Go) into the Victorian market by engaging with relevant State Government representatives and neighbouring Councils to advocate to have residential amenity and parking concerns adequately considered and appropriate parking zones, regulations and penalties imposed.
3. Monitor the level of community concern regarding car share vehicles parking in residential streets over the next 12 months.
4. Undertake a community education campaign to explain alternative transport options and the benefits of reduced car ownership.
5. Continue the current approach to managing residential parking complaints. Respond to complaints received in accordance with the parking demand management framework set out in the Moonee Valley City Council Municipal Parking Permit Policy which currently ranks care share use above residential use in residential areas.
6. Bring back a report to Council with an update within 12 months following the monitoring as at Point 3 of this recommendation.
7. At the time of the update report coming back to Council, include a review of the Moonee Valley City Council Municipal Parking Permit Policy (2013), last modified 13 June 2017, which considers modifying the permissible uses of permits to preclude permit use in cases where the vehicle is being used for car-sharing.

3. Issues

- 3.1 This key issue is the SHARE NOW model. The model is a 'free floating' car sharing service, which means the vehicles do not have allocated parking spaces, any permit arrangements or signage requirements. This type of usage would require a different kind of permit to that currently

available to allow the vehicles to be parked in any parking spot despite the imposed parking restriction.

The model has the potential to encourage people to complete single occupancy trips instead of utilising other modes of sustainable transport. This type of model is inconsistent with the Moonee Valley City Council's Parking Permit Policy 2013.

Further, the majority of Road Managers i.e. Department of Transport (DoT), and inner city municipalities would need to consent to the 'free floating' model for it to function effectively.

- 3.2 Both Council officers and SHARE NOW have undertaken an informal process of consultation with other Councils and relevant departments to gauge their stance on the car share model and its role in the Melbourne road network. Those consulted include officers at the Cities of Maribyrnong, Brimbank, Moreland and Melbourne, as well as the Department of Environment, Land, Water and Planning (DELWP) and DoT.
- 3.3 These discussions indicate that other Councils are not currently giving positive consideration to the floating car share model. DELWP has not yet provided a response, while a DoT officer has indicated they currently have no position on floating share car schemes as this is an issue for local government.
- 3.4 The following is a summary of the current status of Council Resolutions.
 - 3.4.1 Resolution 2: See Section 3 of this report.
 - 3.4.2 Resolution 3: Council has set up a records database for all complaints in relation to car share vehicles parking in residential streets. To date Council Officers have received zero complaints.
 - 3.4.3 Resolution 4: Council's Transport team prepare and deliver the following initiatives to explain the alternative transport options and promote the benefits of reduced car ownership:
 - Walk to school month - encourages walking, cycling and scooting to and from school throughout the month of October
 - Wiser Driver – is a road safety course for senior citizens and includes a session on other ways to get around the municipality
 - Walking School Bus program – encourages regular walking and cycling to and from school
 - Better Moves Around Schools – Encourages safety and sustainable transport to and from school
 - Development of Council's Connected Action Plan – The document is strategically linked to the MV2040 theme Connected (Yanoninnon Maggolee, which means 'travel here' in Woiwurrung language).
 - Council's TravelSmart map for Moonee Valley

3.4.4 Resolution 5: Residential parking remains at the forefront of complaints received by Councils traffic and transport department. Council officers use sound engineering practise to investigate and resolve paring complaints in accordance with the Moonee Valley City Council Municipal Parking Permit Policy 2013, Australian Standards and Austroads guidelines.

3.4.5 Resolution 7: See Recommendation b.

Recommendation

That Council resolves to:

- a. Not support the ‘free floating’ car share model in accordance with the current Moonee Valley City Council Municipal Parking Permit Policy 2013 but continue to monitor its progress in the market over the next 12-24 months.**
- b. Not necessitate further modifications to the Moonee Valley City Council Municipal Parking Permit Policy 2013 as the ‘SHARE NOW’ model is currently not supported.**
- c. Continue to support the previous Resolutions 3, 4 and 5 listed below:**
 - 3. Monitors the level of community concern regarding car share vehicles parking in residential streets over the next 12 months.**
 - 4. Undertakes a community education campaign to explain alternative transport options and the benefits of reduced car ownership.**
 - 5. Continues the current approach to managing residential parking complaints. Respond to complaints received in accordance with the parking demand management framework set out in the Moonee Valley City Council Municipal Parking Permit Policy which currently ranks care share use above residential use in residential areas.**

Attachments

Nil

Impact Assessment

1. Relationship to Council commitment MV2040 or Council Plan

1.1 In presenting this report, Council is working to achieve its strategic objective 'A connected city of accessible, active and sustainable transport choices' in accordance with Council Plan 2017-21 Theme: Connected (Yanoninnon Maggolee, which means 'travel here' in Woivurrung language), including the following:

1.1.1 STRAEGIC DIRECTION 10: A city where sustainable transport is the easy option

1.1.2 STRATEGIC DIRECTION 11: A city with streets and spaces for people

1.1.3 STRATEGIC DIRECTION 12: A city at the forefront of transport technology

1.2 This report also relates to Council's resolution at the Ordinary Meeting on 27 November 2018.

2. Legislative obligations

2.1 Council has obligations under the *Road Management Act 2004* and the *Road Safety Road Rules 2017*.

3. Legal implications

3.1 There are no legal implications associated with the recommendation of this report.

4. Risks

4.1 No significant risks have been identified

5. Social impact assessment

5.1 The recommendation of this report may support Resolution 3, ensuring that we continue to receive zero complaints in relation to the existing approved car share services operating in the municipality.

6. Economic impact assessment

6.1 The recommendation of this report may support the development of the existing approved car share services in the municipality that in turn aim to provide alternate transport options and ultimately reduce car ownership.

7. Environmental impact assessment

7.1 The nature of this report does not have any environment implications.

8. Reputational impact assessment

8.1 The recommendation of this report does not have any reputational implications.

9. Financial implications

9.1 There are no significant financial implications associated with the recommendations of this report.

10. Sensitivity / scenario analysis

10.1 No significant variables or externalities relating to the recommendations of this report have been identified.

11. Conflict of interest declaration

11.1 No officer involved in the preparation of this report has any direct or indirect interest in this matter or the decision.

12. Consultation undertaken or planned

12.1 Council officers have contacted neighbouring Councils and State Government.

12.2 Council shall continue to monitor the level of community concern regarding car share vehicles parking in residential streets over the next 12 months.

10.5 Response to Petition - Market Lane, Aspen/Hall Streets traffic flow

Author: Damir Agic - Strategic Transport Planner - Technical Services

Business Unit: Engineering Services

1. Purpose

- 1.1 This report responds to the petition containing 144 signatures from residents of Market Lane, Hall Street and Aspen Street, Moonee Ponds, requesting Council reverse the traffic flow around the new building located between Margaret Street, Market Lane and Aspen Street, Moonee Ponds.

2. Background

- 2.1 Planning Application was approved for a significant development at 40 Hall Street, Moonee Ponds, with a total yield of 1,252 apartments (1,177 apartments + 75 services apartments), 2,802 square meters of retail space, 3194 square meters of office space, and 1,292 car parking spaces over 4 basement levels. Vehicle access to the site is proposed via Market Lane, Aspen Street East and Homer Street, while the new private road provided as part of the development provides a north-south link between Hall Street and Market Lane.
- 2.2 Stage 1 (MV/434/2015) allows for the construction of four tower forms ranging in height from 6 to 23 storeys accommodating 606 apartments and provision for 1,564 square metres of retail space. Stage 2 (MV/491/2015) allows for the construction of 646 dwellings, 1,238 square meters of retail space, 3,194 square meters of office space spread across tower forms ranging in height from 10 to 30 storeys.
- 2.3 The proposal also featured north/south pedestrian linkages, a civic plaza, widened footpaths along with provision for basement car parking and a centrally located private communal area. The project also includes works within the surrounding public road network, including upgrades to Hall Street, Everage Street, Market Lane and Aspen Street. The works in Market Lane and Aspen Street also include the introduction of a one-way traffic flow, as per the traffic management scheme presented and endorsed during the planning process.
- 2.4 Whilst Council had initially resolved to refuse the application, the matter was ultimately resolved via a VCAT Compulsory Conference hearing, which facilitated revisions to the initial design by way of reduced tower height (Hall Street West), improved dwelling diversity and internal amenity, the inclusion of an at grade loading bay and an additional (fourth) level basement to the development.

- 2.5 Stage 1 development has since been completed and is now operational. However, while a proportion of dwellings and commercial tenancies have since been occupied, it is understood there are still dwellings and tenancies that have not been sold to date, and as such remain unoccupied. Stage 2 is still under construction, and as such is not operational or occupied.
- 2.6 The new traffic management scheme, including the one-way flow, in Aspen Street and Market Lane have been implemented, however the physical works are not completed yet. Market Lane carriageway remains unsealed and is regularly closed to cater for the ongoing construction works.
- 2.7 Residents of Market Lane, Hall Street and Aspen Street, Moonee Ponds, predominantly consisting of tenants of occupied dwellings and commercial tenancies in the Stage 1 Development, have submitted a petition requesting a change to the existing traffic arrangements in Market Lane and Aspen Street.

3. Issues

- 3.1 The petition contains 144 signatures representing the views of residents in immediate vicinity, predominantly tenants of occupied properties within the Stage 1 development.
- 3.2 The petition requests Council consider reversing the traffic flow around the new building located between Margaret Street, Market Lane and Aspen Street, Moonee Ponds.
- 3.3 Council officers recommend the request not be supported at this time due to the following:
 - 3.3.1 Once the works are complete, and traffic management responsibilities returned to Council as the road authority, Council can investigate the request to change existing traffic arrangements. Prior to considering any changes to existing arrangements within the road network, including changing traffic priorities for specific roads, an appropriate investigation of the existing traffic conditions must occur. This includes assessing the existing arrangements and operating conditions to determine if any action is warranted, and if so, ascertain the appropriate design response.
 - 3.3.2 Any proposed traffic management action is required to suit all road users, and align with the traffic management strategy for the area.
 - 3.3.3 There is currently significant construction activity impacting the condition and the operation of the affected road network, including Market Lane and Aspen Street. This activity limits Council's ability to undertake any investigation to determine if further traffic management action is required. In fact, any meaningful assessment can only occur once the conditions fully return to normal; this means, when all road works in the area completed, the construction activity ceased, the development occupied and operational, and there has been sufficient time for traffic patterns to establish. Once conditions have normalised, Council can, upon a request, undertake an

assessment to determine if further traffic management investigation is warranted.

- 3.3.4 Ultimately, the access arrangements are as per the traffic management scheme presented by the developer, which was endorsed during the planning process. Given the development is not complete, and the works are ongoing, any concerns new tenants may have with the arrangements proposed and implemented as part of the development can be raised directly with the developer. As per the above, Council would only be able to intervene following the completion of all works.
- 3.4 Further to the above, the specific arguments for the requested changes are listed and discussed below.
- 3.4.1 **Vehicles accessing the Market Lane car park entrance from Hall Street and Margaret Street need to turn right to enter the car park against the existing path of egress to the west in Market Lane:** This arrangement is not uncommon for many private access points and intersections of public roads across the metropolitan road network. At this stage, there is no evidence such action is warranted. Also, while such action may benefit the users of the development's car park, it is unclear how it would impact the overall operation of the public road network.
- 3.4.2 **Reversing Market Lane traffic flow to the east of the car park access is straight forward keeping left into the entrance. Car park egress is left turn and exit west out Aspen Street or east via Hall Street:** While such action may benefit the users of the development's car park, it is unclear how it would impact the overall operation of the public road network. Also, the current arrangement has been assessed and approved as part of the planning process, and at this stage, there is no evidence changes are warranted.
- 3.4.3 **Install a 'Give Way' sign in Market Lane at the north east corner of the Aspen Street building for vehicles turning right to exit using either Aspen Street or via the private road to Hall Street:** Even if the reversal of traffic flow was to occur in the future, the introduction of the requested 'Give Way' arrangement would not be appropriate as it would prioritise movements of vehicles exiting the building, rather than the movements of traffic using the public road network. If anything, traffic management would be required to ensure vehicles exiting the building give way to traffic along the public road network.
- 3.4.4 **In keeping with the MPAC 2040 plan the reversal of the traffic direction on the private road between Aspen Street and Hall Street would give traffic two exit options to either Margaret Street or Mt Alexandra Road:** While such action may benefit the users of the development's car park, it is unclear how it would impact the overall operation of the public road network. In fact, such action may have negative impacts, such as rat-running, with general traffic

travelling along Margaret Street, which is part of the Moonee Ponds Activity Centre (MPAC) Strategic Transport Plan designated access route (ring road), cutting through to Hall Street, which is not part of the ring road, in order to reach Mt Alexander Road. Hall Street is an activity street, with a focus on pedestrian activation, and increased traffic volumes are highly undesirable and contradictory to the MPAC Strategic Transport Plan.

Recommendation

That Council resolves to:

- a. Retain the existing traffic flow arrangements in Market Lane and Aspen Street, Moonee Ponds, on the following grounds:**
 - i. Developments in the MPAC area are not completed, occupied or fully operational.**
 - ii. Road works in the area are not completed, and the road network is not fully operational.**
 - iii. It is currently not possible to complete the necessary traffic investigation to determine if the requested changes are warranted.**
 - iv. The requested changes may contradict the traffic planning work that is part of the MPAC to 2040 local planning currently underway.**
- b. Advise the petition organiser accordingly.**

Attachments

Nil

Impact Assessment

1. Relationship to Council commitment MV2040 or Council Plan

1.1 In presenting this report, Council is working to achieve its strategic objective 'A connected city of accessible, active and sustainable transport choices' in accordance with Council Plan 2017-21 Theme: Connected (Yanoninnon Maggolee, which means 'travel here' in Woiwurrung language), including the following:

1.1.1 STRAEGIC DIRECTION 10: A city where sustainable transport is the easy option

1.1.2 STRATEGIC DIRECTION 11: A city with streets and spaces for people

1.1.3 STRATEGIC DIRECTION 12: A city at the forefront of transport technology

2. Legislative obligations

2.1 Council has obligations under the *Road Management Act 2004* and the *Road Safety Road Rules 2017*.

3. Legal implications

3.1 There are no legal implications associated with the recommendation of this report.

4. Risks

4.1 No significant risks have been identified.

5. Social impact assessment

The recommendation of this report ensures that traffic management actions are implemented in accordance with standard industry practices, which involve detailed investigation to determine if a change is warranted, and if so, what the appropriate response should be.

6. Economic impact assessment

6.1 No significant economic impacts have been identified.

7. Environmental impact assessment

7.1 The nature of this report does not have any environment implications.

8. Reputational impact assessment

8.1 The recommendation of this report supports Council's reputation as a responsible road manager.

9. Financial implications

9.1 There are no significant financial implications associated with the recommendations of this report.

10. Sensitivity / scenario analysis

10.1 No significant variables or externalities relating to the recommendations of this report have been identified.

11. Conflict of interest declaration

11.1 No officer involved in the preparation of this report has any direct or indirect interest in this matter or the decision.

12. Consultation undertaken or planned

12.1 The recommendations of this report do not trigger a requirement for consultation.

10.6 Participation in the Cities Power Partnership Program

Author: Sandra Mack - Acting Coordinator Climate Change and Sustainability

Business Unit: Planning

1. Purpose

- 1.1 To seek Council's approval to participate in the Climate Council's Cities Power Partnership program.

2. Background

- 2.1 The Climate Council is an independent community funded organisation that is made up of Australia's leading climate scientists, health, renewable energy and policy experts. It is Australia's leading climate change communications organisation and provides authoritative, expert advice on climate change and solutions based on the most up-to-date science available.
- 2.2 In 2017 the Climate Council initiated the Cities Power Partnership (CPP) program which has since become Australia's largest local government climate network with over 100 member councils. Melbourne councils who are participants of the program include Moreland, Yarra, Darebin, City of Port Phillip and Boroondara.
- 2.3 In July 2019, the Climate Council invited Moonee Valley City Council (Council) to join its CPP program.
- 2.4 The CPP program focusses on supporting and celebrating the carbon emissions reduction successes of Australian councils. The CPP program connects councils with shared emissions reduction interests across the areas of renewable energy, energy efficiency, sustainable transport and collaboration.
- 2.5 Reasons for, and benefits to Council joining the CPP program include:
 - 2.5.1 Strengthens Council's response to climate change mitigation by learning from others and having access to the resources and expertise the program provides.
 - 2.5.2 Publicly demonstrates how seriously Council considers the impacts of climate change in line with its recent climate emergency declaration.
 - 2.5.3 Aligning well with Council's zero net emissions targets for Council operations and the community.
 - 2.5.4 Demonstrates Council's support for the highly recognised Climate Council and the scientific and advocacy work they do.
 - 2.5.5 Receiving expert advice on climate change issues and solutions based on the most up-to-date science.

2.5.6 Utilising the Climate Council's expertise to advocate on climate change issues to other government bodies.

2.5.7 Access to the CPP's support mechanisms, connections with other councils on specific issues and profiling success stories via the Climate Council's extensive media reach.

3. Issues

3.1 As a participant of the CPP program, Council will need to:

3.1.1 Within six months, identify five actions to include in the CPP Pledge that it will strive to achieve to tackle climate change. The CPP Pledge actions that support actions under MV2040 Strategic Direction 13: A city that is low carbon, that Council could pledge are:

- Power council operations by renewable energy, and set targets to increase the level of renewable power for council operations over time
- Roll out energy efficient lighting across the municipality
- Ensure Council fleet purchases meet strict greenhouse gas emissions requirements and support the uptake of electric vehicles
- Set city-level renewable energy or emissions reduction targets
- Support the local community to develop capacity and skills to tackle climate change.

3.1.2 These actions are not required to be completed within six months, only a pledge by Council to commit to their undertaking in the future.

3.1.3 Complete a six-monthly online survey providing the Climate Council with information on how Council is progressing on the five pledge items.

3.1.4 Be willing to be buddied with other local councils to share knowledge.

3.2 Resourcing and reporting requirements for the CPP program are minimal and can be absorbed within existing resources.

3.3 There are no costs to Council to join the CPP program.

3.4 To join the CPP program, Council is required to provide a letter to the Climate Council from the Mayor to show Council's commitment.

Recommendation

That Council resolves to:

- a. Participate in the Climate Council's Cities Power Partnership program.**
- b. Write to the Climate Council confirming Moonee Valley City Council's participation in the Cities Power Partnership program.**

Attachments

Nil

Impact Assessment

1. Relationship to Council commitment MV2040 or Council Plan

- 1.1 MV2040, Strategic Direction 13: A city that is low carbon. Target: We achieve zero net emissions for our community and reduce emissions from Council's operations by 95 per cent by 2040.

2. Legislative obligations

3. Legal implications

NA

4. Risks

- 4.1 There are no risks identified in Council joining the CPP program. The only potential issue of the need for additional resourcing required to join the CPP program, however, this issue was disregarded for the following reasons:

4.1.1 Resourcing and reporting requirements are minimal, with brief six-monthly updates on five actions Council has pledged to.

4.1.2 Pledge actions would be initiatives Council has already committed to.

4.1.3 The Sustainability Team is able to absorb this work into their existing work plan.

4.1.4 There are no costs associated with joining the CCP program.

5. Social impact assessment

NA

6. Economic impact assessment

NA

7. Environmental impact assessment

- 7.1 Joining the CPP program will give Council access to additional resources to help achieve its carbon reduction targets for both Council operations and the community.

8. Reputational impact assessment

- 8.1 Joining the CPP program will impact positively on Council's reputation as it will publicly show how seriously Council takes the impacts of climate change in line with its recent climate emergency declaration and MV2040 carbon emission reduction targets.

9. Financial implications

- 9.1 There are no costs to Council to join the CPP program.

10. Sensitivity / scenario analysis

NA

11. Conflict of interest declaration

11.1 No officer involved in the preparation of this report has any direct or indirect interest in this matter or the decision.

12. Consultation undertaken or planned

12.1 On 9 September 2019, the Environment Portfolio Advisory Committee (PAC) discussed the invitation for Council to join the CCP program. The Environment PAC supports Council joining the CPP program.

12.2 The Sustainability Team has had a number of Councillor and community enquiries about whether Council will participate in the CPP program.

10.7 Proposed Leases to Axicom and Optus over part of Walter Street Reserve

Author: Jaci Underwood - Senior Commercial Property Officer

Business Unit: Project Delivery

1. Purpose

- 1.1 To consider the proposed lease agreements for the telecommunication facility (Facility) at Walter Street Reserve (Reserve) currently occupied in overholding by both Axicom and Optus under leases that expired in 2017 and 2016 respectively.

2. Background

- 2.1 At its Ordinary Meeting on 9 April 2019, Council resolved to commence the statutory procedures in accordance with sections 190 and 223 of the *Local Government Act 1989 (Act)* in relation to the proposed leases.

2.1.1 A public notice advising the proposed leases was published in the Moonee Valley Leader newspaper on 29 May 2019 shown in **Attachment A**.

2.1.2 Fourteen submissions opposing the proposed leases were received. The submissions are attached in **Attachment B** with personal information redacted as per submitters' requests.

2.1.3 Officers comments in relation to issues raised in the submissions are provided in **Attachment C**.

- 2.2 It is proposed Axicom and Optus will occupy the existing leased areas shown in **Attachment D**. It is also proposed that the existing subletting arrangements will continue, additionally outlined in **Attachment D**.

- 2.3 Relocation options were raised in July 2017, and in 2018 and 2019 after extensive investigation were determined as unviable solutions.

While there were multiple factors considered that led to this opinion, including engineering constraints, the primary reason to not recommend a relocation, was the concern that the Facility would be transferred onto another resident group at a relocation area. The Ascot Chase Enclave (Enclave) residents purchased their properties with the knowledge of this Facility. Please see officer comments to the third issue raised in **Attachment C**.

3. Issues

- 3.1 The submissions raised multiple issues, including visual impact, health risks and highlighted that relocation has previously been implied.

- 3.2 In accordance with section 223 of the Act, any person may request to be heard in support of their submission at a committee of Council. Two submitters requested to be heard and were heard on 20 August 2019 by a committee of Council comprising of two ward Councillors.





- 3.3 The two submitters generally spoke to their written submission with no new issues raised.
- 3.4 On 12 November 2019, Council received a petition with 268 signatures, 58 of which were electronic signatures. The petition opposes the proposed lease agreements and requests relocation of the facility. The petition has been investigated and items have been considered as part of this report.
- 3.5 The area where the Facility exists is already underserved by base station telecommunication facilities. Removal of the Facility would significantly impact the mobile service throughout Ascot Vale and Flemington or cause approximately 12-24 low impact facilities to be installed throughout Ascot Vale, which would not require Councils approval under the *Telecommunications Act 1997* and could still see that mobile service is compromised.
- 3.6 As Telstra have a separate tower in the Reserve, it is recommended that the expiry of the proposed leases with Axicom and Optus agreements coincide with Telstra's lease expiry in 2023. This will allow Council officers to further investigate alternatives with the carriers including consolidation onto one pole.
- 3.7 Council officers recommend the option at Council's discretion to enter into two further terms of 5 years. Noting that if a Facility is no longer required, precedence has indicated that telecommunication carriers terminate their agreements as it is cost effective to do so. It has been assessed that this Facility will in all likelihood be required in 14 years' time.

Recommendation

That Council resolves to:

- a. **Endorse a lease with Axicom for a four-year period with two five-year options at the discretion of Council for the land known as part of Walter Street Reserve.**
- b. **Endorse a lease with Optus for a four-year period with two five-year options at the discretion of Council for the land known as part of Walter Street Reserve.**
- c. **Authorise the Chief Executive Officer to negotiate and finalise the lease with Axicom and execute the lease on behalf of Council.**
- d. **Authorise the Chief Executive Officer to negotiate and finalise the lease with Optus and execute the lease on behalf of Council.**
- e. **Inform all persons that made a submission under section 223 of the *Local Government Act 1989* of Council's decision to enter into leases with Axicom and Optus.**

Attachments

- A: Public Notice (separately circulated) 
- B: Correlated Submissions (separately circulated) 
- C: Officer's Comments (separately circulated) 
- D: Area Plan (separately circulated) 

Impact Assessment

1. Relationship to Council commitment MV2040 or Council Plan

- 1.1 By Council proceeding with the proposed lease agreements, Council is working to achieve MV2040 Strategic Direction 9: A city that is technology ready and the action item 9.1.2 Support high-quality data transfer and telecommunications infrastructure.

2. Legislative obligations

- 2.1 The statutory process has been undertaken in accordance with the requirements under sections 190 and 223 of the Act. Council has fulfilled its legislative requirements under the Act and can proceed with the proposed leasing of land.
- 2.2 The initial proposed leases to Council by Axicom and Optus requested a 20 year term. Council agreed to advertise a 15 year term and may only enter into an agreement up to 15 years in accordance with the Act.

3. Legal implications

- 3.1 There are no direct legal implications in proceeding with the proposed lease agreements.
- 3.2 The proposed leases will be prepared by Council's lawyers.

4. Risks

- 4.1 Health risks were raised as a concern by all 14 submissions. After investigation of this matter, Council finds this risk to be unsupported as health and regulatory bodies including the Australian Federal Government have taken the position, based on the latest research, that mobile base stations do not constitute a risk to health. Further information outlined in the officer's comments within the first issue raised in **Attachment C**.
- 4.2 Axicom have investigated the likely restrictions to mobile service in regards to emergency calling if the Facility was removed. They have made the following statement: "If both towers (Telstra and Axicom) are decommissioned then 000 calls made indoors may be compromised. 000 calls made outdoors however will still likely be transmitted.

Although an emergency call could be carried by Telstra if the Axicom Facility was decommissioned, Telstra can only carry the call if it has sufficient network coverage. In a natural disaster, if a thunderstorm or a crisis that effects many residents in the surrounding area were to occur, Telstra may not have sufficient network coverage to carry all emergency calls. This statement however will only be true in a full emergency where the Telstra base station may be loaded with a large amount of additional high bandwidth traffic such as social media, video and many subscribers seeking news and other information within a short timeframe."

5. Social impact assessment

- 5.1 Mobile services provide connectivity for multiple purposes, including work, social and family. Lifestyle benefits and convenience to residents are also

provided by mobile services. Reliable mobile service is a community expectation in metropolitan Melbourne and service would be detrimentally impacted in areas if the Facility was removed. There are also concerns that coverage would still be compromised if multiple low impact facilities are installed.

6. Economic impact assessment

6.1 Coverage loss to the area may cause issues for businesses operating in the area and residents who work from home that rely on mobile services to conduct their business.

7. Environmental impact assessment

7.1 Relocation may mean effecting open space. As the Facility is existing and no amendment to the leased area is suggested, there would be no encroachment into existing open space by continuing on this basis.

8. Reputational impact assessment

8.1 As the developer of the Enclave expressed removal of the Facility may occur, the residents of the Enclave were expectant of this outcome. In 2014, after review of the matter, Council wrote to residents expressing removal/relocation could not occur at this time due to the lease agreements. Following expiry of the leases in 2016/2017, residents were anxious to have relocation/removal reviewed again. In July 2017, Council resolved to investigate relocation of the Facility. The Facility has been a contentious issue for some Enclave residents for many years with no resounding outcome.

8.2 Installation of multiple low impact facilities will likely be met with similar concerns in regards to health and visual affect by many residents.

9. Financial implications

9.1 The commencing rent for the proposed leases would be set in accordance with market levels to be determined by an external valuer and increased on an annual basis.

10. Sensitivity / scenario analysis

10.1 Council officers note the concerns of Enclave residents in relation to the visual impact of the Facility. The colour of the Facility and materials used minimise the visual effect as much as possible, however the level of impact is a personal view and residents purchased their homes with the Facility in place.

11. Conflict of interest declaration

11.1 No officer in the preparation of this report has any direct or indirect interest in this matter or the decision.

12. Consultation undertaken or planned

12.1 Consultation with residents through the section 223 process was undertaken.

- 12.1.1 Over 150 abutting properties of the Reserve were also advised of the proposal in writing and informed of their right to make a submission under section 223 of the Act.
- 12.2 Consultation with Axicom, Optus and Vodafone to understand the importance of the Facility to the network, review issues raised by submissions and scenario analysis occurred.
- 12.3 Consultation with Australian Radiation Protection and Nuclear Safety Agency and Australian Communications and Media Authority were utilised to confirm facts and statements provided by Axicom and the carriers and to give an objective judgement.
- 12.4 Consultation with necessary Council departments to assist in investigation of issues raised by submissions and consider relocation options occurred.

10.8 Councillor appointments to portfolios, committees and external bodies

Author: Allison Watt - Manager Governance and Communications

Business Unit: Corporate Governance

1. Purpose

- 1.1 The purpose of this report is for Council to appoint Councillors to portfolios, internal committees and as delegates of external committees and organisations for the 2020 calendar year.

2. Background

- 2.1 Each year Councillors are appointed to represent Council on a number of national, state and regional bodies as well as external committees and internal committees such as advisory committees.
- 2.2 Council is required to make these appointments in accordance with the constitutional rules and terms of reference of each organisation or at the request of the committee. All of these committees enable Councillors to actively engage and advocate on behalf of the community on important issues.
- 2.3 At the Ordinary Council meeting on 14 March 2017, Council endorsed the establishment of 10 Portfolio Advisory Committees (PACs) to provide strong community input into Council decision-making. The focus of each committee was developed to reflect both the current and future needs of the local community.
- 2.4 The terms of reference for the PACs required a review to be undertaken in June 2018 to ensure currently, effectiveness and stakeholder currency.
- 2.5 This review, in the form of consultation with PAC Councillor chairs, community members and officers, was undertaken in June and July 2018.
- 2.6 In December 2018, Council endorsed a new structure for advisory committees for the 2019 calendar year comprising two mega-PAC events in February and September/October 2019 themed around MV2040 and using the membership base of existing PACs. Several individual PACs continued to meet regularly.

3. Issues

- 3.1 The PACs and proposed Councillor chair/spokesperson are:

Portfolio	Chair/spokesperson
Lifelong Learning	Cr Narelle Sharpe
Community Wellbeing	Cr Jim Cusack
Access, Diversity, Equity and Inclusion	Cr Cam Nation
Strategic Planning	Cr Nicole Marshall
Environment	Cr Nicole Marshall

Portfolio	Chair/spokesperson
Business Promotion	Cr Richard Lawrence
Integrated Transport	Cr Andrea Surace
Leisure and Active Communities	Cr Rebecca Gauci Maurici
Sports and Community	Cr John Sipek
Future Communities	Cr Rebecca Gauci Maurici

- 3.2 It is proposed that the above appointments to PACs continue for the remainder of this Council term until October 2020.
- 3.3 It is proposed that in the new Council term, Councillor portfolio areas will reflect the MV2040 Strategy's five themes of Fair – Qeente Boordup, Thriving - Bandingith, Connected – Yanoninon Maggolee, Green – Wunwarren, and Beautiful – Nga-Ango Gunga. This will be proposed to Council as part of a broader engagement framework in early 2020.
- 3.4 Council is a member or participant in a range of external organisations at a local, regional or sector level. Councillors are appointed to represent Council as delegates to those organisations. In some cases, an alternate is also appointed who can attend if the primary Councillor is not available.
- 3.5 Following consultation with Councillors, the appointments listed in the table below are recommended for 2020.

Committee	Council delegate 2019	Council delegate 2020
Audit Committee	Crs Cusack, Gauci Maurici, Byrne	Crs Cusack, Lawrence, Sipek
Essendon Airport/Essendon Fields Council Working Group:	Cr Sharpe, Cr Lawrence and Cr Gauci Maurici	Cr Sharpe, Cr Lawrence and Cr Gauci Maurici
Farnham Street Neighbourhood Learning Centre Committee of Management	Cr Cusack and Marshall	Cr Cusack and Marshall
Wingate Avenue Community Centre Committee of Management	Crs Cusack and Marshall	Crs Cusack and Marshall
Municipal Association of Victoria	Crs Sharpe and Sipek	Crs Sharpe and Sipek

Committee	Council delegate 2019	Council delegate 2020
Australian Mayoral Aviation Council	Cr Sharpe and Lawrence	Cr Byrne and Cr Lawrence
Leadwest	Cr Byrne	Cr Surace
Metropolitan Local Government Waste Forum	Cr Sipek and Council Officer	Cr Marshall and Council Officer
Metropolitan Transport Forum	Cr Surace and Council Officer	Cr Surace and Council Officer
Royal Agricultural Society of Victoria Consultative Group	Cr Cusack and Cr Marshall	Cr Cusack and Cr Marshall
Shareholder Rep for Regional Kitchen P/L	Cr Sipek	Cr Sipek
Western Melbourne Tourism Board	Cr Lawrence and Manager Strategic Planning	Cr Lawrence and Council officer

- 3.6 The Grants Assessment Committee is a Committee of Council constituted under Section 86 of the *Local Government Act 1989* and is not required to be reappointed at this time. However, Cr Cam Nation has indicated that he would like to resign from this Committee.

Recommendation

That Council resolves to:

- a) **Endorse the appointment of Councillors to portfolios and as portfolio spokespersons for 2020 as outlined in this report.**
- b) **Appoint representatives to external bodies, and other committees for the period to October 2020, as follows:**
 - **Audit Committee - Cr _____ Cr _____ and Cr _____**
 - **Essendon Airport/Essendon Fields Council Working Group – Cr _____ Cr _____ and Cr _____**

- **Farnham Street Neighbourhood Learning Centre Committee of Management – Cr _____ and Cr _____**
 - **Wingate Avenue Community Centre Committee of Management - Cr _____ and Cr _____**
 - **Municipal Association of Victoria - Cr _____ and Cr _____**
 - **Australian Mayoral Aviation Council – Cr _____**
 - **Leadwest - Cr _____**
 - **Metropolitan Local Government Waste Forum – Cr _____ and relevant Council Officer**
 - **Metropolitan Transport Forum - Cr _____ and relevant Council Officer**
 - **Royal Agricultural Society of Victoria Consultative Group – Cr _____ and Cr _____**
 - **Shareholder Rep for Regional Kitchen P/L - Cr _____**
 - **Western Melbourne Tourism Board - Cr _____ and Manager Strategic Planning**
- c) **Accept Cr Nation’s resignation from the Grants Assessment Committee and update the Terms of Reference accordingly.**

Attachments

Nil

Impact Assessment

1. Relationship to Council commitment MV2040 or Council Plan

1.1 In presenting this report, Council is working to achieve a range of outcomes within MV2040 and the Council Plan 2017-21, with Councillors appointed to a broad selection of committees across the policy space. In particular the report responds to MV2040 Strategic Direction 4: A city where residents can engage, participate and influence change.

2. Legislative obligations

2.1 This report is in line with Council's obligations under the Local Government Act 1989.

3. Legal implications

3.1 There are no legislative implications associated with this report.

4. Risks

4.1 There are no risks associated with this report.

5. Social impact assessment

5.1 The appointment of Councillors as representatives and delegates to various internal and external committees and other bodies will ensure a coordinated focus on high-level strategic projects, decision-making and proposed initiatives and ensure that Moonee Valley is well-represented within the Local Government sector.

6. Economic impact assessment

6.1 There are no economic impacts associated with this report.

7. Environmental impact assessment

7.1 There are no environmental impacts associated with this report.

8. Reputational impact assessment

8.1 Council's reputation is benefitted by having Councillors act as representatives to external bodies.

9. Financial implications

9.1 From time to time, external bodies of which Council is a member may attract membership dues, or request other minor financial contributions.

10. Sensitivity / scenario analysis

10.1 There are no sensitivity / scenario impacts associated with this report.

11. Conflict of interest declaration

11.1 No officer involved in the preparation of this report has any direct or indirect interest in this matter or the decision.

12. Consultation undertaken or planned

12.1 Consultation has been undertaken with the Mayor and Councillors in the process of compiling this report.

10.9 Assemblies of Councillors

Author: Tracey Classon - Governance Officer

Business Unit: Corporate Governance

1. Purpose

- 1.1 The purpose of this report is to present to Council the written records of Assemblies of Councillors held in accordance with the provisions of Section 80A(2)(a) and (b) of the *Local Government Act 1989* (“the Act”).

2. Background

- 2.1 In accordance with Section 80A (1) and (2) of the Act, the Chief Executive Officer is to ensure that a written record of an Assembly of Councillors is, as soon as practicable, reported at an Ordinary Meeting of the Council; and incorporated in the minutes of that Council meeting.

Recommendation

That Council resolves to receive the following records of Assemblies of Councillors in accordance with section 80A(2) of the *Local Government Act 1989*.

Assembly	Public Forum held 15 October 2019 in the Council Chamber at 6pm.	
Matters considered	<ol style="list-style-type: none"> 1. Mr Edward Naughton presented to Council about the unsealed laneway at the rear of his property in Moonee Ponds 2. Ms Clara Rizzi and Ms Joanna Martyr spoke to Council about Stage 6 of the Riverview Development 3. Mr Nicholas Beament spoke to Council about the proliferation of shopping trolleys in the Moonee Ponds shopping centre 	
Councillors present	Cr Rebecca Gauci Maurici Cr Richard Lawrence Cr Nicole Marshall Cr Cam Nation Cr Narelle Sharpe Cr John Sipek	
Apologies	Crs Jim Cusack and Andrea Surace	
Staff present	Bryan Lancaster Kendrea Pope Natalie Reiter	Gil Richardson Allison Watt Maria Weiss
Conflict of interest	Nil.	

Assembly	Strategic Briefing held 15 October 2019 in the Council Chamber at 6.45pm	
Matters considered	<ol style="list-style-type: none"> 1. Combined planning scheme amendment and planning permit application - Lowther Hall 2. Draft Windy Hill vision update 3. Draft agenda for Ordinary Council Meeting on 22 October 	
Councillors present	Cr Samantha Byrne Cr Rebecca Gauci Maurici Cr Richard Lawrence Cr Nicole Marshall Cr Cam Nation Cr Narelle Sharpe Cr John Sipek	
Apologies	Crs Jim Cusack and Andrea Surace	
Staff present	Bryan Lancaster Kendrea Pope Natalie Reiter Gil Richardson	Allison Watt Maria Weiss David Kilroe Ben McManus
Conflict of interest	Cr Gauci Maurici declared an indirect conflict of interest under s.78D interested party, in item 1 on Lowther Hall for reasons previously disclosed to the CEO and left the meeting at 6.46pm, before the discussion on the first agenda item. Cr Nation declared a conflict of interest in relation to the Item 1.2 Draft Windy Hill Vision consultation update and Item 10.3 Imagine Windy Hill Final Draft Vision.	

Assembly	Ordinary Council Meeting pre-meet held on Tuesday 22 October 2019 at 6.00pm. Committee Room, Civic Centre.	
Matters considered	22 October 2019 OCM agenda	
Councillors present	Cr Samantha Byrne Cr Jim Cusack Cr Rebecca Gauci Maurici Cr Richard Lawrence Cr Nicole Marshall Cr Narelle Sharpe	
Apologies	Cr John Sipek	
Staff present	Bryan Lancaster Kendrea Pope Natalie Reiter Gil Richardson	Maria Weiss Petrus Barry Meghan Hopper
Conflict of interest	Cr Rebecca Gauci Maurici declared an indirect interest due to close association in item 10.2 and left the meeting before the item at 6.05pm and returned at 6.09pm.	

Assembly	Strategic Briefing held 6 November 2019 in the Council Chamber at 6.00pm	
Matters considered	<ol style="list-style-type: none"> 1. Maribyrnong Boat Ramp 2. Volunteering management 3. Sharing shed and library of things 4. Queen's Park Pool 5. Review of draft agenda for ordinary council meeting on 12 November 2019. 	
Councillors present	Cr Samantha Byrne Cr Jim Cusack Cr Rebecca Gauci Maurici Cr Richard Lawrence Cr Nicole Marshall Cr Narelle Sharpe Cr John Sipek Cr Andrea Surace (8.20pm)	
Apologies	Cr Cam Nation	
Staff present	Bryan Lancaster Gil Richardson Allison Watt Jessie Keating Maria Weiss	Heidi Fisher Kate McCaughey Jim Karabinis Nat Gilbert
External	Gary Gaffney Katherine Grech	
Conflict of interest	Nil	

Assembly	Ordinary Council Meeting pre-meet held on Tuesday 12 November 2019 at 6.03pm. Committee Room, Civic Centre.	
Matters considered	12 November 2019 OCM agenda	
Councillors present	Cr Samantha Byrne Cr Jim Cusack Cr Richard Lawrence Cr Nicole Marshall Cr Narelle Sharpe Cr John Sipek Cr Andrea Surace	
Apologies	Crs Rebecca Gauci Maurici and Cam Nation	
Staff present	Bryan Lancaster Kendrea Pope Vincent Cammell Petrus Barry Allison Watt	Jessie Keating Kate McCaughey Jim Karabinis Meghan Hopper
Conflict of interest	Nil.	

Attachments

Nil