

QT118/14 MR MICHAEL STANLEY - BRUNSWICK WEST

Mr Stanley asked Council what has happened with the money that Council put aside from the Carbon Tax Levy?

James Scott, Director Corporate Services advised that Council is currently working with the waste tip to get a refund of the money and a plan for its expenditure will be determined in line with the 2015-2016 Budget cycle.

Adjournment of Meeting

Cr Gillies moved, Cr Davidson seconded that -

Council resolve that Standing Orders be suspended.

The Council meeting was adjourned at 8.39 pm.

Carried

Resumption of Meeting

Cr Yildiz moved, Cr R Thompson seconded that -

Council resolve that Standing Orders be resumed.

The Council meeting was resumed at 8.45 pm with all Councillors present.

Carried

8.45 pm Cr Teti entered the Council Chamber.

"ON NOTICE" ITEMS FROM PREVIOUS COUNCIL MEETING:

Nil.

DED89/14 AMENDMENT C123 TO THE MORELAND PLANNING SCHEME - COBURG ACTIVITY CENTRE - CONSIDERATION OF PANEL REPORT AND ADOPTION (D14/316293)

The purpose of this report is to seek Council's adoption of Amendment C123 with changes in response to the recommendations of the independent Panel which considered submissions to the Amendment.

Amendment C123 seeks to implement the Colours of Coburg Place Framework (otherwise known as the TCI: The Coburg Initiative) and the Central Coburg 2020 Structure Plan (CC2020). As such, the amendment is based on significant strategic work and expert advice to inform the key directions for the Coburg Activity Centre.

The amendment introduces the Activity Centre Zone Schedule 1 (ACZ1) for the majority of the Coburg Activity Centre (with the exception of some land within a Public Use Zone, Public Park and Recreation Zone or Road Zone), makes consequential changes to the Municipal Strategic Statement (MSS), deletes a number of redundant Local Planning Policies and rezones a number of sites to more appropriate zones.

The Amendment was subject to an extended period of public exhibition from 31 October 2012 to 1 March 2013. 253 submissions were received as a result of public exhibition.

Council at its meeting of 11 December 2013 considered the submissions and resolved to support the Amendment with changes, and to request the Minister for Planning to appoint an independent Panel to consider the submissions to the Amendment.

Council undertook further notice about the proposed changes to the Amendment from 10 March to 18 June 2014. As a result of further notice, 28 additional submissions were received, 24 of which had already made a previous submission. These submissions were provided directly to the Panel.

The Panel Hearing was held over seven days between 9 and 21 July 2014. The Panel Report was received on 10 October 2014.

The Panel recommends Amendment C123 be adopted, subject to changes set out in the Panel Report. The Panel Report is included in Attachment 1.

Overall, the Panel Report commends Council for the comprehensive research undertaken over an extended time frame and its proactive approach to enabling actions to facilitate development of a type and scale that allows Coburg to capitalise on its very significant positive attributes.

The Panel commented that there was a high level of consensus in both Council and the community that Coburg should develop as a medium rise centre, with buildings ranging from 6 to 10 storeys.

The Panel Report makes 40 specific recommendations for changes to the Amendment. Council Officers have reviewed the Panel's 40 recommendations and provided a response. As discussed in this report, Council Officer's review of the Panel recommendations conclude that some recommendations should be supported, some recommendations are partially supported, and some are not supported (Attachment 2).

Key changes recommended by the Panel are summarised below:

- Maintain the originally exhibited maximum overall heights and provide discretion to vary maximum heights reflective of a medium rise centre. Allow for mandatory streetwall/podium heights.
- Include guidance for discretion if heights are proposed to be varied, including the need to demonstrate exemplary design quality and provide specific benefits to the community such as excellent ESD performance or affordable housing.
- Make changes to upper level setbacks, including the application of Clause 55 (ResCode) standards for setbacks, overlooking and overshadowing of properties in a residential zone adjoining the ACZ.
- Revise the ESD requirement to define 'best practice' and to replace references to 6 Star Green Star (world leader) with 4 Star Green Star (best practice) for larger developments.
- Revise the requirements for affordable and accessible housing to 'encourage' affordable and accessible housing and remove the prescriptive proportional requirements.
- Exempt proposals from third party notice and review rights unless the proposal is within 30 metres of a residential zone or land used for a hospital or education centre and if the preferred heights, setbacks and interface treatments are not complied with.

The final step in the amendment is for Council to determine the final content of the amendment, adopt the Amendment (with changes) and lodge it with the Minister for Planning for final approval. This will conclude the amendment process.

Cr Bolton moved that -

That this item be deferred.

Lost on the casting vote of the Mayor

Cr Tapinos moved, Cr R Thompson seconded that -

Council resolve to:

1. Note the recommendations of the Amendment C123 Panel Report dated 10 October 2014 (Attachment 1).
2. Adopt Amendment C123 pursuant to section 29(1) of the *Planning and Environment Act 1987*, with changes documented in Attachment 2, subject to the following change that all building heights are mandatory.

3. Delegate to the Director Planning and Economic Development the authority to finalise changes to the Amendment in accordance with Council's resolution and also to undertake any minor changes as required to correct errors, grammatical changes, map changes and any consequential changes required to the Municipal Strategic Statement (MSS) to align it with the final Amendment.
4. Submit Amendment C123 with changes to the Minister for Planning for approval, pursuant to section 31(1) of the *Planning and Environment Act 1987*.
5. Notify all submitters of Council's resolution and to write to all submitters advising of the Minister's decision on Amendment C123 once confirmed.

Amendment

Cr Bolton moved, Cr Ratnam seconded that –

Council resolve that the panel report recommendations be amended as follows:

1. Recommendation 9: maintain the exhibited maximum overall heights (rather than the reduced heights supported by council after consideration of submissions) (pages 36-61 of Panel report).
2. Recommendation 19: delete the reference to the need to justify a minimum floor space from Clause 6 – 'Application requirements'.
3. Recommendation 28: revise table to:
 - a) Replace references to 6 Star Green Star with 4 Star Green Star;
 - b) Apply the 4 Star Green Star custom tool for specific land use types (such as supermarkets or health care); and
 - c) For small scale developments (less than 10 dwellings or 1000m² for non-residential development) apply NatHERS or Council's SEPS methodology (or its replacement).
4. Recommendation 30: add an objective to encourage fully adaptable and visitable housing and delete the ACZ1 Cause 4.4 requirements relating to 'Access for All'.
5. Recommendation 31: revise provisions relating to affordable housing to:
 - a) Revise the objective as follows – '*To encourage and facilitate the provision of affordable housing choices for people in the lowest 40% of income groups*';
 - b) Delete the design and development requirement relating to affordable housing.
6. Recommendation 34: exempt proposals from third party notice and appeal rights unless the proposal: Is within 30 metres (not a road) of a residential zone or land used for a hospital or an education centre; and requirements relating to the building envelope or interface treatments are not met.

Lost

9.01 pm Cr Gillies left the Council Chamber.

9.03 pm Cr Gillies returned to the Council Chamber and returned to her seat.

Cr Bolton called for a division.

For

Cr Hopper
Cr Davidson
Cr Kavanagh
Cr Teti
Cr Thompson
Cr Yildiz
Cr Tapinos

Total For (7)

Against

Cr Bolton
Cr Gillies
Cr Ratnam

Total Against (3)

The substantive motion was carried