



Ordinary Meeting of Council Agenda

**to be held on Tuesday 2 October 2018 at 7.00pm
Richmond Town Hall**

Arrangements to ensure our meetings are accessible to the public

Council meetings are held at either the Richmond Town Hall or the Fitzroy Town Hall. The following arrangements are in place to ensure they are accessible to the public:

- Entrance ramps and lifts (off Moor Street at Fitzroy, entry foyer at Richmond).
- Interpreting assistance is available by arrangement (*tel. 9205 5110*).
- Auslan interpreting is available by arrangement (*tel. 9205 5110*).
- A hearing loop is available at Richmond only and the receiver accessory is available by arrangement (*tel. 9205 5110*).
- Proposed resolutions are displayed on large screen.
- An electronic sound system amplifies Councillors' debate.
- Disability accessible toilet facilities are available at each venue.

Recording and Publication of Meetings

An audio recording is made of all public Council Meetings and then published on Council's website. By participating in proceedings (including during Public Question Time or in making a submission regarding an item before Council), you agree to this publication. You should be aware that any private information volunteered by you during your participation in a meeting is subject to recording and publication.

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Order of business

- 1. Statement of recognition of Wurundjeri Land**
- 2. Attendance, apologies and requests for leave of absence**
- 3. Declarations of conflict of interest (Councillors and staff)**
- 4. Confidential business reports**
- 5. Confirmation of minutes**
- 6. Petitions and joint letters**
- 7. Public question time**
- 8. General business**
- 9. Delegates' reports**
- 10. Questions without notice**
- 11. Council business reports**
- 12. Notices of motion**
- 13. Urgent business**

1. Statement of Recognition of Wurundjeri Land

“Welcome to the City of Yarra.”

“Yarra City Council acknowledges the Wurundjeri as the Traditional Owners of this country, pays tribute to all Aboriginal and Torres Strait Islander people in Yarra and gives respect to the Elders past and present.”

2. Attendance, apologies and requests for leave of absence

Anticipated attendees:

Councillors

- Cr Daniel Nguyen (Mayor)
- Cr Danae Bosler
- Cr Stephen Jolly
- Cr Mike McEvoy
- Cr James Searle
- Cr Amanda Stone

Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Ivan Gilbert (Group Manager – Chief Executive’s Office)
- Lucas Gosling (Director - Community Wellbeing)
- Colm Connolly (Acting Director – City Works and Assets)
- Margherita Barbante (Acting Director - Corporate, Business and Finance)
- Bruce Phillips (Director - Planning and Place Making)
- Jane Waldock (Assistant Director - Planning and Place Making)
- Mel Nikou (Governance Officer)

Leave of absence

- Cr Misha Coleman (Deputy Mayor)
- Cr Mi-Lin Chen Yi Mei
- Cr Jackie Fristacky

3. Declarations of conflict of interest (Councillors and staff)

4. Confidential business reports

Item

- 4.1 Matters prejudicial to Council and/or any person
- 4.2 Matters relating to legal advice
- 4.3 Contractual matters

Confidential business reports

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 89 (2) of the *Local Government Act 1989*. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

RECOMMENDATION

1. That the meeting be closed to members of the public, in accordance with section 89 (2) of the *Local Government Act 1989*, to allow consideration of:
 - (a) matters prejudicial to Council and/or any person;
 - (b) matters relating to legal advice; and
 - (c) contractual matters.
2. That all information contained within the Confidential Business Reports section of this agenda and reproduced as Council Minutes be treated as being and remaining strictly confidential in accordance with the provisions of sections 77 and 89 of the *Local Government Act 1989* until Council resolves otherwise.

5. Confirmation of minutes

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on Tuesday 18 September 2018 be confirmed.

6. Petitions and joint letters

7. Public question time

Yarra City Council welcomes questions from members of the community.

Public question time procedure

Ideally, questions should be submitted to Council in writing by midday on the day of the meeting via the form available on our website. Submitting your question in advance helps us to provide a more comprehensive answer. Questions that have been submitted in advance will be answered first.

Public question time is an opportunity to ask questions about issues for which you have not been able to gain a satisfactory response on a matter. As such, public question time is not:

- a time to make statements or engage in debate with Councillors;
- a forum to be used in relation to planning application matters which are required to be submitted and considered as part of the formal planning submission;
- a forum for initially raising operational matters, which should be directed to the administration in the first instance.

If you wish to raise matters in relation to an item on this meeting agenda, Council will consider submissions on these items in conjunction with and prior to debate on that agenda item.

When you are invited by the meeting chairperson to ask your question, please come forward and take a seat at the microphone and:

- state your name clearly for the record;
- direct your questions to the chairperson;
- ask a maximum of two questions;
- speak for a maximum of five minutes;
- refrain from repeating questions that have been asked previously by yourself or others; and
- remain silent following your question unless called upon by the chairperson to make further comment or to clarify any aspects.

8. General business

9. Delegates' reports

10. Questions without notice

11. Council business reports

Item		Page	Rec. Page	Report Presenter
11.1	Victoria Street Precinct update and place activation opportunities	7	14	Malcom McCall - Unit Manager Social Policy and Research
11.2	Yarra Community Infrastructure (possible revised layout) - The Village, Alphington	15	29	Bruce Phillips – Director Planning and Place Making
11.3	Report on Assemblies of Councillors	32	33	Ivan Gilbert – Group Manager - Chief Executive's Office

The public submission period is an opportunity to provide information to Council, not to ask questions or engage in debate.

Public submissions procedure

When you are invited by the meeting chairperson to make your submission, please come forward and take a seat at the microphone and:

- state your name clearly for the record;
- direct your submission to the chairperson;
- speak for a maximum of five minutes;
- confine your remarks to the matter under consideration;
- refrain from repeating information already provided by previous submitters; and
- remain silent following your submission unless called upon by the chairperson to make further comment.

12. Notices of motion

Nil

13. Urgent business

Nil

11.1 Victoria Street Precinct update and place activation opportunities

Trim Record Number: D18/162286

Responsible Officer: Unit Manager Social Policy and Research

Purpose

1. To provide an update on activities relating to public health, economic development, urban design, traffic management, cleaning and amenity, and information and communications relating to the Victoria Street Precinct.
2. To outline potential place activation opportunities for the corner of Victoria and Lennox Streets and the Victoria Street precinct that could be discussed and further developed with the local community and other stakeholders.

Background

3. Council endorsed the Victoria Street Streetscape Masterplan in September 2015. A key element of the masterplan included the Lennox Street/Nicholson Street intersection upgrade. Council received a grant from the Department of Justice and Regulation as part of the Public Safety Infrastructure Fund to support part of the funding for these works. The works include new seating, paving, lighting, plantings, and improvements for cyclists and pedestrians. The works are to be completed towards the end of September.
4. At its meeting on 7 August 2018 Council passed the following motion:

That Council Officers provide advice to Councillors on options for “place activation” of the area bounded by Lennox/Nicholson and Victoria Street upon completion of the urban design works, considering:

 - (a) *a range of activation options that may be suited to this space – for example, performance art, food and beverage, cultural tourism and community activities;*
 - (b) *identify which options are most feasibly delivered in either the short, medium or longer term;*
 - (c) *explore how the community – residential, business and visitor – could be engaged to help design and deliver the different options; and*
 - (d) *provide an indication of the resources required to deliver the options provided.*
5. At its meeting on 19 December 2017, Council received a report on matters relating to the Victoria Street precinct. The report outlined the suite of activities to enhance the precinct and respond to community aspirations articulated through the Reimagining Victoria Street engagement. The significant efforts of numerous organisations and individuals that participated in the campaign to establish a Medically Supervised Injecting Centre (MSIC) in North Richmond were acknowledged and Council reaffirmed its commitment to providing, supporting and advocating for evidence-based harm reduction measures.
6. This report provides further updates on a number of initiatives outlined within the 19 December 2017 Council report and also outlines some of the place activation opportunities for the Victoria Street precinct.

Victoria Street precinct update

Communications

7. Victoria Street was featured recently within Yarra Life and the August-September edition of Yarra News. A short video has also been produced and circulated on social media. These communications included information on:
 - (a) shopfront improvements;
 - (b) roller shutter artwork;
 - (c) Victoria and Lennox/Nicholson street upgrade;

- (d) furniture and streetscape upgrade, and
- (e) graffiti management and street cleaning.

8. More information on these activities are provided within this report.

Urban design works

9. A key project within the Victoria Street Streetscape Masterplan is upgrades to the Lennox Street/Nicholson Street intersections. The Nicholson Street corner has been completed and includes new paving, seating and planting. The works on the corner of Lennox Street include new seating, paving, lighting, plantings, and improvements for cyclists and pedestrians. The works are to be completed towards the end of September. These upgrades were partly funded by a grant from the Department of Justice and Regulation as part of the Public Safety Infrastructure Fund (PSIF).
10. A condition of the PSIF grant was to undertake an evaluation of the work's impact upon public amenity and community safety. The evaluation involves pre and post observational studies, street intercept surveys and analysis of various data sets. As part of the evaluation the following are to be considered:
- (a) an increase in the number and diversity of people visiting, accessing and utilising the space;
 - (b) a reduction in criminal offences recorded across the different crime categories;
 - (c) decreases in drug activity;
 - (d) increases in perceptions of safety; and
 - (e) positive feedback from the community.

Shopfront improvement program

Audit of existing shopfronts and trader intercept surveys

11. Another condition of the PSIF grant is to undertake a shopfront improvement program. Following an audit of the existing shopfronts (i.e. field data capture, mapping and analysis) and intercept surveys with traders to understand challenges and gauge opinion on different strategies, several initiatives have now commenced.

Visual merchandising, shopfront cleaning/maintenance

12. A pilot program has involved working in close partnership with business/property owners on Victoria Street to improve shopfronts. To maximise program impact, the pilot has centred on the area between Church and Lennox Streets on the southern side of Victoria Street. A visual merchandising and design specialist was engaged to provide one-on-one, tailored advice to participating businesses on improving their shopfront in a short time and for little cost. Four shops participating in the pilot with shopfronts upgraded in July 2018.
13. Participating businesses paid for any works over and above the \$1,000 contribution that Council provided. This excluded the design and consultation costs which Council also provided.
14. Businesses are expected to maintain the upkeep of their shopfronts to the standard provided to them at the close of the program. Each participating business will also be provided with a shopfront cleaning/maintenance kit and a shopfront maintenance checklist at the close of the program.
15. It is envisaged that this program will run over a three-year period. The program will be evaluated to inform the implementation of a further roll out over the additional two-year period. Implementation for year two of the project will commence in September 2018.
16. The participants of the pilot will be encouraged to become champions of the program and help promote the benefits to other businesses in the street.

Aesthetic improvements to the roller shutters

17. Vinyl wraps with colourful graphic designs using local children's artwork will be applied to 16 roller shutters on the southern side of Victoria Street. These works will be completed by early October.
18. A range of options to treat the roller shutters were investigated including cleaning only, block single colour painting, painted murals/artwork, vinyl cut out decals, and full graphic vinyl wrap. Criteria that were considered included longevity and sustainability of the treatment, aesthetics, graffiti resistant surfaces, ease of cleaning and past experience of graffiti in Victoria Street.
19. The vinyl wraps are graffiti resistant and traders will be issued with appropriate cleaning products and instructions on maintaining these shutters in a graffiti free condition.
20. At its meeting on 26 June (as part of the 2018/19 budget resolution) Council resolved to progress further roller shutter improvements in the form of a grant to the Victoria Street Business Association, with agreement guidelines to be established.

Cleaning blitz on shopfronts

21. Shopfronts on Victoria Street between Church and Lennox Streets will be cleaned during month of October 2018. As this involves private property, businesses will be given the opportunity to opt out of having their property included as part of the clean. Once cleaned and painted the shop fronts will be coated with a new anti-graffiti coating which will make cleaning graffiti very easy for the shopkeepers and others involved in graffiti removal.

Graffiti, litter and syringe management

22. Council is continuing to work with businesses in Victoria Street to address the issue of bins being left on the street. The area is checked and cleaned every day by the litter control crews and litterbins are emptied daily.
23. Posters and graffiti are cleaned daily from Council assets on a night shift by graffiti management crews. Council has established five areas where various new graffiti management methods will be trialled as a partnership between Council and the community to find the optimal means to manage graffiti. Victoria Street will be added as another trial area and data will be collected after the clean-up.
24. Council contracts Innerspace (cohealth) to provide syringe management services. Syringe management services include removal of discarded syringes and related litter from public and private spaces in the City of Yarra via sweeps and also by requests through the Yarra Syringe Disposal Hotline. Innerspace also regularly clear and monitor syringe disposal units, and collect any discarded syringes and related litter in the immediate area surrounding the units.

Capital works

25. Council has approved capital works funding in 2018/19 to upgrade furniture, plantings, signage, tactiles and some pavement treatments along the full length of Victoria Street.

Medically Supervised Injecting Centre

26. In October 2017, the State Government announced support for a two-year trial of a Medically Supervised Injecting Centre (MSIC) at North Richmond Community Health (NRCH). A transitional Medically Supervised Injecting Room (MSIR) is now operating in a refurbished space within the existing North Richmond Community Health building. The transitional facility is expected to operate until mid-2019, after which operations will move to a purpose-built facility on the NRCH site.
27. Media reports indicate that a significant number of people are using the facility and that a number of lives have been saved to date. An extensive evaluation of the facility is being undertaken as part of the trial. This includes monitoring any shifts in drug-related activity as a result of the MSIR including changes to locations and numbers of unsafely disposed syringes.

28. Evaluations of the Medically Supervised Injecting Centre in Sydney show that this facility is saving lives, improving public amenity (through a significant reduction in unsafely discarded needles and syringes), reducing ambulance call outs and providing valuable outreach and service pathways for people who inject drugs.
29. Council is a member of The MSIR Local Reference Group has been established by the Victorian Government to facilitate dialogue with key local stakeholders and provide information on the operation of the facility.

Health, safety and wellbeing protocol (information for local residents, traders and visitors) and improving outreach services

30. In 2012 Council, in partnership with several agencies, developed the *Protocol for the Management of Illicit Drug Use Issues in Yarra*. The protocol provided guidance on who to contact for a range of matters including but not limited to the removal of syringes, public injecting and threats to personal safety.
31. As a result of the MSIR being introduced, a functional review of the protocol was undertaken by officers from Council and DHHS. This review included a thematic analysis of health and safety data from customer relations management systems and recent community consultations, interviews with staff from front line agencies and production of a new interim factsheet – published in time for the opening of the MSIR – titled *Community health, safety and wellbeing in Richmond - Information for local residents, traders and visitors* (included at attachment 1). This factsheet outlines information for the following:
 - (a) disposal of discarded needle syringes and related litter;
 - (b) neglected property, cleaning and maintenance;
 - (c) emergency assistance;
 - (d) illegal activity and personal safety;
 - (e) public injecting and drug affected people; and
 - (f) alcohol and other drug counselling, advice and referral.
32. Council officers and staff from DHHS are continuing the dialogue with frontline agencies on strategies to enhance the delivery of outreach within the City of Yarra.
33. Work is also progressing on new communications materials, both hard and soft copy, to inform the community on who to contact, as well as how, for the range of issues arising from drug use (i.e. health & welfare responses, law enforcement & public safety and amenity promotion). Strategies will be developed for both proactive and reactive dissemination to the whole-of-community.
34. Several client cohorts are not eligible to access the MSIR – as prescribed by legislation and facility management protocols – and others may seek additional information prior to using the MSIR. The outreach services provided by various agencies in the City of Yarra (funded by DHHS) play a key role in assisting these people. Agencies that provide outreach also have a key role in talking to the broader community in the course of doing outreach activities.
35. Within the interim factsheet is a section on *public injecting and drug affected people* which lists the contact details for drug safety and outreach workers who can assist drug affected people outside of the MSIR. Like the MSIR, this is a health and wellbeing response for people who inject drugs and provides the community with an alternative to calling the police or an ambulance where people have concerns of the welfare of people in non-emergency situations.

Support to traders and upcoming marketing campaign

36. Council's Economic Development team works closely with local businesses to support growth and development.
37. Council is committed to supporting the Victoria Street Business Association to become an effective and transparent business association and to promote Victoria Street as a visitor destination.

38. In late 2018 a campaign developed by Council's Economic Development and Communications units will be launched to promote and support Victoria Street. The campaign will be titled *Rediscover Victoria Street* and is likely to include footpath decals, posters and online marketing. This is discussed further in the potential place activation opportunities section of this report.

Support to community groups

39. Council also provides opportunities for cultural celebrations including the Lunar Festival which is funded through the Celebrate Yarra Triennial Funding Grant.
40. Council has issued several other community grants to organisations that contribute to the local community, including to those who provide services to vulnerable groups.

Parking and traffic

41. Consultation has concluded on the draft plan for the Local Area Place Making study in Abbotsford precinct (LAPM 13 bounded by Johnston Street, Hoddle Street, Victoria Street and Yarra River). The project team is reviewing the feedback and results are to be presented to the working group in September/October 2018. A recommended plan will be then be prepared for Council endorsement in late 2018.

Potential place activation opportunities

42. As outlined in this report, there have been substantial physical infrastructure investments made in relation to the Victoria Street precinct. While these are anticipated to have positive impacts, there is a limit on what physical infrastructure can achieve when it comes to supporting a cohesive and resilient community and building community capacity. Place activation provides an opportunity to facilitate the social interactions and connections upon which community is developed.
43. At an internal cross-organisational workshop, officers explored a range of potential place activation opportunities for the corner of Victoria and Lennox Streets and the Victoria Street precinct more broadly. The opportunities identified varied by theme, with some relating to food and beverage, tourism, performance and visual arts and community events. Opportunities also varied in terms of duration (i.e. once off or repeatable, short-lived to maintainable longer-term); anticipated risks; level of community-engagement (i.e. from support through to actually co-owning and/or driving initiatives); resources (i.e. staff, materials and vendors, within or outside of operational budget); and likely timeframes for implementation.
44. There are a number of initiatives identified that have potential to draw people to the area and encourage them to linger and socialise, these include:
- (a) graffiti removal information sessions;
 - (b) pavement art program;
 - (c) busking or commissioning of street performers;
 - (d) Yarra Libraries outreach through the Book Bike;
 - (e) street art and murals;
 - (f) intimate open air DJ sets;
 - (g) mobile coffee cart;
 - (h) walking food tour;
 - (i) heritage and culture walks;
 - (j) Community BBQs in Butler Park;
 - (k) community safety pop-up consultations;
 - (l) The Rediscover Victoria Street marketing campaign; and
 - (m) grant stream for community-led place making in the Victoria Street Precinct.

45. Some of the opportunities could be implemented within existing resources and in the shorter term. There are two key longer-term opportunities which have been identified that would require Council to invest further resources as part of the 2019/20 budget:
- (a) Economic development and tourism: As previously mentioned, the Rediscover Victoria Street Campaign will commence shortly. If an evaluation of this program were to demonstrate that it has promise, additional resources could be committed to its expansion. Such a program would be led by Council and would require the active involvement of the broader community; and
 - (b) a new grant stream: There are several community groups that operate within or nearby the Victoria Street precinct and there is an opportunity to facilitate their active use of public spaces such as the Lennox Street/Nicholson Street intersection through additional resourcing. This stream would be specifically for place activation and community capacity building. Appropriate grant guidelines would need to be developed.
46. Progressing any of these or other opportunities will, by necessity, require thorough consideration of likely costs, benefits and risks. Furthermore, as successful place making requires community support and ownership, thoughtful consultation and engagement with local businesses, community and other stakeholders is paramount.

External Consultation

47. External consultation was outside of the scope of this exercise. However, external consultation on the range of activation options will be explored in the next phase.

Internal Consultation (One Yarra)

48. Updates were sought from relevant staff across the organisation, including from those that form part of the Reimagining Victoria Street internal working group.
49. Various staff from relevant Council work units have provided feedback relating to the potential place activation opportunities outlined.

Financial Implications

50. Funding has been allocated to several existing initiatives outlined in this report.
51. No funding has been allocated for the potential place activation opportunities outlined. It is anticipated that some of these can be achieved at no financial cost (officer time only), through existing budgets (at low cost and with officer time), or through future new initiatives as part of the budget process.

Economic Implications

52. The improvements to the Victoria Street Precinct aim to have positive economic benefits for the area.

Sustainability Implications

53. Not applicable.

Social Implications

54. Improvements to the Victoria Street Precinct aim to have a positive impact on the social environment.

Human Rights Implications

55. Not applicable.

Communications with CALD Communities Implications

56. It is anticipated that several of the proposed place activation opportunities will involve engagement community groups from CALD background.

Council Plan, Strategy and Policy Implications

Council Plan (incorporating the Municipal Health and Wellbeing Plan)

57. The Council Plan 2017-2021 identifies higher rates of drug and alcohol abuse, and lower perceptions of safety in some parts of Yarra as key issues. It notes that the drug trade and associated health behaviours and outcomes affect the community from both a community safety perspective and a health and wellbeing perspective. Relevant strategies include:
- (a) *promote a community that is inclusive, resilient, connected and enjoys strong mental and physical health and wellbeing; and*
 - (b) *assist to reduce the harms from alcohol and drugs on individuals and the community in partnership with state agencies and key service providers.*
58. The Council Plan also includes actions to:
- (a) *advocate to the state government for a medically supervised injecting facility and other harm minimisation measures in the Victoria Street precinct; and*
 - (b) *work with local partners and agencies to increase health and education, community partnerships and harm minimisation from the abuse of drugs and alcohol.*

Community Infrastructure Plan

59. Council plays a direct role in the planning and delivery of community infrastructure and an indirect role by coordinating other providers in this space. The provision of flexible and well-designed community infrastructure, that addresses community needs, will contribute to generating the best outcomes for our community. Council's vision for community infrastructure planning is: *To identify current and future needs so that Council can deliver and influence the provision of quality, flexible and responsive community infrastructure to support a prosperous, liveable and sustainable City of Yarra.*
60. Council's three goals of community infrastructure planning are to:
- (a) *build and support a safe, healthy and cohesive community;*
 - (b) *create a sustainable city with responsive and flexible community infrastructure; and*
 - (c) *embed a holistic approach in planning and delivery.*
61. The Community Infrastructure Plan notes an opportunity *to achieve good public space (or public realm) outcomes through forming partnerships between Council, community, businesses, service authorities and developers. Building strong relationships with key stakeholders will support public space improvements and emerging public spaces. For example, encourage improvements of shopfronts, encourage building design to support public places and curate legal street art where relevant.*

Legal Implications

62. Not applicable.

Other Issues

63. Not applicable.

Options

64. Not applicable.

Conclusion

65. There have been substantial physical infrastructure investments made in relation to the Victoria Street precinct. The place activation opportunities outlined could complement these works and be a catalyst for achieving an increase in the number and diversity of people visiting, accessing and utilising the precinct and subsequent improvements in economic activity, social life and perceptions of local amenity and safety.
66. Further consultation is required with local businesses, community and other stakeholders to obtain their perspective on these (or other) place making opportunities and their interest in supporting or delivering these initiatives in the Victoria Street precinct.

67. Consideration will need to be given to the frequency of any future initiatives and the length of time that initiatives are in place. The limitations associated with only having a small number of temporary initiatives are apparent when considering the objectives of the urban design works, particularly achieving an increase in the number and diversity of people visiting, accessing and utilising the area. To have a substantial impact on the precinct, and to support the physical infrastructure investments, longer-term initiatives could be required.
68. Subsequent to consultation, officers will further inform Council of the identified preferred options from the community and provide recommendations for resourcing, should it be required.
69. Consultation with key stakeholders will include but not be limited to: traders, residents, residents associations and key local community agencies. Consultation will consist of a mix of face to face individual and group based discussions. Consultation will also provide further opportunities for stakeholders to suggest additional activation options for consideration. Further surveying of stakeholders may also be required should options be identified that require limited additional Council resources, in order to assist in identify priorities.

RECOMMENDATION

1. That Council:
 - (a) notes the update provided on activities relating to public health, economic development, urban design, traffic management, cleaning and amenity, and information and communications relating to the Victoria Street Precinct;
 - (b) notes the opportunities for place activation that have been identified in this report and that progressing any of these (or other) opportunities will require a systematic assessment of costs, benefits, risks and impacts;
 - (c) notes and considers a new initiative bid as part of the 2019/20 budget for a new grant stream for place activation and community capacity building in the Victoria Street precinct;
 - (d) notes and considers a new initiative bid as part of the 2019/20 budget for ongoing promotion of the Victoria Street precinct through economic development and tourism opportunities and through the Rediscover Victoria Street campaign; and
 - (e) authorises officers to consult with identified stakeholders from local businesses, community and other groups to obtain their opinion on opportunities for place activation at the intersections of Victoria and Lennox Streets and the Victoria Street precinct more broadly and establish the level of engagement.

CONTACT OFFICER: Erika Russell
TITLE: Senior Planner, Community Health and Safety
TEL: 9205 5534

Attachments

- 1 ⇨ Interim factsheet - Community health, safety and wellbeing in Richmond - Information for local residents, traders and visitors

11.2 Yarra Community Infrastructure (possible revised layout) - The Village, Alphington

Trim Record Number: D18/162525

Responsible Officer: Director Planning and Place Making

Purpose

1. This report provides an outline to Council of a '*possible revised layout*' by Alpha Nominees (the proponent) of some of the facilities in the major development site fronting Heidelberg Road. It is a conceptual plan at this point in time by the proponent.
2. The possible changes relate to the required community facilities to be provided (and vested) to the Yarra City Council, and also to the possible school campus, should the Victorian School Building Authority determine to proceed with a senior campus for the Alphington Primary School.
3. The report provides an outline of this concept and seeks some guidance from Council as to whether or not the concept is worth pursuing formally by Alpha Nominees via a formal statutory planning amendment process.

Background

4. The Yarra Planning Scheme was amended to require a Development Plan for this overall site, in accordance with the provisions of the Development Plan Overlay (DPO).
5. The DPO required material to be provided on many aspects; one of which was a Community Needs Assessment Report. Council officer assessment of that report, of the report by an external consultant, and input from a community reference group occurred at the time as part of the inputs to the Council determination of the Development Plan.
6. A report to the public Council meeting on 2 December, 2015 occurred and Council resolved to endorse the Development Plan subject to certain changes. The Development Plan, in accordance with those changes, was then signed and approved in May 2016.
7. The December 2015 Council resolution outlined the approved provision of community facilities. The Council Minutes – Special Meeting of Council - 2 December 2015 state:

24. Community Infrastructure Report

The applicant must provide community space (not less than 300m² "fitted out") and a floor area of not less than 1,400m² "warm shell" in the activity centre with a single roof top multipurpose court (netball standard), with associated sports pavilion and store (approx. 300m²) to the satisfaction of the responsible authority. The title of these spaces shall be transferred to Yarra City Council.

8. A Planning Permit application was then required to be assessed in accordance with the approved Development Plan and the Council December 2015 Council resolution.
9. That application was determined by full Council in May 2018; that Planning Permit contains a number of conditions to be met including the submission, assessment, and when acceptable, the approval of amended plans on a number of aspects (see relevant conditions in Attachment 1).
10. Those various amended plans are being prepared by the applicant; they have not been endorsed at this stage, but are being actively worked on by the proponent.
11. It is important to note that the school campus facility, that formed part of the application by the proponent, is not required as part of the Yarra Planning Scheme or the approved Development Plan. That facility is a matter of a commercial arrangement with the State Government should the Government wish to pursue that school campus facility. That is being considered by the Victorian School Building Authority (VSBA).

The community facility proposals

12. The plans for the community facilities/school campus at the Amcor Village, that were part of the formal planning application assessment (planning permit issued on 5 June, 2018), are being referred to as Proposal 1 in this report (see Attachment 2).
13. The *possible revised plans* provided by Alpha are referred to as Proposal 2 (see Attachment 3).

Relevant Town Planning Permit conditions

14. The Planning Permit issued in June, 2018 has a number of conditions that require amended plans to the satisfaction of the Council before works can commence. These are recited in Attachment 1 for ease of reference. The key ones relating to this possible revision of the community facilities and school layout are (paraphrased):
 - (a) (aa) Floor to floor heights for the community facilities on Level 1 to be increased to a minimum of 3.9m;
 - (b) (oo) Lift access to be provided directly to the court;
 - (c) (pp) Separate access to the court independent of the sports pavilion;
 - (d) (qq) A secondary entrance provided to the 1,400sqm area to enable the potential division of the internal space;
 - (e) 11(b) Modified plans regarding noise and vibrations from ball bouncing within the sport courts and measure to address potential impacts on nearby residential uses and the community space below the court;
 - (f) 11(f) Acoustic treatment to the community spaces to enable live music/performance and protect the abutting residences.
 - (g) 15. An Air Quality Report assessing the following:
 - (h) 15(a) predicted air pollution levels within the first floor school playground;
 - (i) 15(b) acceptable air quality/pollutant levels for the school playground activities; and
 - (j) 15(c) suggestions/recommendations to achieve acceptable air quality levels.
 - (k) 27. Lighting details of the outdoor court (lux levels and baffling)
 - (l) 30. An agreement to provide the following:
 - A minimum of 300sqm community space
 - A minimum of 1,400sqm community centre activity space including terrace area
 - A minimum of 300sqm sports pavilion; and
 - A roof top outdoor sports court
 - (m) 30(b) the owner will undertake the:
 - (i) fit out of the internal 300sqm community space (to include floor covering, ceiling, lighting and air conditioning);
 - (ii) Delivery of a "warm shell" of the 1,400sqm area; and
 - (iii) Delivery of the roof-top multi-purpose court to netball standard, including lighting with associated 300sqm sports pavilion and store, before they are gifted to the Responsible Authority
 - (n) 34(a) Court usage between Monday to Sunday 6.00am to 10.00pm
 - (o) 52. The provision of music and entertainment on the land must be at a background noise level excluding the community spaces unless with the prior written consent of the Responsible Authority.

(p) 53. Compliance with the State Environment Protection Policy – Control of Noise.

15. In part, the layout shown in the *possible revised layout* by the proponent are intended to respond to a number of these conditions.

The possible revised concept

16. Alpha Nominees are holding conversations with officers of Council regarding possible revised proposal # 2 to accommodate the community facilities and a school campus in the approved development (see outline below).
17. A group of officers are providing comments to the Director, Planning and Place Making in a One Yarra approach in order to provide some guidance and advice to Council. This report provides an opportunity for Council to consider, conceptually, the possible revised proposal and provides some analysis for Council consideration at this preliminary stage.
18. Should the Council consider that the possible revised proposal adds value, as community facilities, and is better than the originally approved layout and attributes (in a holistic manner), then the applicant would then pursue fuller documentation for lodgement as part of a formal statutory planning process (i.e. as an amendment request to the Planning Permit issued earlier this year by Council).
19. In short, out of consideration of this report Council could:
- (a) express some sense of whether or not it considers this concept as an improvement (conceptually) to the plans considered by Council earlier this year, or
 - (b) express no interest in the revision.
20. The proponent can then:
- (a) determine whether it wishes to resource the possible change to fuller documentation for formal consideration in the statutory planning process, or
 - (b) simply proceed with the plans that were lodged as part of the original application (subject to any specific conditions of that approval being resolved).
21. This report and this process is to enable some flow of the proposal, as part of the other considerations being undertaken regarding adjustments to meet the myriad of planning permit conditions that need to be complied with.
22. It is noted that officers arranged for a presentation by Alpha Nominees (and consultants) of the possible revised layout to Councillors in a briefing on Monday 17 September and also to the Community Reference Group on 24 September in order to understand the changes being mooted by the proponent.
23. The collective view of Council officers, and the opinions expressed by the CRG, are provided as inputs to the Council judgment sought by this report.

The possible revised proposal and process to consider this proposal

24. In short, the arrangement of the buildings is proposed (Proposal 2) to be as follows:
- (a) the school campus and community space behind a building fronting Heidelberg Road;
 - (b) the entrances to the school and the community space to adjoin each other located at level one of the complex above the ground level piazza (the same level within the development as the submitted plans); and
 - (c) The other floorspace to Council (the 'warm shell') being located abutting Heidelberg Road in the lower floor of a multi storey building (see possible revised layout plans Attachment 3).
25. The suggestion by the proponent principally relates to:
- (a) the siting and orientation of the school buildings and community facilities;
 - (b) the location of the multi-purpose court under roof rather than on the rooftop; and

- (c) NB. It is noted that Proposal 2 does show a reduction in the overall floor area of community floorspace to be vested in Council through omitting the sports pavilion, decreasing the floor area of the 'warm shell' and decreasing the floor area of the fitted-out community space. *A detailed comparison and analysis are provided later in this report.*

The Proponents submission

- 26. In summary the proponent states that the key drivers for these suggested changes have been:
 - (a) responding to the requests of the community for an enclosed Multi-Purpose Court (MPC);
 - (b) delivering to Council a more efficient asset in response to Councils desires, and
 - (c) attempting to respond to Council planning conditions through improved design.
- 27. In a written statement the proponent states:
 - (a) *Alpha has always been keen to provide an excellent community outcome with respect to the development. It has had constant contact with the community groups in the 5 year history of this project so far;*
 - (b) *the key driver behind the change is the conversion of the open MPC to an enclosed MPC in response to community requests;*
 - (c) *Alpha has known for some time that it was the community preference for an enclosed MPC, however, given that this was inconsistent with the Council December 2015 resolution in approving the development plan, Alpha chose to develop a compliant scheme;*
 - (d) *at the invitation of Council, Alpha attended a seminar earlier in 2018 on making Council assets work harder and longer. This forced us again to critically look at the design and the facilities offered to Council and question whether it could be done better;*
 - (e) *the new design with the enclosed MPC would extend the life of a community asset and provide superior integration with the school;*
 - (f) *the enclosed MPC could be used for much more than just sport with the capacity to convert the building into an assembly hall and performing arts. It also allows the MPC to be used in all weather, day and night;*
 - (g) *in addition to the above, in relation to the various planning permit conditions relating to the school and the community centre, it became clear to Alpha that the best and most appropriate way to respond to those conditions was to consider a redesign of the area to provide an enclosed MPC and relocate the school, and*
 - (h) *with an understanding of the community drivers we felt this would be a win win for everyone.*

Key differences between the proposals

- 28. It is important to note that the comparison needs to be made on the same comparator – that is,
 - (a) gross floor area to gross floor areas comparison;
 - or
 - (b) nett floor area to nett floor area comparison (i.e. useable floor area).
- 29. It is also important to consider the maximum community benefit that can be achieved through quality design of the community spaces. In this regard, floor area is just one consideration alongside other factors such as flexibility and access to the spaces, amenity (i.e. noise and lighting impacts) and ability to use all the community spaces simultaneously so as to achieve maximum use/benefit.

30. It is noted that Proposal 1 (original) responds to the floor area requirements of the December 2015 Council resolution, which outlined the approved provision of community facilities.
31. It is important to note, however, that there were deficiencies in Proposal 1 that need to be resolved for this proposal to reach a satisfactory built outcome. These concerns were expressed in the Council report on the planning application in June, 2018 regarding the layout and practicality of the community space insofar as concerns with columns, skylights and daylighting factors.
32. Proposal 2 (possible revised layout) does not respond as well to the floor area requirements of the December 2015 resolution, however, this in itself does not necessarily present as a limitation if an overall better community outcome can be achieved from Proposal 2. It remains a Council judgement.
33. In order to provide functionality, such as independent bathrooms for the warm shell floorspace component and the community space, from the multi-purpose courts, and corridors to support independent access, the functional area for the community space and the warm shell have significantly reduced in Proposal 2.
34. In summary, the key differences between the proposals are:
 - (a) location of the school and the community facilities on site;
 - (b) a four level school building with play area at level 2 (above the roof of the sports court);
 - (c) an indoor court as opposed to an open air court (netball standard);
 - (d) floor space of the 'warm shell' to YCC (approved at 1,400 m2 gross area) being reduced (to approx. 945 m2 gross area or 680m2 approx net area, see below);
 - (e) omission of the stand-alone pavilion associated with the sports court (approved previously at 300 m2);
 - (f) shared storage area of 50 m2 between the sports court and warm shell floorspace, and
 - (g) shared point of entry to the community space, warm shell and multi-purpose court.See more specifics below.

Comparison of Proposal 2 with the Proponent's community infrastructure assessment

35. There are, in essence, four levels of consideration in this matter, being:
 - (a) comparison against the previous Council decisions (December 2015 and May 2018);
 - (b) broad aspects regarding is the change supportable conceptually subject to the detailing being resolved;
 - (c) detailed aspects that require attention/changes; and
 - (d) other consequential matters.
36. It is important to note the Council resolution of December 2015 was for:
 - (a) 300 m2 of fitted out community space (this was not defined as gross or nett m2).
NB: - if it were gross area that could have included toilets and kitchenette (for example) in that total floor area; meaning less nett area than 300m2
 - (b) The 1,400 m2 warm shell
NB: (this is gross floor area; with the resultant nett floor area being less once amenities and other aspects is provided within that space).
37. It is noted that the Community Infrastructure Assessment prepared by ASR (Consultants) that was prepared in response to the Development Plan Overlay provisions in 2015 stated:
"the provision of 1,700 square metres of floor space will remain an appropriate contribution and provide Council with the flexibility to determine its own preferred uses for the facility and internal spatial configurations."

Detail review of proposals

38. The two proposals presented by Alpha are detailed in Table 1. Opportunities and constraints of Proposal 2 are indicated where applicable (NB. this list is not exhaustive).

Table 1 Comparison of proposals and opportunities and constraints of possible revised plans September 2018 proposal

Facility / space	Amcor Village Submitted plans with TP application (Proposal 1)	Sept 2018 possible revised plans (Proposal 2)	Sept 2018 possible revised plans (i.e. Proposal 2)	
			Opportunity	Constraint
Multi-purpose court	<p>Outdoor multi-purpose court on level two (rooftop court open to sky) as a compliant netball court size.</p> <p>Has its own dedicated pavilion 300m2</p> <p><i>No dedicated 'stage flexi-space'.</i></p>	<p>Indoor multi-purpose court on level one (885m2) as a compliant netball court size.</p> <p>No dedicated pavilion.</p> <p>Inclusion of a 'stage flexi-space' in the multi-purpose court. No floor area provided.</p> <p>School to have direct access to the court through the school entry off level 1 plaza.</p>	<p>Being indoors, and with a stage, the court could be used flexibly (i.e. for games, training, performances, gatherings etc.) without being subject to weather.</p>	<p>Potential of the school limiting use by the broader community. A joint use agreement with the school and Council would be necessary to manage and program the space.</p> <p>Potentially perceived school ownership of the court by the community.</p> <p>Programming of activities – there is risk that sport/leisure needs may compete with potential other uses (arts/cultural performances).</p> <p>It is likely that the court would be an organised/programmed space i.e. walk-up/casual use will be unlikely. Possible risk associated with meeting the balance of community sporting needs in particular, younger people and older adults.</p> <p>Stage located/adjoining both the community space and the school entry could be problematic when both are in use.</p>
Sports pavilion	<p>Sports pavilion (300m2) on level two located at the north end of the court. Open to the air.</p> <p>The pavilion is located directly above the</p>	<p>No dedicated pavilion.</p> <p>The community space on level 1 is proposed to support court activities (also on level 1) including</p>	<p>Court viewing from courtside/sidelines.</p> <p><i>NB. There could possibly be a potential for a mezzanine level for viewing court (note this could be explored).</i></p>	<p>Viewing court activity is proposed to be from the community space.</p> <p>This would mean that the community space <i>may</i> not be used for non-court activity at the same time as games/training (due to say, noise, etc.). Because</p>

Facility / space	Amcor Village Submitted plans with TP application (Proposal 1)	Sept 2018 possible revised plans (Proposal 2)	Sept 2018 possible revised plans (i.e. Proposal 2)	
	community meeting space on level one.	viewing.		of the stage area, and the entry passage, a significant portion of the court can't be observed from the community space.
Community meeting space	Dedicated community meeting space (300m2 Gross floor area; On level 1.	Community space (200m2). On level 1. Proposed to support court activity. Adjacent to the sports court. Adjacent the school entry.	The frontage of the community space is from level one plaza and adjacent the school entry – visible with good frontage. The community room in this location can act as a 'lobby/reception area' when the court area is being used. Wall dividing the community room and the sports court should ideally have glass/windows (with blinds) and acoustically treated. The wall dividing the community room and the school entry could possibly be partitioned so as to be able to create a larger room – subject to agreement with the school.	Noise impacts from the court on the community space if the space is being used for non-court activities whilst a match or training is in progress. Running programs at the same time as matches/training would mean that users and spectators of the court activities wouldn't have a 'space' other than the court itself (other than the stage area). Types of activities/users of the community space may be limited given proximity to school entrance.
Warm Shell	Warm shell (1,400 gross m2) for Council to determine its use later on. (is located adjacent to the 300 gross m2 community space). Has access to courtyard (outdoor terrace) to the south.	Orientation and location changed. Warm shell 945 gross m2 or (680 nett m2 with access to courtyard (outdoor terrace) that faces Heidelberg Road	Council could determine its usage later on and respond to community needs as they emerge (this opportunity is the same as Proposal 1). Better access to light. Improved outlook and frontage/visibility.	The warm shell has the same entrance as users from the court and community space. Floor area reduced (both in gross and nett floor areas).
Community Entry	Separate entrance for community space and warm shell. On level 1. Separate entrance to court and	Community entry (140m2) One L-shaped entrance for court users, warm shell and community	One point of access for all spaces (warm shell, court and community space). This means that they can all be used without disruption from	The entrance could become busy/congested especially when the court is being used. Potential conflict between court users and warm shell

Facility / space	Amcor Village Submitted plans with TP application (Proposal 1)	Sept 2018 possible revised plans (Proposal 2)	Sept 2018 possible revised plans (i.e. Proposal 2)	
	pavilion because it is located on level 2.	space.	another use (i.e. access to the court is not through the community space).	<p>users.</p> <p>The L-shape of the entry possibly isn't the best use of space. The additional space shown as entry leading to the stage appears unnecessary and adds little obvious value.</p> <p>The portion of the L-shaped 'passage/entry space' between the court and the flexible space could be problematic for the proposed 'viewing' of the court from the community space i.e. this purpose may not be possible with this entrance/passageway design.</p>
Amenities (toilets, change room)	<p>Shared toilets for warm shell and community space.</p> <p>Separate toilets and change rooms court use/pavilion.</p> <p>Unclear on m2.</p>	<p>Shared toilets between the community space and warm shell. Located on Level 1.</p> <p>Unclear on m2.</p>	<p>Location of the toilets and change room between the court and the warm shell would appear to provide acoustic separation to the warm shell area.</p>	<p>Appears that the toilets for the court are proposed to also service the community space.</p> <p>Users of the community space should have access to toilets (not toilets for the courts) without having to enter the 'warm shell' floor space.</p>
Kitchen/ kiosk	<p>Not identified in the plans.</p> <p>However kitchen/kiosk facilities were to be available within the pavilion and within the community room.</p>	<p>Kitchen / kiosk shown next to warm shell and near community space.</p> <p>Unclear on m2.</p>	<p>Location of the kitchen and kiosk from the court and the warm shell would appear to provide acoustic separation.</p>	<p>Kitchen space is orientated to warm shell.</p> <p>Kiosk space looks small.</p> <p>These should ideally orient more to the community space and court to serve the intended purpose, i.e. to support community use of the facilities and potential operation of a kiosk for games, training or other events such as performances.</p>
Storage	<p>The storage areas are not identified in the plans; however, the spaces were large to</p>	<p>Storage space of 50m2.</p> <p>Situated between the court and the</p>	<p>To be investigated:</p> <p><i>There may be an opportunity to find storage space internal to court. There may be</i></p>	<p>The storage space access needs to be confirmed.</p> <p>The community space 200m2 (nett m2) would</p>

Facility / space	Amcor Village Submitted plans with TP application (Proposal 1)	Sept 2018 possible revised plans (Proposal 2)	Sept 2018 possible revised plans (i.e. Proposal 2)	
	accommodate storage.	warm shell. It isn't clear if the space can be accessed from both the court and the warm shell.	<i>an opportunity to use space underneath the Stage for storage.</i>	need to have accessible storage in closer proximity to the community room. In this design access is via the warm shell which may not be workable. The court will need to have dedicated storage space i.e. for sporting equipment as well as for chairs/tables so that the space can be used flexibly.
Reception	No reception area.	A reception area is proposed to be located to the right of the community entry.	This space could be removed to enable more floor area to support a further design/layout option.	A reception area can be problematic when there are multiple users/management of a space. For example, it is unlikely that the reception would be manned for a large portion of the time – and this can place questions around whether it is the best use of space – as well as confusing for new users to the space/people finding their way to the facilities.
School and school entry <i>NB. Alpha Nominees are in discussion with VSBA</i>	Located on Heidelberg Road. Vertical school over level one, two, three and four. Entrance on level one.	Located behind a building that fronts Heidelberg road. Vertical school over level, one, two, three and four. Entrance on level one and adjacent the Community pavilion and entrance.	The school has its own entry to the court from the main school entry of the level 1 plaza.	A large school entry is 250m2 is proposed. This is larger than the proposed community space. It may be that the school entry could be less and the community space area increased. <u><i>NB. Alpha Nominees are in discussion with VSBA</i></u>

39. As said above, the ‘performance’ (adequacy in layout) of the community space in Proposal 1 (submitted with the planning application) contained some concerns and these were expressed to Council by officers with corresponding recommendations. The Planning Permit (issued on 5 June, 2018) contains requirements for amended plans to the satisfaction of the Responsible Authority (Council) to address those issues (see relevant conditions in Attachment 1).

40. The proponent is seeking to address those, and other aspects, as part of the more detailed design work being undertaken.

Key considerations

41. There are some aspects of Proposal 2 that need to be carefully considered in Council forming an opinion on the possible revised concept. These include:
- (a) less floor area for some components to be vested in Council; although care needs to be taken in gross v nett floorspace provisions (see analysis below);
 - (b) the required flexibility of the community space and ability of that space to be used independent of multi-purpose court use;
 - (c) access to space for informal and organised sport activities (and any school use);
 - (d) ensuring that the multi-purpose courts are available for use for the broader community and in particular younger people and older adults;
 - (e) the overall practicality and workability of the spaces and operational aspects;
 - (f) the opportunities presented by the warm shell for possible future uses that may be required (e.g. Maternal Child and Health area);
 - (g) appropriate and adequate bathrooms and change rooms for the community space, court, and warm shells; and
 - (h) the forecourt outside the entrances to the community space and school.

Note: It is important to note that the multi-purpose court is a requirement to vest in Council – that is, it would be a Council owned facility and not owned by the school. A suitable Joint Use Agreement could be entered into for limited school usage but with a clear understanding and expectation that it is a Council facility for the broader community. A Joint Use Agreement would also seek to ensure community access to school facilities when these are not required for ordinary school purposes.

42. The forecourt to the new community space / school building needs to be appropriate for the abutting land uses. The forecourt in itself would be an asset and also provide a pleasant balcony to the plaza below and also as 'break out' space for both the community space and also the school. It is noted that the skylights proposed in the forecourt and the open air café are not considered conducive to the best use of that space.

External Consultation

43. The Development Plan Overlay provides no formal third party involvement in the planning application phase.
44. The Community Reference Group (CRG) was set up by Council out of the December, 2015 Council resolution to provide key inputs to the Council on the following matters. The stated purpose is:
- (a) *"to provide an opportunity for residents and community groups to maintain dialogue with Council concerning the ongoing development of the former Amcor site, with an emphasis on the development of community infrastructure, sporting facilities, open spaces and traffic and sustainable transportation, and any other matters that Council considers relevant to be considered by the Reference Group"*.
45. The Community Reference Group has met a number of times over the past 2 years. A Special Community Reference Group meeting was held on 24 September to enable presentation by the proponent so that the CRG members could have a solid appreciation of what is being put by the proponent and in order to enable CRG members to comment as part of this Council preliminary consideration.
46. The CRG members written comments are provided to Councillors in Attachment 4. In short, the comments may be summarised as follows:
- (a) it is acknowledged that the 'revised possible layout' reduces the overall floor space of the community facility; however believe that the value to the community of an integrated facility offers a 'community hub';

- (b) the significant value of an enclosed multi-purpose court and the possibility of linked community spaces (school) would create an Alphington community hub;
 - (c) an enclosed court would provide much needed flexible space including sport, training, futsal, dancing and fitness classes;
 - (d) an enclosed court would provide all-weather usage and extended hours without restrictions of noise and impact of lights on adjoining residents;
 - (e) the proposed school campus addresses a number of community concerns about the original layout for the school abutting direct onto Heidelberg Road; and
 - (f) the Proposal 2 is supported 'in principle' by the APMAG, SAFCA and Alphington Community Centre groups (see full comments as shown in Attachment 4).
47. The VSBA are also considering the revised concept with the proponent; some early meetings with Council staff have also occurred.
48. The VSBA are engaging with the broad Alphington community in early to mid-October about options for additional Primary School facilities in the locality. A school campus at the Alpha redevelopment site is one option.
49. The Minister for Education will make the final determination on any additional facilities for the Primary School. VSBA would be the implementation arm of any Ministerial decision regarding the school.

Internal Consultation (One Yarra)

50. There are many disciplines across Council that are involved in the process of the redevelopment of this large disused industrial site. There has been meetings of key staff to enable some preliminary assessment / analysis of this *possible revised layout* by the proponent regarding community facilities.

Financial Implications

51. The community facilities, as determined by the Council decision on 2 December 2015, are required to be vested in the Council. Any changes to that layout, or quantum of area allocation, is a determination of the Yarra City Council.
52. The current approval provides an allocation as shown in paragraph 7 above; although conditions apply that need to be worked through.
53. It is noted that the 1,400 m² (gross) was never determined for a specific use, but an option for Council was that it be leased commercially until such time as the residential community on the new estate has grown and Council determinations then made on how that floor spaces should be utilised as community facilities. That space (to be provided as a warm shell) would require full fitout and costs which would be borne by the Council.

Economic Implications

54. There are no direct economic implications of this report for the Council.

Sustainability Implications

55. There are no direct sustainability implications of this report. The Planning Permit that has been issued has requirements (in the conditions imposed) regarding sustainability aspects of the development.

Social Implications

56. The provision of community facilities is very important in this development.
57. The complete redevelopment of the overall site will see some 5,000 population (approx.) living in this new estate.

58. A Community Needs Assessment was a particular aspect of the Development Plan Overlay requirements. That was provided by the proponent, assessed by Council officers and peer reviewed by a Council appointed consultant, and a CRG was set up to provide input to the Council at that time.
59. The Council determination in December 2015 specified particular components with floorspace allocation as the agreed community facilities provision (see paragraph 7 above).
60. Council is asked to consider the *possible revised layout* against that original decision and cast a preliminary judgement as to which is a preferable outcome conceptually. Once that is known the proponent can then settle final plans for lodgement via the statutory planning process which would come to full Council (in this instance) for final determination.
61. It is important to note that this floorspace as a provision to the Yarra City Council is not a requirement of the Development Plan Overlay but derived from the Council December 15 resolution – in this context, Council can change the floorspace allocation of the community facility provision, to ultimately be vested in Yarra City Council, by any subsequent Council resolution if it chooses to do so.

Human Rights Implications

62. Disability access to the community facilities is an important matter.

Communications with CALD Communities Implications

63. Nil

Council Plan, Strategy and Policy Implications

64. The redevelopment of this former industrial site is a key action in the Council Plan.
65. Many strategies of Council apply to the broad aspects of consideration for this large redevelopment.
66. As a part of Council's Strategic Community Infrastructure Framework (December 2016), Council endorsed a Community Infrastructure Planning Policy to provide direction to Council on decisions related to community infrastructure planning, including negotiating the best outcomes for the community on developer contributions.
67. Contained within this Policy are planning principles to assist decision-making and of particular reference to this report include:
 - (a) *Principle 2.3 Community infrastructure will respond to and integrate with the surrounding area, encouraging social connection and building a sense of place.*
 - (b) *Principle 3.1 Decision-making for community infrastructure planning will be evidence-based with reference to community needs in the context of population growth and change.*
 - (c) *Principle 3.2 Council will recognise the changing nature of Yarra by providing flexible, accessible innovative and adaptable facilities that reflect universal design and are able to be meet multiple service needs.*
68. Also contained within the Policy is a commitment by Council to pursue opportunities, these include:
 - (a) *Optimise community infrastructure for maximum community benefit - Council will review access, management and design of community infrastructure to ensure it generates maximum community benefit.*
 - (b) *Seek shared use arrangements and partnerships - Council will investigate alternatives to ownership and sole use of community infrastructure by seeking shared use and partnership opportunities with state government and private organisations.*
 - (c) *Pursue commercial opportunities - Council will pursue commercial opportunities of existing and future infrastructure for the purposes of generating a return that will be used towards community infrastructure.*

Legal Implications

69. The floorspace that would vest in Council would require formal contractual arrangements and titles to be created and transferred to the Council. A Joint Use Agreement with the school (should that proceed) would also be appropriate.

Other Issues

70. The report seeks a preliminary Council judgement on which conceptual layout is preferred so that the proponent can fully develop up the plans for assessment via the Statutory Planning process.
71. Note: not all plans to be prepared in accordance with the town planning permit conditions would be determined by Council. All conditions (except those relating to the Community Facilities to be vested in Council) would be resolved by officers under normal delegation by Council.
72. The preliminary judgment on whether Proposal 1 or Proposal 2 is preferred by Council needs to stay at the conceptual level at this stage; but with an eye to the practicality and workability that the plans would enable.
73. It is the detailed fully worked up town planning plans relating to the community facilities and school campus (and other significant consequential changes) that would be the subject of a formal Council report from the Statutory Planning office after it is assessed and analysed.

Options

74. In this context, the Council has the following options at this preliminary consideration stage:
- (a) note the possible revision 'in principle' as a good way forward with no additional changes / conditions etc.;
 - (b) note the possible revision 'in principle' as a good way forward with required changes / conditions etc.;
 - (c) note that the possible revision is not a betterment in principle and express no 'in principle' support;
 - (d) note that the possible revision is not a betterment in principle and express no 'in principle' support without X, Y and Z changes being included as part of the package;
 - (e) note that the possible revision is not a betterment in principle and express no 'in principle' support without the full m2 of floorspace being provided as outlined in the Council decision of 2 December 2015 resolution, and
 - (f) note that the possible revision is not a betterment in principle and express no 'in principle' support unless X is also provided as part of the package.
75. It needs to be noted that any expression by Council of 'in principle' support of the concepts would not prejudice the full Council consideration of the detailed plans (once lodged) as part of the required statutory planning process. Council would be able to then determine with required conditions imposed to refine or modify the detailed town planning plans of that assessment.

Conclusion

76. The redevelopment of the former industrial land is a very major proposal for the city.
77. The overall project is proceeding and the Alphington Village component (Alpha proposal) is a highly significant development in many ways.
78. The Council has determined the required town planning application for the Alphington Village in May 2018 and this approval has many prerequisite conditions that require changes to the satisfaction of the Council. Those changes, as required by the conditions, are being assessed by officers under the delegated authority of the Council as in all town planning matters.

79. Due to the significance of the Alphington Village proposal, and the key aspects of the community facilities to be vested in Council, any revised proposal in respect of those components will be determined by the full Council.
80. The proponent is responding to many conditions of the town planning permit from Council and also due to refinements to the concept (as outlined above in the Proponents submission). The concept plans provided by the proponent as a possible revision are being presented to the Council to seek a preliminary opinion from the Council.
81. Should the Council consider that Proposal 2 (*possible revised layout*) is a betterment than Proposal 1 (original planning application plans), subject to any changes specified by Council, then the proponent will fully document Proposal 2 for a formal statutory planning process assessment.
82. Due to the nature of this particular matter, the final decision of any *possible revised layout* relating to the community facilities aspect, will be reported to the full Council for a formal determination.
83. An overriding matter in assessing the concepts put forward by the proponent is the practicality and workability of the layout, particularly having regard to the additional refinements required to be fully workable.
84. Officers now seek a preliminary opinion from the Council as to whether or not Proposal 2, as a concept, should be pursued by the proponent to a fully worked up town planning proposal for formal assessment under the Statutory Planning process.
85. It is recommended that the Council support the provision of an indoor multi-purpose court and the broad conceptual layout of Proposal 2. The actual floor space provision of the community space and 'warm shell' is a matter that Council needs to form an opinion on.
86. It is the practicality and overall workability that are considered the key drivers rather than any precise floor space allocation.
87. The community space does need to be of a practical size and dimension to provide a good multipurpose space and flexibility. It also requires some good practical storage space. The Council position of December 2015 stated 300m². That was a broad allocation, and it could reasonably be said, that it was a gross floor area requirement which was possibly to include other associated components (e.g. storage, kitchenette).
88. It is considered that a minimum nett space of say 230m² would be a good space provision; with other area as ancillary components to the main space.
89. In this regard, Proposal 2 seems marginally short of floor space as a usable nett space (notionally at 200m² nett). That is, it could be increased by say 30m² to an area of say 230m² nett area.
90. The 'warm shell' of 1,400m² in Proposal 1 was effectively a gross floor space as it was a broad allocation of space. Proposal 2 shows a gross area of 945m² that would provide for future community facilities (unknown at this point in time; it does provide for toilet provision in that space and hence plumbing in that location for any other community facility like a Maternal and Child Healthcare. With other components (as suggested: see Proposal 2 plans) it would yield some 680m² of usable floor space.
91. Council could request the full 1,400m² gross; or say, 1,000m² gross to round this figure off and gain some further m² area.

NB: For comparison, a typical middle suburban house block is approximately 650-750m² in area; so it is still quite a substantial area.
92. The school component is a vertical school like in Proposal 1. It has a school entry area of 250m² gross area abutting the community space. The wall between the two areas should ideally be both acoustically treated but also as an operable wall that can be opened for certain community occasions that would need to be agreed by the school via a Joint Use Agreement.

93. Toilet provision is an important aspect for flexibility and for operational reasons. The community space needs its own toilet provision which, in Proposal 2, is provided along a short corridor which is acceptable. Change rooms for the multipurpose court are, however, too small and require extra provision / space. The loss of the 'pavillion/storage' area to the court area is highlighted by this shortage of space for good workability for the multipurpose court. Toilets for school children need to be provided in the school area but close to the court. That can be arranged in detail design of the school facility.

94. The 'warm shell' area has its own access from the forecourt which is appropriate and required.

95. The reduction in 'warm shell' area, however, is of concern as a return to Council; and/or provision of future community facilities.

Note: If say, 80% of the 1,400m² gross area in Proposal 1 would be say the nett space remaining – this would yield some 1,100m² of usable floor space (nett m² floor space). It is noted that Proposal 2 shows a nett area of 680m²; hence, it could be said that the less floor space provision for the 'warm shell' component of Proposal 2 is some 420m² gross.

96. In this regard, Council could require an extra, say, 420m² gross (which could be possibly provided in level 2 of that building) to supplement the 680m² shown in level 1, or accept that the indoor multipurpose court is an adequate alternate provision which does provide all weather activity space including non-sport activity.

97. Overall, officers and the Community Reference Group (CRG) consider the indoor multipurpose court is significantly beneficial and the general layout of the community space relative to the school provision is useful.

98. In summary, it is concluded that Council should cast a provisional opinion that Proposal 2 is better than Proposal 1; but notes some logistical aspects and some shortfall of usable space that should still be provided, as outlined in the summary conclusions above.

99. Council is now asked to form a preliminary opinion to provide a sense of direction to the proponent.

100. The proponent will then need to determine a way forward and submit amended plans for a full statutory planning assessment/approval.

RECOMMENDATION

1. That Council:

- (a) note the further officer report regarding the proposed Alphington Village development and the layout of community facilities as shown in the plans submitted with the town planning application (referred to as Proposal 1);
- (b) note that Planning Permission PLN17/0703 dated 5 June, 2018, via various conditions, requires resolution of the community facilities layout;
- (c) note the report of officers providing an outline of the Alpha Nominees '*possible revised layout*' for rearranged community facilities at the proposed Alphington Village development (referred to as Proposal 2);
- (d) note the preliminary assessment by officers of this '*possible revised layout*' presented by Alpha Nominees regarding these rearranged community facilities;
- (e) note that Alpha Nominees are seeking some indication from the Council as to whether, or not, Council sees betterment in the *possible revised layout*, compared to the layout provided in the town planning application, but acknowledging that any revised plans would need to be fully and formally assessed and determined by the Council via the necessary statutory planning processes; and

- (f) note the officer comments and those provided by the Community Reference Group members.
2. That Council also note the difference in layout, configuration and area of the components that would, in the *possible revised layout* (Proposal 2), be vested in Yarra City Council as compared to the Council resolution of 2 December, 2018 (Proposal 1).
3. That Council, having noted Proposal 2 (being a *possible revised layout*) provide a preliminary comment that:
- (a) the indoor multi-purpose court is considered beneficial compared to the open court area;
 - (b) the general configuration of the possible revised layout is broadly supportable but with the following specific allocations/modifications:
 - (i) the community space would need to be a minimum of 300 m² gross floor area (fitted out) with associated facilities including accessible storage distinct from the court storage to enable a nett space of appropriate dimensions of not less than 230 m²;
 - (ii) users of the community space to have access to toilets (not the toilets for the courts) without having to enter the 'warm shell' floor space;
 - (iii) the multi-purpose court needs to have a separate public entrance from the entrance to the community space, so that both could be operated independent of each other;
 - (iv) the areas abutting the multi-purpose court (community space, amenities and school entry) be provided with suitably acoustic treatment as part of the build to ensure they can operate without disturbance and be protected from noise from the court area;
 - (v) the community space and the proposed school entry be separated with an acoustically treated operable wall so that a larger space could be created and used via an agreed joint use agreement with the abutting occupier;
 - (vi) the wall between the community space and the multi-purpose court be designed with an acoustically treated operable wall to enable viewing of the court when required and screened when not required or desired by users of the space;
 - (vii) that the orientation of the kitchen/kiosk serve the intended purpose of supporting the community space and the multipurpose court and be able to be used without disruption to the warm shell floor space;
 - (viii) that the proposed play area of the school (at level 2) above the multi-purpose court, be designed to be able to contain sufficient depth of soil for some treed landscaping to enable a pleasant area;
 - (ix) that the area allocated for the school to have necessary provision for toilets as required by the Victoria School Building Authority and that these toilets are not allocated in the areas allocated to be vested in Council;
 - (x) that the multi-purpose court allocation have sufficient area for male and female change rooms (including showers) and sufficient storage for chairs, high ball game associated equipment and related materials. This storage should be distinct from the storage for the community space;
 - (xi) that the other floorspace allocated for future community space (or as determined by the Council in the future), be provided:
 - as a warm shell of either... 1,400m² gross..., or, ...not less than 1,000 m² gross... (Council to determine), but including sufficient area, dimensions and logistics so that it could be fitted out with a kitchenette, separate male and female toilet and facilities appropriate for future community facility

spaces; and

- with a separate entrance from a public place and not relying on access through the 300 m2 community space.

(xii) that the forecourt terrace area have no skylights or café area to maintain full flexibility, functionality and public amenity; and

(xiii) that the school play area be to the satisfaction of the Victorian School Building Authority.

4. That Alpha Nominees be advised that:

(a) the above resolution is based on the submission of schematic plans only, and the comments provided in this resolution are preliminary comments only to a formal statutory planning process regarding the community facility components that would be vested in Yarra City Council, and

(b) that a formal Council decision would be required based on the submission of necessary town planning plans, and other required documentation, that also show any other consequential changes to the plans determined by Council in June 2018.

5. That Alpha Nominees be advised that any formal proposed changes to the community facilities (and other consequential changes) will require a completed town planning submission which can be processed in accordance with the statutory planning processes and further, that the decision of that planning process will be determined by the full Council.

6. That Council reaffirm that the multi-purpose court facility would be required to vest in the Yarra City Council and that the space is primarily for community usage (whether programed or not) and any usage of the space by the education facility must be negotiated via a Joint Use Agreement.

7. That Alpha Nominees and the members of the Community Reference Group be advised of the Council resolution.

8. That the Victorian School Building Authority be provided a copy of this report and the Council resolution.

CONTACT OFFICER: Bruce Phillips
TITLE: Director Planning and Place Making
TEL: 9205 5300

Attachments

1⇒ Relevant Town Planning Permit Conditions

2⇒ The Village Alphington Proposal 1

3⇒ Plans of Community Facilities/School (concept as shown in September 18 'possible revised layout' - referred to as Proposal 2)

4⇒ Community Reference Group - comments on revised proposal for the Village Precinct Alphington

11.3 Report on Assemblies of Councillors

Trim Record Number: D18/159683

Responsible Officer: Group Manager Chief Executive's Office

Purpose

1. To provide a report on Assemblies of Councillors.

Background

2. The *Local Government Act 1989* (The Act) requires that ... "The Chief Executive Officer must ensure that the written record of an Assembly of Councillors is, as soon as practicable:
 - (a) reported at an ordinary meeting of the Council; and
 - (b) incorporated in the minutes of that Council meeting.....".
3. This report includes all Assemblies of Councillors reported to the Governance Department at the cut-off date that have not already been reported to Council. Assemblies held prior to the cut-off date that are not included here will be included in the next report to Council.

Consultation

4. Not applicable.

Financial Implications

5. Not applicable.

Economic Implications

6. Not applicable.

Sustainability Implications

7. Not applicable.

Social Implications

8. Not applicable.

Human Rights Implications

9. Not applicable.

Communications with CALD Communities Implications

10. Not applicable.

Council Plan, Strategy and Policy Implications

11. Not applicable.

Legal Implications

12. The Act requires the above information be reported to a formal Council Meeting and also be recorded into the Minutes of the Council.

Other Issues

13. Not applicable.

Options

14. Nil.

Conclusion

15. That Council formally note and record the Assemblies of Councillors report as detailed in **Attachment 1** hereto.

RECOMMENDATION

1. That Council formally note and record the Assemblies of Councillors report as detailed in ***Attachment 1*** hereto.

CONTACT OFFICER: Mel Nikou
TITLE: Administration Officer - Governance Support
TEL: 9205 5158

Attachments

- 1 [⇒](#) Assemblies of Councillors Report