



Ordinary Meeting of Council Agenda

**to be held on Tuesday 7 July 2020 at 7.00pm
via TEAMS**

Participating in Council meetings during the COVID-19 pandemic

In order to ensure the health and safety of Councillors, staff and the community, Council meetings held during the Victorian State of Emergency are closed to the public. This is in accordance with advice provided by the State Government.

Members of the public are encouraged to watch proceedings online at www.yarracity.vic.gov.au/webcast.

Making a submission

If you have participated in consultation about a matter before this meeting, you do not need to submit your feedback again. However, if you would like to ask a question about something that is not on the agenda, or make a brief submission about something that is listed, you can register to join the meeting online following the link to this meeting from www.yarracity.vic.gov.au/meetings.

Your registration must be lodged by 10.00am on Tuesday 7 July.

Recording and Publication of Meetings

An audio and video recording is made of all public Council Meetings, streamed live and 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.

Meeting recordings can be viewed at <http://webcast.yarracity.vic.gov.au>.

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Order of business

- 1. Statement of recognition of Wurundjeri Woi-wurrung 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. Delegates' reports**
- 9. General business**
- 10. Questions without notice**
- 11. Council business reports**
- 12. Notices of motion**
- 13. Urgent business**

1. Acknowledgment of Country

“Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.

We acknowledge their creator spirit Bunjil, their ancestors and their Elders.

We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion.

We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra.

We pay our respects to Elders from all nations here today—and to their Elders past, present and future.”

2. Attendance, apologies and requests for leave of absence

Anticipated attendees:

Councillors

- Cr Misha Coleman (Mayor)
- Cr Mi-Lin Chen Yi Mei (Deputy Mayor)
- Cr Danae Bosler
- Cr Jackie Fristacky
- Cr Stephen Jolly
- Cr Daniel Nguyen
- Cr Bridgid O’Brien
- 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)
- Andrea Travers (Acting Group Manager People and Culture)
- Chris Leivers (Director City Works and Assets)
- Diarmuid McAlary (Director Corporate, Business and Finance)
- Bruce Phillips (Director Planning and Place Making)
- Rhys Thomas (Senior Governance Advisor)
- Mel Nikou (Governance Officer)

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

4. Confidential business reports

Item

4.1 Alpha Partners Affordable Housing

This item is to be considered in closed session to allow consideration of private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; and information that was confidential information for the purposes of section 77 of the Local Government Act 1989.

These grounds are applicable because the premature release of the commercially sensitive aspects of the agreement may disadvantage the community housing provider in future agreements and because the report contains the text of a previous confidential Council resolution.

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 66(2)(a) of the Local Government Act 2020. 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 66(2)(a) of the Local Government Act 2020, to allow consideration of:
 - (a) private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage; and
 - (b) information that was confidential information for the purposes of section 77 of the Local Government Act 1989.

5. Confirmation of minutes

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on Tuesday 23 June 2020 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

If you would like to ask a question about something that is not on the agenda, you If you have participated in consultation about a matter before this meeting, you do not need to submit your feedback again. However, if you would like to ask a question about something that is not on the agenda, or make a brief submission about something that is listed, you can register to join the meeting online following the link to this meeting from www.yarracity.vic.gov.au/meetings.

Your registration must be lodged by 10.00am on Tuesday 7 July.

Registrations to ask questions must be made by 10.00am 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.

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 prior to debate on that agenda item.

When you are invited by the Mayor to ask your question, please unmute your microphone, state your name clearly for the record and:

- direct your question to the Mayor;
- refrain from making statements or engaging in debate
- not raise operational matters which have not previously been raised with the Council administration;
- not ask questions about matter listed on the agenda for the current meeting.
- refrain from repeating questions that have been previously asked; and
- if asking a question on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

Once you have asked your question, please remain silent unless called upon by the Mayor to make further comment or to clarify any aspects.

8. Delegate's reports

9. General business

10. Questions without notice

11. Council business reports

Item		Page	Rec. Page	Report Presenter
11.1	LAPM 2 Carlton North	9	26	Peter Moran – Manager Traffic and Civil Engineering Matthew Veale – Coordinator Traffic and Special Projects
11.2	Studley Street and Yarra Street - Parking, Access and Safety	27	40	Peter Moran – Manager Traffic and Civil Engineering Matthew Veale – Coordinator Traffic and Special Projects
11.3	City of Yarra Collection Policy	41	46	Siu Chan – Business Unit Manager Arts, Culture and Venues Brona Keenan – Coordinator Arts and Culture
11.4	Adoption of Yarra's Social Justice Charter	47	52	Sarah Jaggard – Senior Diversity and Inclusion Advisor Cristina Del Frate – Senior Coordinator Community Development
11.5	Graffiti Management Framework	53	60	Joe Agostino – Project Officer, City Works and Assets
11.6	Executive Director Heritage Victoria's Recommendation to Include Eastern Freeway on the Victorian Heritage Register	61	65	Ivan Gilbert – Group Manager Chief Executive's Office
11.7	Executive Director Heritage Victoria's Recommendation to the Heritage Council of Victoria on Yarra Bend Park, Yarra Bend Road Fairfield	66	70	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 Mayor to make your submission, please unmute your microphone, state your name clearly for the record and:

- speak for a maximum of five minutes;
- direct your submission to the Mayor;
- confine your submission to the subject under consideration;

- avoid repetition and restating previous submitters;
- refrain from asking questions or seeking comments from the Councillors or other submitters;
- if speaking on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

Once you have made your submission, please remain silent unless called upon by the Mayor to make further comment or to clarify any aspects.

12. Notices of motion

Nil

13. Urgent business

Nil

11.1 LAPM 2 Carlton North

Executive Summary

Purpose

To present the recommended traffic management and place making treatments identified in the Local Area Place Making (LAPM) study of Carlton North precinct (LAPM 2).

To present the recommended proposals for implementation on Princes Street that require advocacy to Department of Transport (DoT).

Key Issues

This report was presented to Council on 19 May 2020, deferred and presented to the Council meeting on 23 June 2020 and deferred again to the Council meeting on 7 July 2020, to clarify responses to community submissions and other matters raised.

The community submissions made at both meetings and subsequently have been considered, and Officers have determined that the report should be amended to reflect this. The recommendation has been amended to include: a review mechanism before potential installation of speed humps on Drummond Street, between Park Street and Richardson Street; and Amess Street, between Park Street and Pigdon Street.

Community engagement was undertaken via online surveys and interactive mapping, pop up sessions at locations throughout Carlton North, three community drop-in sessions and a number of site meetings with residents.

From the feedback received during community consultation, traffic and road safety data, internal Council consultation, independent advice from Consultants GHD, and the Local Area Study Group feedback, a LAPM plan has been proposed.

The proposed LAPM plan includes 21 treatments, such as kerb extensions, speed humps and raised zebra crossings, throughout the precinct that address traffic management/road safety issues and include place making elements where possible.

Three advocacy items for DoT consideration are proposed on Princes Street.

Financial Implications

Implementation of the recommended plan has been estimated to cost \$1,647,000+GST over five years.

Council's operating budget commencing 2021/22 should include an amount of \$10,000 + GST for ongoing maintenance costs for new infrastructure associated with these proposals.

Funding allocation of \$30,000 for design of LAPM 2 works was proposed as a discretionary funding bid for 2020/21; however officers understand these funds have not been included in the proposed 2020/21 Budget that has been prepared for consultation and adoption in August 2020. Officers would anticipate this would be reconsidered as part of any mid-year Budget review.

Subject to Council approval and allocation of funding in 2020/21, design of the relevant treatments in the recommended LAPM plan for the Carlton North precinct (LAPM 2) could commence in 2020/21, with the intent for implementation in 2021/22.

Opportunities to fund LAPM treatments through other mechanisms will be considered including:

- (a) Future capital road works such as road reconstruction;
- (b) Future utility service road works such as for water mains;
- (c) Future private development contributions or public realm improvements;
- (d) Australian Government Black Spot Program; and

- (e) Other Victorian or Commonwealth Government funding opportunities.

PROPOSAL

That Council:

- (a) endorse the recommended treatments identified in the Local Area Place Making (LAPM) plan for Carlton North precinct (LAPM 2);
- (b) endorse that a review be undertaken between 3-6 months before installation of treatments 14 and 15 by way of a speed survey, where installation will only occur if the 85th percentile speed is in excess 44km/h;
- (c) endorse that a review be undertaken on whether speed humps should be considered for installation on Amess Street, between Park Street and Pigdon Street, where installation will only be considered if the 85th percentile speed is in excess 44km/h;
- (d) endorse officers to undertake advocacy to DOT for the list of treatments proposed for Princes Street and which require DOT approval; and
- (e) notes that subject to Council approval and allocation of sufficient funding, implementation of the recommended LAPM plan for the Carlton North precinct (LAPM 2) can commence with design in 2020/21 and delivery commencing 2021/22, and would be expected to be delivered over five years.

11.1 LAPM 2 Carlton North

Reference: D20/111257
 Authoriser: Director City Works and Assets

Purpose

1. To present the recommended traffic management and place making treatments identified in the Local Area Place Making (LAPM) study of Carlton North precinct (LAPM 2).
2. To present the recommended proposals for implementation on Princes Street that require advocacy to Department of Transport (DoT).

Background

3. This report was presented to Council on 19 May 2020, deferred and presented to the Council meeting on 23 June 2020 and deferred again to the Council meeting on 7 July 2020, to clarify responses to community submissions and other matters raised.
4. The community submissions made at both meetings and subsequently have been considered, and Officers have determined that the report should be amended to reflect this. The recommendation has been amended to include: a review mechanism before potential installation of speed humps on Drummond Street, between Park Street and Richardson Street; and Amess Street, between Park Street and Pigdon Street.

LAPM

5. Local Area Place Making (LAPM) is focussed on the planning and management of Council's local road network. It aims to improve local streets for people by managing vehicle traffic and improving conditions for pedestrians and cyclists. In recent years LAPMs have considered other elements that contribute to amenity and place making, particularly through the infrastructure proposed to support traffic management such as trees and WSUD treatments.
6. The study has been undertaken in general accordance with Council's *Local Area Place Making Policy 2017*.
7. The LAPM Policy 2017 supersedes the Local Area Traffic Management (LATM) Policy first adopted in 2014. The change from Traffic Management to Place Making reflects the broader place making approach when undertaking traffic studies in the City of Yarra.
8. Officers are in the process of reviewing the current LAPM Policy and intend to present an updated Policy to Council later in 2020.

Carlton North Precinct 2

9. The study area is bound by Nicholson Street, Park Street, Lygon Street and Princes Street, Carlton North.
10. The study area comprises approximately 5,000 residents and is predominantly residential with the exception of:
 - (a) Carlton North Primary School, Gowrie Victoria Carlton North childcare centre and the North Carlton Children's Centre;
 - (b) The Capital City Trail and Curtain Square; and
 - (c) Retail/commercial uses fronting Rathdowne Street, Lygon Street, Park Street and Nicholson Street.
11. Community engagement is a key component of the LAPM process. The input of the community to assist to identify the issues and needs in their neighbourhood, together with evidence-based analysis, forms the basis for the development of the LAPM plan.

12. Professional service consulting firm GHD was engaged to assist Council's Traffic Engineering unit to investigate, develop and consult on a recommended LAPM plan for the Carlton North precinct in August 2019.
13. Professional consulting firm GHD was engaged to assist Council's Traffic Engineering unit to investigate, develop and consult on a recommended LAPM plan for the Carlton North precinct in August 2019.

External Consultation

14. With the assistance of Council's Communications and Engagement unit, community engagement was undertaken via online surveys and interactive mapping, pop up sessions at locations throughout Carlton North, three community drop-in sessions and a number of site meetings with residents.

Stage One – Identify issues, ideas and priority locations for intervention (August-September 2019)

15. An information postcard titled Word on the streets - Carlton North was sent to all properties in the study area, inviting the community to identify the issues and ideas to improve their neighbourhood streets and the safety of pedestrians and cyclists.
 - (a) The study was also advertised through Council publications including its Facebook page, Yarra Life electronic bulletins and Yarra News;
 - (b) Your Say Yarra was the primary engagement platform, providing further information on the LAPM study, an invitation to nominate as a community volunteer on the Local Area Study Group, and an online survey and interactive mapping tool for feedback;
 - (c) Your Say Yarra attracted 80 visitors with 280 issues and ideas identified on the interactive map;
 - (d) 25 emails and phone calls were received;
 - (e) 120 visitors attended a drop-in session at the Great Northern Hotel on 28th August 2019, and at three other pop-up consultations in Carlton North; and
 - (f) The top concerns raised in the precinct were cyclist and pedestrian safety, driver behaviour, speeding and rat-running (non-local traffic) on local streets. People also stated that they wanted to see more trees and greenery throughout Carlton North.
16. Local Area Study Group Meeting One (30 September 2019):
 - (a) A Local Area Study Group comprising 12 community volunteers was selected. The group included residents from all parts of the precinct, a trader representative from Rathdowne Village, parents of children from Carlton North primary and a member of the Yarra Bicycle Advisory Committee;
 - (b) Ward Councillors, Council officers and consultants from GHD were also part of the Local Area Study Group; and
 - (c) The purpose of the first meeting of the Local Area Study Group was to receive community insights on the issues identified in Stage One, identify priority locations for intervention and inform a draft LAPM plan.
17. Local Area Study Group Meeting Two (13 November 2019):
 - (a) The second Local Area Study Group meeting considered the group's response to the draft LAPM plan, discussed recommendations and sought feedback on priority locations and interventions;
 - (b) Feedback included a number of overarching comments for consideration. This included:
 - (i) confirming effectiveness of installing speed humps in mid-block locations rather than intersections;
 - (ii) use of sawn-cut/flat bluestone treatments;

- (iii) consideration of the impacts and implications of the new Nicholson Street tram stops on priority walking routes;
 - (iv) preference for green infrastructure and trees in all treatments to maximise canopy cover, particularly where green infrastructure is currently minimal; and
 - (v) considering public health, air quality and mobility measures as a determinant for success;
- (c) A primary objection was the view that Park Street required more significant treatments. The group felt that raised zebra crossings at Canning Street and Drummond Street were required and of more priority than Rathdowne Street;
- (d) subsequently consulting firm Trafficworks was engaged to undertake a road safety assessment of Park Street in response to the route 96 Nicholson Street tram stop works. Further investigation and the outcome of this assessment is now considered a separate project from this LAPM study. Further, it will help inform Yarra City Council's advocacy regarding the DoT undertaking to review the impact of the Route 96 Tram Stop works on Park Street;
- (e) Parklets, which could enable alfresco dining, seating or cycle parking, in parking bays on Rathdowne Street received a mixed response with the overall sentiment undetermined, but considered nice to have rather than a priority; and
- (f) additional comments and clarification raised included:
- (i) Park Street treatments need to factor in school drop-off area at west end;
 - (ii) Curtain square, Curtain Street and Canning Street changes dependent on consultation with Gowrie Victoria as these act as drop-off areas;
 - (iii) consider parking restrictions/enforcement throughout;
 - (iv) Richardson Street and Drummond Street (north) vehicle volume reduction; and
 - (v) cross-section examples requiring clarification of potential number of parking bays lost.

Stage Two – Draft LAPM plan (December 2019 and January 2020)

18. An information brochure *Word on the streets– Carlton North* was sent to all properties in the study area inviting feedback on the draft LAPM plan.
19. Further promotion was provided on Council's Facebook page, electronic bulletins and an email to previously registered LAPM participants.
20. Feedback was encouraged through the online interactive mapping platform Social Pinpoint which provided further information on the treatments, a survey and a discussion forum.
21. Feedback was received from 300 users on Social Pinpoint, who collectively provided 800 comments on the discussion forum.
22. 55 emails and phone calls were received.
23. Over 100 visitors attended two drop-in sessions at Carlton Library on the 11 December 2019 and at the Great Northern Hotel on the 22 January.
24. Generally, most proposed treatments were well received with the exception of proposals to simplify the intersection at Drummond Street/Fenwick Street, to reconfigure the central median at Macpherson Street/Canning Street and include kerb outstands adjacent to proposed speed humps. The following table is a summary of the treatments and the draft LAPM plan can be found at **Attachment 1**.

Number	Description
1	Improve signal timing at Rathdowne St.
2	Kerb extension and realignment of bike lane at Rathdowne St and Davis St
3	Calming treatments on Drummond St on either side of Lee Street
4	Calming treatments on Davis St.
5	Kerb outstands at Nicholson St and Newry St intersection
6	Kerb outstands along O'Grady St
7	Kerb outstands at Rathdowne St and Newry St intersection.
8	Kerb Outstands at Newry St and Lygon St
9	Space for alfresco dining on Rathdowne St.
10	Simplify intersection at Drummond St and Fenwick St
11	Raised zebra crossing at Rathdowne St and Fenwick St intersection
12	Kerb outstands on Fenwick St and Nicholson St intersection
13	Kerb outstands at Fenwick St and Macpherson St intersection
14	Kerb extension at Richardson St and Lygon St intersection.
15	Kerb outstands at Drummond Street and Macpherson St.
16	Reconfigure the median strip at Macpherson St and Canning St
17	Kerb outstands at Drummond St and Richardson St.
18	Improve zebra crossing at Rathdowne St and Richardson St intersection
19	Kerb outstand and zebra crossing Canning St and Richardson St intersection
20	Calming treatment at Station St between Richardson St and Pigdon St
21	Improving arrival experience at Nicholson St and Pigdon St intersection
22	Kerb Outstands at Canning St and Pigdon St intersection
23	Calming treatment at Drummond St between Richardson St and Pigdon St
24	Calming treatment at Drummond St between Pigdon St and Park St
25	New raised zebra crossing at Park St and Drummond St intersection
26	Kerb outstands at Park St and Rathdowne St intersection
27	New raised zebra crossing at Park St and Canning St intersection
28	Calming treatment at Station St between Pigdon St and Park St

25. Using the number of properties in the precinct as a base, we get an overall response rate of 6 per cent (noting that some respondents provided feedback on multiple platforms). A low response rate could indicate that the draft plan was reasonable and reflective of the needs and desire of the community. Higher response rates are typical when more controversial projects are proposed. This is evident, in this case, by the higher response for the Drummond Street/Fenwick Street simplified intersection treatment.
26. Community concerns were raised about the removal of parking to implement the proposed speed humps (treatments 3, 4, 20, 23, 24, 28) and parklets on Rathdowne Street (treatment 9).
27. In response to community concerns regarding parking loss at the locations of proposed speed humps (treatments 3, 4, 20, 24, 28), Council officers have recommended removing the kerb outstands. To minimise parking loss, where possible speed humps are now proposed to be located adjacent to existing trees and if this is not feasible due to spacing requirements, a tree is proposed to be planted adjacent.
28. There was general consensus that the majority of the proposed treatments would achieve the objective of the LAPM study to improve the safety and amenity of pedestrians and cyclists, while incorporating place making elements such as greening, where possible.
29. Strong opposition was received for treatment 10 (simplify intersection at Drummond Street and Fenwick Street) and treatment 16 (reconfigure the median strip at Macpherson Street and Canning Street) with many concerns citing perceived safety implications and potential traffic volume increases.
30. These treatments were proposed to reduce conflict between vehicles and vulnerable road users, however given these intersections have experienced minimal crashes in the five-year analysis period and that vehicle speeds are reduced by the existing infrastructure, these treatments have been withdrawn to reflect public sentiment.

Local Area Study Group Meeting Three (5 March 2020)

31. The third Local Area Study Group meeting considered the recent community engagement feedback in response to the draft LAPM plan and sought feedback to further inform the recommended LAPM plan.
32. Feedback included a number of overarching comments for consideration in the final LAPM scheme including:
 - (a) trialling a 30km speed limit along Rathdowne Street. This is not possible due to the Council resolution relating to expanding 30km/h speed limits stating this would be considered once the trial area in Collingwood is made permanent by DoT, which is yet to happen. This can be reconsidered if we receive DoT advice of support for the Collingwood trial area becoming 30km/h permanently;
 - (b) safe routes to school not identified in the LAPM, with preference to include consideration for these routes. Council Officers consulted directly with schools and child care centres, alongside the strategic transport branch for feedback and input regarding proposed traffic treatments in identified areas along these routes;
 - (c) Station Street/Curtain Street intersection regarding motorist non-compliance to stop signs. It is proposed to further assess this intersection outside of the LAPM study due to this issue being raised very late in the study process and crash/traffic data not resulting in it being investigated earlier. Due to adequate consultation not being able to be undertaken on any potential treatment it is considered best dealt with outside of the study process;
 - (d) removal of Lee Street school crossing and consideration of a raised crossing at Davis and Canning Street. This was not raised by Carlton North Primary School when direct consultation was carried out with them as part of the LAPM study. It is considered that they need to be consulted further for this to proceed and that this would need to be outside of the LAPM study due to this issue being raised very late in the study process;

- (e) resurfacing Drummond Street bike lane in the northern section;
- (f) maximising the value of kerb extension treatments with greenery planting, seating and bike parking where possible; and
- (g) community members discussed the speed hump treatments proposed for locations 3, 18, 21, 22 and 25 and endorsed the treatments providing kerb outstands are removed and parking loss is minimised.

Drummond Street submissions received after LAPM study

- 33. Sixteen submissions received for the Council meeting on 19 May 2020 opposed the proposed speed humps on Drummond Street, between Park Street and Richardson Street.
- 34. Following the Council meeting, a survey submitted by residents of 44 properties on Drummond Street, between Park Street and Pigdon Street, indicated that 39 (89%) of these did not support the installation of speed humps.
- 35. A representation on behalf of 15 properties on Drummond Street, between Pigdon Street and Richardson Street, indicated their opposition to speed humps in this section of Drummond Street.
- 36. The predominant theme from residents in opposition to the proposed installation of speed humps in the northern part of Drummond Street is that based on their lived experience they consider them unwarranted due to speeding occurring infrequently.
- 37. Speed humps were proposed on Drummond Street, between Park Street and Richardson Street, by GHD (Council's independent traffic engineering consultants) based on traffic surveys showing that the 85th percentile speed was 52km/h between Park Street and Pigdon Street (data from 2014) and 50km/h between Pigdon Street and Richardson Street (data from 2014 and 2019). They also carried out site visits and exercised professional judgement regarding the road environment being appropriate for the posted speed limit.
- 38. Given the level of opposition to these treatments from local residents, that older traffic survey data was used by GHD for the section of Drummond Street, between Park Street and Pigdon Street, and that implementation of the LAPM is likely to occur over at least five years, it is considered that they should be reviewed before installation.
- 39. It is considered that a speed survey should be undertaken on the relevant sections of Drummond Street 3-6 months before the proposed implementation of the speed humps, to reassess the need for these and that residents of each section of Drummond St be notified of the outcome of this.
- 40. A typical intervention level for speed reduction measures and as noted in the LAPM Policy 2017, is where the 85th percentile speed exceeds the posted speed limit by more than 10%. Therefore, if the 85th percentile speeds measured are above 44km/h it is proposed speed humps would be installed.

Amess Street Review

- 41. Further submissions from residents on Amess Street relating to excessive speeding were received for the Council reports presented on 19 May 2020 and on 23 June 2020.
- 42. Traffic data collected and analysed as part of the LAPM study indicated that the 85th percentile speed on Amess Street, between Park Street and Pigdon Street, is 47km/h, however when factoring in very low levels of community feedback received relating to this, GHD (who developed the LAPM plan) did not propose speed reduction measures.
- 43. Given the recent submissions received and that the 85th percentile speed on Amess Street is slightly above typical intervention levels, it is considered that a further review should be undertaken on whether speed humps are installed.
- 44. It is considered that a speed survey should be undertaken on Amess Street, between Park Street and Pigdon Street, to reassess the need for speed humps and that residents of Amess Street be notified of the outcome of this. This review should be undertaken when traffic levels return closer to pre-COVID levels.

45. A typical intervention level for speed reduction measures and as noted in the LAPM Policy 2017, is where the 85th percentile speed exceeds the posted speed limit by more than 10%. Therefore, if the 85th percentile speeds measured are above 44km/h it is proposed speed humps would be considered for installation.

Stage Three – Recommended LAPM plan (March 2020)

46. From the feedback received during the second phase of community consultation, internal Council consultation, independent advice from GHD, and Local Area Study Group feedback, a revised LAPM plan was proposed.
47. The following table summarises feedback and reasoning for recommending or removing treatments. The recommended LAPM is **Attachment 2**.

No.	Description	Comments	Included in LAPM plan
-	Princes Street and Rathdowne Street Improve signal timing at Rathdowne Street, to be calibrated to suit slower pedestrians and provide a head start for cyclists.	Consider priority green light for cyclists in addition to pedestrians	Not as a physical treatment but is included as an advocacy item to pursue with DoT (see page 10)
1	Rathdowne Street and Davis Street (south-eastern side) Kerb extension to align with the existing kerb extension on the North side and realignment of the bike lane to suit.	Minimal disruption to car traffic, except for morning peak	Yes
2	Drummond Street between Princes and Newry Street Calming treatments with combination of speed humps, road narrowings, integrated with plantings and cycle cut throughs for continuation of cycle lane.	Minimisation of car loss as far as practicable – remove kerb outstands and subject to Australian Standard spacing requirements, locate adjacent to tree.	Yes
3	Davis Street Calming treatments with combination of speed humps and integrated with plantings.	Locate adjacent to tree. If not possible plant tree adjacent to ends of speed hump to minimise parking loss.	Yes
4	O’Grady Street between Rathdowne and Canning Street Kerb extensions to reduce size of intersection and provide space for pedestrians and opportunity to introduce greenery, tree planting and passive irrigation.	General agreement	Yes
5	Rathdowne Street and Newry Street Kerb extensions to reduce size of intersection and opportunity to introduce greenery, tree planting and passive irrigation. Include kerb extension and raise median strip to improve pedestrian safety.	Not discussed and no comments	Yes
-	Rathdowne Street between Curtain and Fenwick Street Footpath extended to increase space for alfresco dining, bike parking or greenery. Location and specific use will be developed in project-specific consultation	Treatment to be removed from LAPM final plan and to be discussed separately in future as a possible trial treatment of ‘parklets’ across the municipality.	No

	with traders and community to understand specific treatment and any loss of car parking.		
6	Nicholson Street at Newry Street Kerb extensions on minor road (Newry Street) to decrease pedestrian crossing distance. Enhance with greenery, seating, bike parking and discuss with other Council department the possibility of integrating artwork.	General agreement to this type of treatment for all identified locations along Nicholson. Concern for conflict with pedestrians crossing following tram stop changes to be considered outside of this LAPM.	Yes
7	Nicholson Street at Curtain Street Kerb extensions on minor road (Curtain Street) to decrease pedestrian crossing distance. Enhance with greenery, seating, bike parking and discuss with other Council department the possibility of integrating artwork.	General agreement to this type of treatment for all identified locations along Nicholson. Treatment design will provide suitable turning ability.	Yes
8	Fenwick Street and Nicholson Street Kerb extensions on minor road (Fenwick Street) to reduce size of intersection and opportunity to introduce greenery, tree planting and passive irrigation. Incorporate bike parking.	General agreement to this type of treatment for all identified locations along Nicholson.	Yes
9	Rathdowne Street at Fenwick Street New raised zebra crossing to promote pedestrian prioritisation.	N/A	Yes
10	Macpherson Street and Lygon Street Kerb extensions on minor road (Macpherson Street) to reduce size of intersection and opportunity to introduce greenery, tree planting and passive irrigation.	Not discussed and no comments	Yes
11	Richardson Street and Lygon Street Kerb extensions on minor road (Richardson Street) to reduce size of intersection and opportunity to introduce greenery, tree planting and passive irrigation.	Not discussed and no comments	Yes
-	Drummond Street and Macpherson Street Kerb extensions to reduce size of intersection and provide space for pedestrians and opportunity to introduce greenery, tree planting and passive irrigation.	As this is a Blackspot project this was included on the LAPM plan for information only and will be excluded from the final version of LAPM.	No
12	Drummond Street and Richardson Street Kerb extensions to reduce size of intersection and provide space for pedestrians and opportunity to introduce greenery, tree planting and passive irrigation.	Not discussed and no comments	Yes

13	Rathdowne Street at Richardson Street Raise existing zebra crossing to promote pedestrian prioritisation.	Not discussed and no comments	Yes
-	Canning Street and Richardson Street Kerb extensions and zebra crossings to improve pedestrian safety (Blackspot planned project).	As this is a Blackspot project and will be delivered this was included on the LAPM plan for information only and will be excluded from the final version of LAPM.	No
14	Drummond Street between Richardson and Pigdon Street Calming treatments with combination of speed humps, road narrowings, integrated with plantings and cycle cut throughs for continuation of cycle lane. Replication of speed hump format on southern end of Station Street to ensure there is no loss of parking (i.e. between tree planting).	In agreement to standard speed hump (no kerbs or bike cut-throughs, agree to speed management that does not impact on parking supply) to remove kerb outstands and subject to Australian standard spacing requirements, locating adjacent to tree if possible to minimise parking loss.	Yes, but with a speed survey review before potential installation
15	Drummond Street between Pigdon and Park Street Calming treatments with combination of speed humps, mid-block kerb extensions, road narrowings, integrated with plantings and cycle cut throughs for continuation of cycle lane. Replication of speed hump format on southern end of Station Street to ensure there is no loss of parking (i.e. between tree planting).	In agreement to standard speed hump (no kerbs or bike cut-throughs, agree to speed management that does not impact on parking supply) to remove kerb outstands and subject to Australian standard spacing requirements, locating adjacent to tree if possible to minimise parking loss.	Yes, but with a speed survey review before potential installation
16	Canning Street and Pigdon Street Kerb extensions to reduce size of intersection and provide space for pedestrians with opportunity to introduce greenery and passive irrigation.	Not discussed and no comments	Yes
17	Station Street between Richardson Street and Pigdon Street Calming treatments with combination of speed humps, road narrowings, integrated with plantings. Replication of speed hump format on southern end of Station Street to ensure there is no loss of parking.	In agreement to standard speed hump (no kerbs or bike cut-throughs, agree to speed management that does not impact on parking supply) to remove kerb outstands and subject to Australian standard spacing requirements, locating adjacent to tree if possible to minimise parking loss.	Yes
18	Station Street between Pigdon Street and Park Street Calming treatments with combination of speed humps, road narrowings, integrated with plantings. Replication of	In agreement to standard speed hump (no kerbs or bike cut-throughs, agree to speed management that does not impact on	Yes

	speed hump format on southern end of Station Street to ensure there is no loss of parking.	parking supply) to remove kerb outstands and subject to Australian standard spacing requirements, locating adjacent to tree if possible to minimise parking loss.	
19	Nicholson Street at Pigdon Street Kerb extensions on minor road (Pigdon Street) to decrease pedestrian crossing distance. Enhance with greenery, seating, and bike parking. Treatment would take up parking bay width only in Pigdon Street and will not encroach on bike or traffic lane.	Good idea to include more bike parking. Support for loss of parking if it increases place making opportunities.	Yes – provided no impact on traffic
20	Park Street at Drummond Street New raised zebra crossing integrated with speed hump (west side only) to promote pedestrian and cyclist prioritisation, widened to provide separation of use.	Not discussed and no comments	Yes
21	Park Street and Rathdowne Street Kerb extension on west side of intersection and raised centre median on Rathdowne Street to reduce crossing widths, improve pedestrian visibility, and opportunity to introduce greenery, tree planting and passive irrigation. Kerb extension on east side not possible due to requirements of bus turning circle.	Not discussed and no comments	Yes

DoT road	Projects to advocate
Princes Street	<ul style="list-style-type: none"> • Princes Street / Drummond Street - a safe crossing for cyclists and pedestrians • Princes Street / Rathdowne Street - improving the signal timing to suit slower pedestrians and provide a head start for cyclists • Princes Street and Canning Street - improving the signal timing to suit slower pedestrians and provide a head start for cyclists.

Stakeholder Consultation

Department of Transport

48. Details of the LAPM study, including the proposed LAPM plan were sent to DoT in January 2020. No feedback was received.

Moreland City Council

49. Council officers met with Moreland City Council officers on the proposed LAPM plan in November 2019. Moreland City Council officers highlighted identified concerns regarding pedestrian and cyclist safety on the Capital City Trail between Amess Street and Lygon Street.

Ambulance Victoria

50. Ambulance Victoria were notified of the proposed LAPM plan in March 2020. Ambulance Victoria indicated that they have no objections due to access being retained.

Metropolitan Fire Brigade

51. Metropolitan Fire Brigade were notified of the proposed LAPM plan in March 2020. No feedback was received.

Victoria Police

52. Victoria Police were notified of the proposed LAPM plan in March 2020. No feedback was received.

Internal Consultation (One Yarra)

53. The following Council teams were consulted through the study:

- (a) Economic Development;
- (b) Construction Management;
- (c) Waste Management and Cleansing;
- (d) City Works;
- (e) Engineering Services;
- (f) Asset Management;
- (g) Open Space Planning and Design;
- (h) Parking Management;
- (i) Strategic Transport;
- (j) Statutory Planning;
- (k) Urban Design; and
- (l) Urban Agriculture.

54. Feedback was received from:

- (a) Strategic Transport regarding advice on the proposed LAPM treatments on Rathdowne Street due to community feedback they have received separately. Notification that they have ambitions for a bi-directional segregated bike lane on Park Street and that any proposed LAPM treatments should not preclude this. They requested that all proposed speed humps must consider ease of negotiation for cyclists;
- (b) City Works regarding the buildability of proposed LAPM treatments and their proposed Capital Works Program in Carlton North;
- (c) Urban Forestry regarding tree-planting proposals in the precinct that they are implementing on Drummond Street, Canning Street, Newry Street and Hughes Street. They also support the tree planting in proposed LAPM treatments;
- (d) Economic Development regarding trader parking loss concerns from Rathdowne Street parklet proposal;
- (e) Parking Management raised concerns that some parking may need to be removed at some sensitive street locations such as Drummond Street and that extra costs may be incurred if parking sensors need to be removed in Rathdowne Street and/or Nicholson Street;
- (f) Urban Design cautioned against WSUD treatments in locations where trees could be planted as they are not compatible and trees could be planted instead to provide valuable shade. They also updated the study team on their proposals for the Nicholson Street Village; and
- (g) Urban Agriculture suggested the potential use of part of Nicholson Street Reserve productively as a community garden. This feedback was passed onto the Open Space Branch.

Financial Implications

55. Implementation of the recommended plan has been estimated to cost \$1,647,000+GST over five years. The cost estimate is detailed below. This costing includes an initial allocation of \$30,000 for design.

Number	Description	TOTAL
1	Rathdowne Street and Davis Street (south-eastern side) Kerb extension to align with the existing kerb extension on the North side and realignment of the bike lane to suit.	\$55,000.00
2	Drummond Street between Princes and Newry Street Speed humps adjacent to existing trees where possible. Place making – If existing tree is not adjacent, an additional tree will be planted.	\$37,000.00
3	Davis Street Speed humps adjacent to existing trees where possible. Place making – If existing tree is not adjacent, an additional tree will be planted.	\$32,000.00
4	O’Grady Street between Rathdowne and Canning Street Kerb extensions to reduce size of intersection and reduce crossing distance for pedestrians. Place making – opportunity to introduce greening and passive irrigation into kerb extensions.	\$95,000.00
5	Rathdowne Street and Newry Street Kerb extensions to reduce size of intersection and raise median strip to improve pedestrian safety. Place making – opportunity to introduce greening and passive irrigation into kerb extensions.	\$115,000.00
6	Nicholson Street at Newry Street Kerb extensions on Newry Street to decrease pedestrian crossing distance. Place making – opportunity to introduce greenery, passive irrigation, seating, bike parking. Subject to discussion with relevant Council Branch could potentially integrate artwork.	\$65,000.00
7	Nicholson Street at Curtain Street Kerb extensions on Curtain Street to decrease pedestrian crossing distance. Place making – opportunity to introduce greenery, passive irrigation, and seating. Subject to discussion with relevant Council Branch could potentially integrate artwork.	\$60,000.00
8	Fenwick Street and Nicholson Street Kerb extensions on Fenwick Street to decrease pedestrian crossing distance. Place making – opportunity to introduce greenery, passive irrigation, seating, bike parking. Subject to discussion with relevant Council Branch could potentially integrate artwork.	\$60,000.00
9	Rathdowne Street at Fenwick Street New raised zebra crossing to promote pedestrian safety and accessibility.	\$180,000.00

10	<p>Macpherson Street and Lygon Street Kerb extensions on Macpherson Street to reduce size of intersection. Place making – opportunity to introduce greenery, passive irrigation, bike parking.</p>	\$65,000.00
11	<p>Richardson Street and Lygon Street Kerb extensions on Richardson Street to reduce size of intersection. Place making – opportunity to introduce greenery, passive irrigation, seating, bike parking.</p>	\$65,000.00
12	<p>Drummond Street and Richardson Street Kerb extensions to reduce size of intersection. Place making – opportunity to introduce greening and passive irrigation into kerb extensions.</p>	\$160,000.00
13	<p>Rathdowne Street at Richardson Street Raise existing zebra crossing to promote pedestrian safety and accessibility.</p>	\$120,000.00
14	<p>Drummond Street between Richardson and Pigdon Street Speed humps adjacent to existing trees where possible. Place making – If existing tree is not adjacent, an additional tree will be planted.</p>	\$32,000.00
15	<p>Drummond Street between Pigdon and Park Street Speed humps adjacent to existing trees where possible. Place making – If existing tree is not adjacent, an additional tree will be planted.</p>	\$37,000.00
16	<p>Canning Street and Pigdon Street Kerb extensions to reduce size of intersection and provide space for pedestrians. Place making – opportunity to introduce greening and passive irrigation into kerb extensions.</p>	\$85,000.00
17	<p>Station Street between Richardson and Pigdon Street Speed humps adjacent to existing trees where possible. Place making – If existing tree is not adjacent, an additional tree will be planted.</p>	\$22,000.00
18	<p>Station Street between Pigdon and Park Street Speed humps adjacent to existing trees where possible. Place making – If existing tree is not adjacent, an additional tree will be planted.</p>	\$22,000.00
19	<p>Nicholson Street at Pigdon Street Kerb extensions on Pigdon Street to decrease pedestrian crossing distance. Treatment would take up parking bay width only in Pigdon Street and will not encroach on bike or traffic lane. Place making – opportunity to introduce greenery, passive irrigation, seating, bike parking.</p>	\$65,000.00

20	<p>Park Street at Drummond Street</p> <p>New raised zebra crossing integrated with speed hump to promote pedestrian/cyclist safety and accessibility, widened to provide separation of pedestrians and cyclists.</p>	\$160,000.00
21	<p>Park Street and Rathdowne Street</p> <p>Kerb extension on west side of intersection and raised centre median on Rathdowne Street to reduce crossing widths and improve pedestrian visibility. Kerb extension on east side not possible due to requirements of bus turning circle.</p> <p>Place making – opportunity to introduce greening and passive irrigation.</p>	\$85,000.00

56. Council's operating budget commencing 2021/22 should include an amount of \$10,000 + GST for ongoing maintenance costs for new infrastructure associated with these proposals.
57. Funding allocation for design of LAPM 2 works was proposed as a discretionary funding bid for 2020/21 for \$30,000 for design; however officers understand these funds will not be included in the proposed 2020/21 Budget that has been prepared for consultation and adoption in August 2020. Officers would anticipate this would be reconsidered as part of any mid-year Budget review.
58. Subject to Council approval and allocation of funding in 2020/21, design of the relevant treatments in the recommended LAPM plan for the Carlton North precinct (LAPM 2) could commence in 2020/21, with the intent for implementation in 2021/22.
59. Opportunities to fund LAPM treatments through other mechanisms will be considered including:
 - (a) Future capital road works such as road reconstruction;
 - (b) Future utility service road works such as for water mains;
 - (c) Future private development contributions or public realm improvements;
 - (d) Australian Government Black Spot Program; and
 - (e) Other Victorian or Commonwealth Government funding opportunities.

Economic Implications

60. There are no economic implications associated with the recommended plan.

Sustainability Implications

61. The recommended LAPM plan and priority projects for advocacy to DoT improves pedestrian and cyclist safety and connectivity, thus supporting sustainable transport options and usage.

Climate Emergency Implications

62. The recommended LAPM plan will assist in decreasing the impact of severe weather events by increasingly the amount of greenery and minimising surface water run-off through implementing permeable surfaces and increasing tree canopy. The plan will also support a reduction in transport emissions by calming streets and therefore encouraging active transport.

Social Implications

63. A copy of the recommended LAPM plan has been referred to Ambulance Victoria, Metropolitan Fire Brigade and Victoria Police and no response has been received. Due to access being maintained it is not considered that emergency services would have any objections to the plan.

Human Rights Implications

64. There are no identified human rights implications associated with this report.

Communications with CALD Communities Implications

65. A language advisory panel was included in all consultation material including contact details and reference number to access Council's interpreter service.

Council Plan, Strategy and Policy Implications

66. Objective Six of the Council Plan 2017-2021 refers to *A Connected Yarra*, a place where connectivity and travel options are environmentally sustainable, integrated and well-designed. *Strategy 6.1 Manage traffic movement and promote road safety within local roads* specifically identifies the Local Area Place Making program (Initiative 6.1.1).
67. The road materials used will be in line with Council's Infrastructure – Road Materials Policy.
68. Council's Strategic Transport Statement 2012 actions 1.2, 1.5, 1.8 and 1.21 commit to improve pedestrian crossings, facilities and priority projects.

Legal Implications

69. Council has an overall obligation under the *Road Management Act 2004* to manage the local road network in a manner that gives due consideration to community safety.
70. Approval for all Major Traffic Control Items will be sought from DoT.

Other Issues

71. The current funding for LAPM until 2019/2020 comes from a 50-50 grant provided by DoT for the investigation and delivery of projects that improve road safety on local streets.
72. Historically the costs for delivering LAPM/LATM plans has been approximately \$300,000 per precinct. Where costs have exceeded this amount, the delivery of the plans have had to be carried out over multiple years through a staged funding approach. This model of funding has not been guaranteed which has led to delays with the delivery of LAPM plans, as well as resourcing issues as projects accumulate.
73. Past LAPM/LATM studies have not fully accounted for the costs associated with detailed design, construction, drainage, street lighting and assessment. The addition of place making puts further pressure on the limited funding currently available.
74. The issues described above highlight the risk to the delivery of current and future LAPM projects and community confidence in Council.
75. Without a recurring budget for delivery of LAPM projects, endorsed treatments are subject to discretionary funding bids each financial year.
76. A LAPM Policy review is currently underway and the intent is to brief Councillors on this before the end of the current financial year.

Options

77. This report outlines a range of proposed traffic treatments, based on an extensive analysis and consultation period. A range of options have been considered, and the recommended options are presented in this report.

Conclusion

78. A recommended LAPM plan has been developed in consultation with the community and through an evidence-based analysis.
79. In addition, a priority list of traffic management treatments on the arterial roads has been formulated to advocate to DoT for implementation.
80. Subject to Council approval and allocation of sufficient funding, implementation of the recommended LAPM plan for the Carlton North precinct (LAPM 2) can commence with design in 2020/21 and delivery commencing 2021/22, and would be expected to be delivered over five years.

RECOMMENDATION

1. That Council:
 - (a) endorse the recommended treatments identified in the Local Area Place Making (LAPM) plan for Carlton North precinct (LAPM 2);
 - (b) endorse that a review be undertaken between 3-6 months before installation of treatments 14 and 15 by way of a speed survey, where installation will only occur if the 85th percentile speed is in excess 44km/h;
 - (c) endorse that a review be undertaken on whether speed humps should be considered for installation on Amess Street, between Park Street and Pigdon Street, where installation will only be considered if the 85th percentile speed is in excess 44km/h;
 - (d) endorse officers to undertake advocacy to DOT for the list of treatments proposed for Princes Street and which require DOT approval; and
 - (e) notes that subject to Council approval and allocation of sufficient funding, implementation of the recommended LAPM plan for the Carlton North precinct (LAPM 2) can commence with design in 2020/21 and delivery commencing 2021/22, and would be expected to be delivered over five years.

CONTACT OFFICER: Peter Moran
TITLE: Acting Manager City Works
TEL: 9205 5423

Attachments

- 1⇒ CoY Carlton North Draft Local Area Place Making Plan
- 2⇒ CoY Carlton North Local Area Place Making Plan

11.2 Studley Street and Yarra Street - Parking, Access and Safety

Executive Summary

Purpose

To update Council on further investigations and consultation undertaken following Council Resolution 11.3 Studley Street and Yarra Street, Abbotsford – Parking Amendments, from the 17 December 2019 Council Meeting, that Council Officers undertake further investigations and consultation.

To present information and options in order for Council to make a decision on any action in relation to this matter.

Key Issues

Vehicles are permitted to park on both sides of Studley Street (between Hoddle Street and Nicholson Street) and Yarra Street (between Hoddle Street and Nicholson St) between 4pm and 8am.

MFB have stated that their trucks are 2.5m wide (excluding mirrors), however adequate clearance to stationary vehicles and human error also need to be accounted for within any road designs i.e. ability of regular vehicle drivers to successfully park against the kerb and also the ability of drivers of emergency (and other large) vehicles.

MFB has indicated that equipment is accessed from the side of the truck so additional clearance is required once the vehicle is stationary to attend to emergency events.

MFB have indicated that responding to emergency events via laneways to the rear of properties is not possible due to their responders going to the registered address, which is at the primary street frontage. Fire hydrants are not typically located in laneways.

Council Officers have undertaken detailed measurements at 20m intervals of Studley Street and Yarra Street, between Hoddle Street and Nicholson Street. The carriageway widths of Studley Street and Yarra Street range from 6.3-6.5m, with the majority of the streets being 6.4m.

When parking is allowed on both sides of Studley Street and Yarra Street, between Hoddle Street and Nicholson Street, the minimum unobstructed carriageway width could range from 2.3-2.6m, depending on how many cars are parked and how close to the kerb they are.

Council's asset management database MASS has been interrogated and an additional 35 streets in the City of Yarra have similar characteristics to Studley Street and Yarra Street, relating to narrow carriageways and on-street parking.

Parking occupancy surveys indicate that at night there is a large amount of spare capacity in Studley Street, Yarra Street and the wider area surveyed of Abbotsford.

Footpath parking is legal in appropriately signed areas, such as Yarra Street. The marked bays on the footpath on Yarra Street reduce the minimum unobstructed footpath width to 1.3-1.5m at a number of locations, which meets the minimum requirement of 1.2m according to the Disability Discrimination Act 1992 (DDA) and relevant Australian Standard.

Even though the footpath parking on Yarra Street does meet the minimum DDA requirement of 1.2m, this is not recommended or considered best practice given the desirable DDA minimum is 1.8m.

Realigning and removing kerbs to widen the carriageway or make the street all one level would be prohibitively expensive, ranging from \$2.5-11.1m.

Examples of advisory parking bays on Tait Street and St Philips Street seem to encourage most motorists to park closer to the kerb. If advisory parking bays were to be installed in the relevant sections of Studley Street and Yarra Street, it is considered that a width of 1.9m would be appropriate to cater for the width of most cars and also discourage footpath parking.

Angle parking is not possible on the relevant sections of Studley Street and Yarra Street due to carriageway width.

There is very strong community opposition to any parking removal.

Options for consideration are:

- Option 1a: Retain the existing parking arrangements on Studley Street and Yarra Street (between Hoddle Street and Nicholson Street).
- Option 1b: Retain the existing parking arrangements on Studley Street and Yarra Street (between Hoddle Street and Nicholson Street) and Council implement additional parking restriction (permit zone) changes to prioritise residential parking.
- Option 1c: Retain the existing times of the parking arrangements on Studley Street and Yarra Street (between Hoddle Street and Nicholson Street) and Council undertake consultation with the community on parking restriction (permit zone) changes to prioritise residential parking, in accordance with Parking Restriction Guidelines.
- Option 2a: Retain the existing parking arrangements on Studley Street and Yarra Street (between Hoddle Street and Nicholson Street). Install 1.9m wide advisory parking bays to encourage motorists to park closer to the kerb.
- Option 2b: Retain the existing parking restrictions on Studley Street and Yarra Street (between Hoddle Street and Nicholson Street). Install 1.9m wide advisory parking bays and Council implement additional parking restriction (permit zone) changes to prioritise residential parking.
- Option 2c: Retain the existing parking restrictions on Studley Street and Yarra Street (between Hoddle Street and Nicholson Street). Install 1.9m wide advisory parking bays and Council undertake consultation with the community on parking restriction (permit zone) changes to prioritise residential parking, in accordance with Parking Restriction Guidelines.
- Option 3: Introduce footpath parking, where parking is currently allowed only at night on the north side of Studley Street and south side of Yarra Street (between Hoddle Street and Nicholson Street).
- Option 4: Removal of parking from the south side of Studley Street and north side of Yarra Street (between Hoddle Street and Nicholson Street) and introduction of a Permit Zone on the other side.

Financial Implications

Depending on which option is pursued, there could be a financial cost to Council for amendments to parking signs and linemarking, however this is modest and can be funded through existing operational budgets.

The cost of possible kerb realignment or removal are significant and not considered affordable or good value in this instance.

PROPOSAL

That Council:

- (a) note the contents of this report;
- (b) select an option for endorsement;

- (c) instruct officers to inform residents and relevant stakeholders of the endorsed option and any parking amendments if required; and
- (d) instruct officers to implement the endorsed option and any parking amendments if required.

11.2 Studley Street and Yarra Street - Parking, Access and Safety

Reference: D20/110935
 Authoriser: Director City Works and Assets

Purpose

1. To update Council on further investigations and consultation undertaken following Council Resolution 11.3 Studley Street and Yarra Street, Abbotsford – Parking Amendments, from the 17 December 2019 Council Meeting.
2. To present information and options in order for Council to make a decision on any action in relation to this matter.

Background

December 2019 - Recommendation to remove parking in Studley Street and Yarra Street, between Hoddle Street and Nicholson Street

3. The Council report presented on 17 December 2019 recommended the removal of parking from one side of Studley Street (between Hoddle Street and Nicholson Street and Yarra Street (between Hoddle Street and Clarke Street), resulting in a net loss of 79 parking bays.
4. The report included a recommendation to also remove footpath parking in Yarra Street (between Nicholson Street and Clarke Street).
5. This was proposed, in part, to address the risk and public liability to Council associated with Metropolitan Fire Brigade (MFB) being unable to respond adequately to an emergency event, noting that the current parking arrangements restrict access to a number of large vehicles at times, including waste collection, delivery trucks and others.
6. It was also proposed to implement the following parking restriction changes in order to support residential parking in these areas as a priority:
 - (a) In Studley Street, between Hoddle Street and Nicholson Street, the existing 2P Monday to Friday 7am to 7pm restriction should be extended to include Permit Zone All Other Times; and
 - (b) In Yarra Street, between Hoddle Street and Nicholson Street, and between Patterson Street to Clarke Street, the existing 2P 7am to 7pm Monday to Friday restriction should be extended to include Permit Zone All Other Times.

Council Resolution 11.3 Studley Street and Yarra Street, Abbotsford – Parking Amendments, from the 17 December 2019 Council Meeting

7. The Council Resolution from this meeting is noted below:

11.3 – COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Fristacky

1. *That Council:*
 - (a) *note the contents of this report;*
 - (b) *defer consideration of the proposed removal of parking spaces to enable:*
 - (i) *further discussions with the MFB and local residents;*
 - (ii) *further investigation into laneway access, including consideration of width measurements, any other relevant issues and the precedents of traffic treatments across Yarra and other inner Melbourne suburbs;*
 - (iii) *parking occupancy observations to be made on Studley Street, Yarra Street and neighbouring streets including in the evening; and*

- (iv) *a further report to be produced for Council and local residents to investigate the questions raised and solutions suggested by local residents including:*
- a. *the effect of the proposed changes on parking on neighbouring streets (based on the occupancy observations);*
 - b. *the regulatory provisions governing parking vehicles on footpaths, whether Council has the ability to allow footpath parking and its effect on DDA compliance;*
 - c. *whether line marking of parking bays can be done in such a way to compel drivers to park closer to the curb and increase clearance (as on St Philips St);*
 - d. *advice from emergency services on whether their vehicles can use rear laneways for access to properties in an emergency and/or whether smaller vehicles can be used to access narrow streets;*
 - e. *whether footpaths can be redesigned to increase road width and what cost and other implications there would be in this;*
 - f. *whether angle parking could be introduced; and*
 - g. *any other issues officers consider relevant.*

CARRIED UNANIMOUSLY

MFB Fire Truck Dimensions and Operations

- 8. MFB have stated that their trucks are 2.5m wide, which is the widest a vehicle can be without needing to apply for an Over Dimensional Vehicle Permit. They do not currently, nor have any plans, to use smaller vehicles to attend emergency events.
- 9. The *MFB Planning Guidelines for Emergency Vehicle Access and Minimum Water Supplies within the Metropolitan Fire District* state that “emergency vehicles generally do not exceed a width of 2.5 metres (excluding mirrors) however adequate clearance to stationary vehicles and human error also need to be accounted for within any road designs i.e. ability of regular vehicle drivers to successfully park against the kerb and also the ability of drivers of emergency vehicles.”
- 10. MFB have indicated that equipment is accessed from the side of the truck so additional clearance is required once stationary to attend to emergency events.
- 11. The *MFB Planning Guidelines for Emergency Vehicle Access and Minimum Water Supplies within the Metropolitan Fire District* require an unobstructed carriageway width of 3.5m, however this is guidance and is aimed at new subdivisions.

Laneway access

- 12. MFB have indicated that responding to emergency events via laneways to the rear of properties is not possible due to their responders going to the registered address, which is at the primary street frontage. Fire hydrants are also not typically located in laneways.

Studley Street and Yarra Street, between Hoddle Street and Nicholson Street, width measurements

- 13. Council Officers undertook further detailed measurements on Studley Street and Yarra Street, between Hoddle Street and Nicholson Street, at 20m intervals.
- 14. The carriageway widths of Studley Street and Yarra Street range from 6.3-6.5m, with the majority of the streets being 6.4m.
- 15. When parking is allowed on both sides of Studley Street and Yarra Street, between Hoddle Street and Nicholson Street, the minimum unobstructed carriageway width could range from 2.3-2.6m, depending on how many cars are parked and how close to the kerb they are.
- 16. The footpaths on Studley Street range from 1.6-2.1m in width.

17. The footpaths on Yarra Street range from 1.61-2.35m in width.

Streets in City of Yarra with similar carriageway characteristics

18. Council's asset management database MASS has been interrogated and an additional 35 streets in the City of Yarra have similar characteristics to Studley Street and Yarra Street, in that their unobstructed carriageway width makes access difficult for vehicles 2.5m wide (MFB truck width).
19. The streets generally have fire hydrants located on them, are one-way and are a mixture of parking on one or both sides of the carriageway. A list of these streets is provided as **Attachment 1**.

Parking occupancy surveys

20. Night time parking occupancy survey data was collected by Council's contractor on Wednesday 5 February and Saturday 8 February at 10:30pm in the area bounded by Hoddle Street, Johnston Street, Clarke Street and including Vere Street/Marine Parade.
21. The relevant sections of Studley Street and Yarra Street, between Hoddle Street and Nicholson Street and the streets immediately neighbouring them of Stafford Street, Vere Street, Nicholson Street, Hunter Street and Park Street have been analysed. There is a supply of 401 parking spaces in these streets at night. There was a demand for 234 spaces on Wednesday night (58%) and 273 spaces on Saturday night (68%).
22. Studley Street has a supply of 80 parking spaces. There was a demand for 48 spaces on Wednesday night (60%) and 44 spaces on Saturday night (55%).
23. Yarra Street has a supply of 94 parking spaces. There was a demand for 49 spaces on Wednesday night (52%) and 60 spaces on Saturday night (64%).
24. The parking occupancy surveys indicate that at night there is a large amount of spare capacity in Studley Street, Yarra Street and the immediately neighbouring streets surveyed in Abbotsford.

Footpath parking

25. Yarra Street, between Nicholson Street and Clarke Street, currently has marked parking bays and parking control signs that allow cars to park partially on the footpath from 4pm to 8am Mon-Fri, and at all times over the weekend.
26. Parking bays are marked with a width of 0.6m on the footpath and 1.4m on the carriageway, leaving approximately 2.9-3.0m unobstructed carriageway when vehicles are parked on the carriageway on the other side of the street.
27. The current parking arrangement allows sufficient road space for through traffic, including MFB trucks.
28. This parking arrangement was introduced in 2011 following requests from residents to increase the available parking in this section of Yarra Street. The proposal to allow footpath parking was supported by a majority of residents.
29. The current parking arrangement increases the available parking in this section of Yarra Street by 19 spaces.
30. Advice in the 17 December 2019 report stated that footpath parking was a contravention of Regulation 197 of *The Victorian Road Safety Rules 2017*.
31. Officers have since clarified that footpath parking can be allowed, in certain circumstances, and that parking on the footpath in Yarra Street, which has appropriate signage and line marking, is not a contravention of the Road Rules.

32. The *Victorian Road Safety Road Rules 2017 – Regulation 197* states that:
- (a) *A driver must not stop on a bicycle path, footpath, shared path or dividing strip, or a nature strip adjacent to a length of road in a built-up area, unless – the driver stops at a place on a length of road, or in an area, to which a parking control sign applies and the driver is permitted to stop at that place under these Rules. (emphasis added)*
33. Despite appropriately signed footpath parking not being a contravention of *The Victorian Roads Safety Rules 2017*, officers still do not support, nor recommend the expansion of footpath parking in Yarra.
34. The marked bays on the footpath reduce the minimum unobstructed footpath width to 1.3-1.5m at a number of locations, which meets the minimum requirement of 1.2m according to the DDA and relevant Australian Standard.
35. Even though the footpath parking on Yarra Street does meet the minimum DDA requirement of 1.2m, this is not considered best practice for a footpath to be narrowed at this many locations along its length. This is also reinforced by the desirable DDA minimum being 1.8m.
36. Parking Management have indicated they receive complaints from members of the public, including those with mobility impairment, expressing concern with the footpath parking arrangement on Yarra Street due to the reduced footpath width.
37. Victoria Walks have submitted that footpath parking is a significant concern for them due to making “movement for pedestrians, particularly vulnerable members of the community using wheelchairs, canes, walking frames, trolleys, prams or mobility scooters, more difficult or impossible.” They further state that “formalising parking on the footpath would be a retrograde step and would compromise the Council’s positive reputation in sustainable transport particularly.” Their submission is at **Attachment 11**.
38. The other sections of Yarra Street and Studley Street (between Hoddle Street and Nicholson Street) have similar characteristics to the section of Yarra Street that currently has footpath parking.
- Kerb realignment or removal
39. Council Officers have investigated whether it is feasible to realign the kerb/s or remove the kerbs to increase carriageway width for emergency access.
40. It is estimated that the cost of realigning one or both of the kerbs on Studley Street and Yarra Street, between Hoddle Street and Nicholson Street, would be \$1.5-2.5m. This is a high level estimate, which could increase considerably based on unknowns relating to service relocation, steepness of footpath and potential road reconstruction relating to high road camber.
41. Removing the kerbs to make the street all one level is a feature of well-designed Shared Zones. This would also likely not be feasible due it being unlikely to meet the warrants for Shared Zones relating to pedestrian volumes, which are a requirement of Department of Transport approval. Costs from a recent, similar Shared Zone project were approximately \$1,500/m², which equates to a cost of \$11.1m to implement this treatment in Studley Street and Yarra Street, between Hoddle Street and Nicholson Street.
- Advisory parking bays
42. Examples of where advisory parking bays have been installed in the City of Yarra include Tait Street in Fitzroy North and St Philips Street in Abbotsford.
43. Advisory parking bays are installed to encourage motorists to park closer to the kerb by being narrower than typical parking bays that are designed to Australian Standards. The parking bays in Tait Street and St Philips Street range in width from 1.6-1.8m. Individual bays are also not demarcated.
44. Council Officers consider that the advisory parking bays on Tait Street and St Philips Street seem to encourage most motorists to park closer to the kerb, however they also tend to encourage footpath parking.

45. If advisory parking bays were to be installed in the relevant sections of Studley Street and Yarra Street, it is considered that a width of 1.9m would be appropriate to cater for the width of most cars and also discourage footpath parking, as is seen in examples where 1.6m bays are provided.
46. Advisory bays with a width of 1.9m would typically leave a carriageway width of 2.6m on Studley Street and Yarra Street, which is sufficient width for a MFB truck access, provided vehicles park within the advisory lines.

Angle Parking

47. The carriageways of Studley Street and Yarra Street, between Hoddle Street and Nicholson Street are approximately 6.3m and 6.4m wide respectively. To install 30 degree angle parking, which is the most acute angle allowed by the relevant Australian Standard, would require the existing parking on both sides to be removed and would result in a trafficable width of 2.1-2.2m adjacent to the parking. This is too narrow for vehicle access, and would not allow MFB trucks to pass through the streets at all.

External Consultation

MFB

48. Council Officers met two Commanders from MFB on site at Studley Street and Yarra Street on Tuesday 11 February 2020. One of the Commander's wrote the letter in response to the Studley Street parking restriction trial, that prompted the proposal to remove parking on Studley Street and Yarra Street, and attended the Council Meeting on 17 December. A useful site inspection and discussion was had, with the following advice received:
 - (a) their trucks are 2.5m wide (excluding mirrors), however adequate clearance to stationary vehicles and human error also need to be accounted for within any road designs;
 - (b) equipment is accessed from the side of the truck so additional clearance is required once stationary to attend to emergency events;
 - (c) they do not currently nor have any plans to use smaller vehicles to attend emergency events;
 - (d) it is not possible to respond to emergency events via laneways to the rear of properties due to the responders being sent to the registered address, which is at the primary street frontage; and
 - (e) their record of the location of fire hydrants in Studley Street and Yarra Street accorded with the information on Council's GIS (shown in blue in Figure 1).



Figure 1 Fire Hydrant Locations

Community consultation

49. A postcard was sent out to all residents of Studley Street and Yarra Street, between Hoddle Street and Nicholson Street, inviting them to a meeting with Council Officers to discuss constraints and options for emergency service access and parking.
50. The meeting was held at the Collingwood Town Hall from 6-8pm on Thursday 20th February 2020. 28 people attended the meeting and a small number of written submissions were received from residents following this meeting. The written submissions are attached to this report.
51. The main themes from the community feedback were:
 - (a) very strong opposition to any parking removal;
 - (b) difficult to parallel park when both sides of Studley Street and Yarra Street are parked;
 - (c) wider consultation should be undertaken if more disruptive options are pursued;
 - (d) refuse/recycling trucks often have to back out;
 - (e) better enforcement is needed of existing restrictions;
 - (f) risk of higher speeds with wider streets;
 - (g) further footpath parking is supported if it helps retain parking; and
 - (h) parking on both sides of Studley Street and Yarra Street at all times is generally supported.

Internal Consultation (One Yarra)

52. The following Council units were consulted on the proposal:
 - (a) Parking Management;
 - (b) City Works - Waste Management;
 - (c) Urban Design; and
 - (d) Aged and Disability Services.

53. Internal feedback was provided below:

- (a) Parking Management indicated that they do not support the installation of further footpath parking due to receiving complaints from members of the public, including those with mobility impairment, about the existing footpath parking on Yarra Street. These complaints relate to access due to the reduced footpath width. Parking Management support advisory parking bays to encourage motorists to park closer to the kerb;
- (b) City Works - Waste Management noted that the Waste Collection contractor has difficulty collecting refuse and recycling bins on Studley Street and Yarra Street due to the available road width when cars are parked on both sides of the streets. They often have to manually bring bins to the collection truck parked at the end of the parking bays;
- (c) Urban Design have stated that they do not support footpath parking due to access concerns with the reduced footpath width and that it may impact tree health through the increased likelihood of vehicles driving over tree pits and striking trees; and
- (d) Aged and Disability Services have stated that they do not support footpath parking due to access concerns with the reduced footpath width, especially for more vulnerable pedestrians such as the elderly and disabled.

Financial Implications

- 54. Depending on which option is pursued, there could be a financial cost to Council for amendments to parking signs and linemarking, however this is modest and can be funded through existing operational budgets.
- 55. The cost of possible kerb realignment or removal are significant and not considered affordable or good value in this instance.

Economic Implications

- 56. There are no economic implications.

Sustainability Implications

- 57. There are no sustainability implications.

Climate Emergency Implications

- 58. There are no climate emergency implications.

Social Implications

- 59. Depending on which option is pursued, some residents may be impacted by not being able to park directly outside their house. This is not unusual in inner Melbourne.
- 60. Officers' advice is that extending footpath parking may have detrimental impacts on pedestrian access, particularly for people with mobility issues, or people with prams.

Human Rights Implications

- 61. There are no identified human rights implications.

Communications with CALD Communities Implications

- 62. If there is a need to communicate a change to parking arrangements, a language advisory panel will be included in all notification material including contact details and reference number to access Council's interpreter service.

Council Plan, Strategy and Policy Implications

- 63. One of the objectives of the *Road Management Plan 2017 – 2021* is to “ensure that a safe and efficient network of municipal public roads is provided primarily for travel and transport.”

Legal Implications

64. Council has an overall obligation under the *Road Management Act 2004* to manage the local road network in a manner that gives due consideration to community safety.
65. The 17 December 2019 report included confidential advice to Council on the potential legal risk. This advice remains relevant and unchanged.

Options

Option 1a – Status quo

66. Retain the existing parking arrangements on Studley Street and Yarra Street (between Hoddle Street and Nicholson Street).
 - (a) appears to have reasonably broad community support;
 - (b) parking occupancy indicates considerable parking capacity at night and therefore probably adequate space for MFB access; and
 - (c) MFB response times potentially impacted.

Option 1b – Status quo and Permit Zone implementation

67. Retain the existing times of the parking restrictions on Studley Street and Yarra Street (between Hoddle Street and Nicholson Street) and implement parking restriction changes in order to prioritise residential parking in these areas.
68. In Studley Street, between Park Street and Nicholson Street, the existing 2P 7am to 7pm Monday – Friday restriction would remain but a Permit Zone would apply outside of these times.
69. In Yarra Street, between Park Street and Nicholson Street, the existing 2P 7am to 7pm Monday to Friday restriction should be extended to include Permit Zone All Other Times.
 - (a) appears to have some level of community support;
 - (b) priority given to residential parking;
 - (c) parking occupancy indicates considerable parking capacity at night and therefore potentially adequate space for MFB access;
 - (d) parking occupancy will likely reduce further so a 12 month post implementation review could be undertaken to determine parking requirements; and
 - (e) Council to implement restriction changes without further community consultation.

Option 1c – Status quo and Permit Zone consultation

70. Retain the existing times of the parking restrictions on Studley Street and Yarra Street (between Hoddle Street and Nicholson Street) and Council consult local community on parking restriction changes in order to prioritise residential parking in these areas.
71. In Studley Street, between Park Street and Nicholson Street, the existing 2P 7am to 7pm Monday – Friday restriction should be extended to include Permit Zone All Other Times.
72. In Yarra Street, between Park Street and Nicholson Street, the existing 2P 7am to 7pm Monday to Friday restriction should be extended to include Permit Zone All Other Times.
 - (a) appears to have some level of community support;
 - (b) priority given to residential parking (on the basis of community support);
 - (c) parking occupancy indicates considerable parking capacity at night and therefore adequate space for MFB access;
 - (d) parking occupancy will likely reduce further so a 12 month post implementation review could be undertaken to measure parking requirements; and

- (e) Council to undertake consultation with affected residents on Studley Street and Yarra Street (between Hoddle Street and Nicholson Street) and implement as per the Parking Restriction Guidelines.

Option 2a – Advisory linemarking

- 73. Retain the existing parking restrictions on Studley Street and Yarra Street (between Hoddle Street and Nicholson Street) and install advisory parking bays to encourage motorists to park closer to the kerb.
 - (a) appears to have reasonably broad community support;
 - (b) parking occupancy indicates considerable parking capacity at night and therefore probably adequate space for MFB access;
 - (c) MFB response times are likely to be improved due to motorists parking closer to kerbs;
 - (d) 1.9m wide parking bays considered appropriate; and
 - (e) footpath parking may increase.

Option 2b – Advisory linemarking and Permit Zone implementation

- 74. Retain the existing times of the parking restrictions on Studley Street and Yarra Street (between Hoddle Street and Nicholson Street). Install advisory parking bays (linemarking) to encourage motorists to park closer to the kerb and implement parking restriction changes in order to prioritise residential parking in these areas.
- 75. In Studley Street, between Park Street and Nicholson Street, the existing 2P 7am to 7pm Monday – Friday restriction would remain but a Permit Zone would apply outside of these times.
- 76. In Yarra Street, between Park Street and Nicholson Street, the existing 2P 7am to 7pm Monday to Friday restriction should be extended to include Permit Zone All Other Times.
 - (a) appears to have some level of community support;
 - (b) 1.9m wide parking bays considered appropriate;
 - (c) footpath parking may increase;
 - (d) priority given to residential parking;
 - (e) MFB response times are likely to be improved due to motorists parking closer to kerbs and parking occupancy indicates considerable parking capacity at night and therefore potentially more adequate space for MFB access;
 - (f) parking occupancy will likely reduce further so a 12 month post implementation review could be undertaken to determine parking requirements; and
 - (g) Council to implement restriction changes without further community consultation.

Option 2c – Advisory linemarking and Permit Zone consultation

- 77. Retain the existing times of the parking restrictions on Studley Street and Yarra Street (between Hoddle Street and Nicholson Street). Install advisory parking bays (linemarking) to encourage motorists to park closer to the kerb and Council consult on parking restriction changes in order to prioritise residential parking in these areas.
- 78. In Studley Street, between Park Street and Nicholson Street, the existing 2P 7am to 7pm Monday – Friday restriction should be extended to include Permit Zone All Other Times.
- 79. In Yarra Street, between Park Street and Nicholson Street, the existing 2P 7am to 7pm Monday to Friday restriction should be extended to include Permit Zone All Other Times.
 - (a) appears to have some level of community support;
 - (b) 1.9m wide parking bays considered appropriate;
 - (c) footpath parking may increase;

- (d) priority given to residential parking (on the basis of community support);
- (e) MFB response times are likely to be improved due to motorists parking closer to kerbs and parking occupancy indicates considerable parking capacity at night and therefore potentially more adequate space for MFB access;
- (f) parking occupancy will likely reduce further so a 12 month post implementation review could be undertaken to measure parking requirements; and
- (g) Council to undertake consultation with affected residents on Studley Street and Yarra Street (between Hoddle Street and Nicholson Street) and implement as per the Parking Restriction Guidelines.

Option 3 – Footpath parking

80. Retain the existing parking restrictions on Studley Street and Yarra Street (between Hoddle Street and Nicholson Street) and install footpath parking where parking is currently allowed only at night on the north side of Studley Street and south side of Yarra Street (between Hoddle Street and Nicholson Street).
- (a) footpath narrowing will impact pedestrian accessibility even though it meets minimum DDA requirements;
 - (b) opposition from Council units including: Parking Management; Urban Design; and Aged and Disability;
 - (c) likely opposition from special interest groups such as Victoria Walks and disability advocates;
 - (d) appears to have some level of support from Studley Street and Yarra Street residents; and
 - (e) MFB response time likely improved at night.

Option 4 – Removal of parking from one side of Studley Street and Yarra Street (between Hoddle Street and Nicholson Street) and introduction of Permit Zone on other side.

81. Remove parking on the north side of Studley Street and south side of Yarra Street (between Hoddle Street and Nicholson Street).
82. In Studley Street, between Park Street and Nicholson Street, the existing 2P 7am to 7pm Monday – Friday restriction should be extended to include Permit Zone All Other Times.
83. In Yarra Street, between Park Street and Nicholson Street, the existing 2P 7am to 7pm Monday to Friday restriction should be extended to include Permit Zone All Other Times.
- (a) loss of 60 parking bays;
 - (b) strong community opposition;
 - (c) impact on neighbouring streets through parking displacement; and
 - (d) MFB response time likely improved at night.

Conclusion

84. This report updates Council on further technical investigations and consultation undertaken with the local community and MFB.
85. Based on these investigations and consultation, Council Officers have provided options for Council to consider.

RECOMMENDATION

1. That Council:
 - (a) note the contents of this report;
 - (b) select an option for endorsement;
 - (c) instruct officers to inform residents and relevant stakeholders of the endorsed option and any parking amendments if required; and
 - (d) instruct officers to implement the endorsed option and any parking amendments if required.

CONTACT OFFICER: Peter Moran
TITLE: Acting Manager City Works
TEL: 9205 5423

Attachments

- 1 [⇒](#) Narrow Streets in Yarra
- 2 [⇒](#) Postcard - Public Meeting Feb 2020
- 3 [⇒](#) Submission 1-Studley St and Yarra St
- 4 [⇒](#) Submission 2-Parking-and-MFB
- 5 [⇒](#) Submission 3-Studley St and Yarra St
- 6 [⇒](#) Submission 4-Studley St and Yarra St
- 7 [⇒](#) Submission 5-Studley St and Yarra St
- 8 [⇒](#) Submission 6-Studley St and Yarra St
- 9 [⇒](#) Submission 7-Studley St and Yarra St
- 10 [⇒](#) Submission 8-Studley St and Yarra St Resident Survey
- 11 [⇒](#) Submission 9-Victoria Walks

11.3 City of Yarra Collection Policy

Reference: D20/110085
 Authoriser: Director Community Wellbeing

Purpose

1. To provide information about the Yarra Art and Heritage Collection and the recent review and update of the City of Yarra Collection Policy 2020, which is the product of a review of two earlier policies: The City of Yarra Collection Management Policy (2011) and The City of Yarra Collection Management Policy Operational Guidelines (2012).
2. The City of Yarra Collection Policy sets out the principles and practices that guide decision-making about the City of Yarra Art and Heritage Collection (the Collection): how it is to be developed, documented, conserved, interpreted and made accessible.

Background

3. The Collection was founded in 1994, based on the range of artworks and cultural artefacts that the City of Yarra inherited when the municipalities of Collingwood, Richmond and Fitzroy amalgamated.
4. Consisting of over 900 items, the Collection is a unique document of the history and people of Yarra comprising a diverse range of historical and contemporary indoor and outdoor works of art, objects, sculptures, murals, memorials, monuments and multimedia installations.
5. The artistic, cultural, social, environmental and political life of the City of Yarra – its vibrancy and evolution, its past and its present – is reflected in the Collection.
6. The Collection:
 - (a) invites the community to access, appreciate and identify with the municipality's history;
 - (b) recognises that the City of Yarra is a home to artists and is enriched by their creativity; and
 - (c) engages with local artists and local communities.
7. Much of the intent of the existing policy continues to be foundational in the new Collection policy as many of these standards remain the same.
8. To produce the new Policy, information which had previously been located in two separate documents (the Policy and the operational guidelines) has been combined to provide a comprehensive single document.
9. The review has led to a change in the sub-categories within the Collection to simplify the grouping of objects. Previously seven sub-categories were utilised and now these will be replaced by:
 - (a) Civic Collection;
 - (b) Public Art Collection; and
 - (c) Art Collection.
10. This change allows for the key areas of the Collection to be communicated more simply and immediately.
11. Core principles of best practice collection management are recognised in the Policy. These principles are pursued, but resource restraints mean that some ideal processes and outcomes cannot be met.
12. The City of Yarra does not have a dedicated gallery space, or sufficient space to display the indoor Collection objects; the plans for a Yarra Gallery to be created at the former Richmond Police Station buildings is yet to be progressed.

13. The Collection is exhibited and displayed in Town Halls and council buildings (some of these in publically accessible areas and some in staff restricted access office spaces) and across Council's parks and open spaces.
14. Exhibiting and interpreting the collection and developing an online catalogue, accessible through Council's website are just some of the ways Council is committed to enriching the community's understanding of Yarra's social and cultural history.
15. The City of Yarra Art and Heritage Collection is a public collection, and accordingly, all items housed within the Collection must meet strict selection criteria and acquisition processes as set out in the Collection Policy.
16. The current value of the Collection is over \$6.3million.
17. In 2009 the Art and Heritage Asset Management Plan for the Collection was implemented. The Plan formally recognised the Collection as a Council asset.
18. The plan included a recommendation for an annual budget of \$50,000 to purchase new works and build the Collection. From 2010 these funds were used to strategically acquire new works for the Collection until 2017 when the budget was not supported through the annual budget cycle. The 2017 funds were used towards the commission of the Stolen Generations Marker by Reko Rennie.
19. The Collection has grown significantly since 2009 through the receipt of over 60 artwork donations. Tax incentives offered through the Federal Government's Cultural Gifts Program have in part driven the interest in donating to the Collection. These donations have been valued at over \$490,000.
20. In 2012 a Significance Assessment was commissioned for the Collection. The report utilised specific criteria to detail the significance of the Collection collectively through examining items and groups of items across the Collection. This process identified strengths of the Collection, such as the contemporary photographic works and highlighted areas to further develop including acquisition of works by south-east Australian Indigenous artists. This has assisted in directing the development of the Collection in recent years.
21. The new Policy continues to recognise the importance of collecting artworks which have been created by people with connections to Yarra or works which themselves reflect the municipality.
22. A key addition to this criteria in the new Policy is supporting the increased representation of Aboriginal and Torres Strait Islander artists in the Collection.
23. The Collection Policy also cross-references the Yarra City Council Public Art Policy 2015-2020 and Guidelines for Public Art in Private Art Development in Yarra.
24. The Public Art Policy has provided a further way of building the Collection through the commission of public artworks, triggered by Council capital works projects exceeding \$1 million.
25. The new Policy continues to support housing of the Collection in appropriate storage facilities. Storage is required for the Collection as not all objects can be displayed at once. This may be because space does not exist to show the works, the works are physically sensitive and require special treatment, works may be awaiting conservation treatment and resources aren't present to display works according to their needs.

External Consultation

26. The initial stage of consultation for the new policy involved utilising a survey through the *Your Say Yarra* platform. The survey was promoted through Yarra Council channels including website, e-news and social media. Groups including local historical societies, neighbourhood houses, artists, galleries, and previous arts grant recipients were directly invited to complete the survey and provide feedback.
27. The Yarra Arts Advisory Panel, Visual Arts Panel and Heritage Advisory Panel were consulted to provide comment and feedback.

28. The online survey attracted 90 respondents.
29. The results of the survey identified that 60.4% of respondents believed arts and culture was an everyday experience in the City of Yarra and 69% believed that Yarra is known as a home to artists and a community that appreciates art and heritage.
30. Of those surveyed, 46.7% were aware that the City of Yarra had an art and heritage collection.
31. The Collection Policy was developed with the assistance of independent consultants History @ Work. It was informed by broad community consultation via a *Your Say Yarra* City Council online survey; a benchmarking survey conducted with local government authorities; discussions with members from the Visual Arts Panel (VAP); and a review of national and international standards for museum collection management.

Internal Consultation (One Yarra)

32. The Collection Policy was informed by discussions with staff from Council's Arts & Cultural Services Unit, a review of earlier Collection policies, as well as cross-functional collaboration with other areas in Council including Venues and Events, Heritage and Open Space.

Financial Implications

33. The Collection operational budget is \$43,000 per annum for collection management purposes including display, interpretation, maintenance, reactive repairs, documenting, handling, and storage.
34. The Collection continues to grow through donations and artworks generated by the percent for public art scheme triggered by specific Council capital works projects, increasing the financial value of this Council asset.
35. As the Collection grows, the operational budget will need to increase to meet the increased collection management demand and to maintain and protect these Council assets.
36. Storage demands for the Collection will continue to grow. In 2018 the storage facility in the Old Richmond Police Station building received capital works support for an upgrade through the provision of funds for new shelving and flooring. This space is well utilised for two-dimensional and small three-dimensional works but cannot accommodate all Collection objects.
37. Burnley Depot housed a range of Collection items (mainly heritage furniture) until 2019 when the building was no longer available. These items were unable to be rehoused within Council buildings and needed to be stored as they are recognised as significant objects in the Collection. No suitable Council managed alternative space could be secured for the objects and they are stored in paid storage facilities. This impacts the Collection operational budget, reducing the funds available for other areas of collection management.
38. There is currently no acquisition budget for the Collection which means opportunities to strategically develop the Collection are limited.

Economic Implications

39. The Collection Policy supports the development and growth of the creative and cultural industries through:
 - (a) the collection and commissioning of contemporary artworks that reflect local culture, supporting artists and development of contemporary art practice;
 - (b) the encouragement of donations and bequests through the Commonwealth Cultural Gifts Program; and
 - (c) contributing to the economic development of Yarra's creative industry.

40. Yarra is recognised as a home for the arts and people are drawn here to live, work and visit because of its creative culture. Continued development of the Collection reflects and contributes to the creative culture of the municipality and provides further opportunities for people to experience art as part of everyday life.
41. In 2018 a sculpture of local identity and international star, Molly Meldrum, was commissioned from public donations and donated to the City of Yarra Collection. This sculpture by Louis Laumen has become a local landmark, providing further reason for people to visit Yarra and spend time engaging in local economies whilst they are here.

Sustainability Implications

42. Not relevant to this report.

Climate Emergency Implications

43. Not relevant to this report.

Social Implications

44. The Collection invites the community to access, appreciate and identify with the municipality's history, to recognise that the City of Yarra is a home to artists and is enriched by their creativity, and to engage with local artists and local communities.
45. Engaging with the audiences via Collection displays, exhibitions and online, as well as through public education programs, enables participation with the cultural life of the community and to enjoy the arts and opportunities for social connectedness.
46. The Collection is part of the way Council tells the stories of the municipality and needs to be supported to preserve these stories for the current community and future generations. It needs to continue to tell new stories and reflect the community.
47. In addition, enhancing indoor and outdoor public spaces throughout Yarra facilitates public and participatory arts as an everyday experience, contributing to a sense of belonging and custodianship and the stimulation of creativity.

Human Rights Implications

48. Participation in the cultural life of the community and enjoyment of the arts is a fundamental human right under article 27 of the United Nations' *Declaration of Human Rights*. The Collection Policy's framework for developing, exhibiting, interpreting and preserving a collection highlights creativity and culture as central to our identity, to the liveability of our communities, to our social cohesion and to our productivity.

Communications with CALD Communities Implications

49. Council is known for its high multi-cultural population, reflected more broadly in the arts community. Where possible increasing the representation and participation of artists from culturally and linguistically diverse backgrounds in the Collection and in exhibitions will be encouraged and supported.

Council Plan, Strategy and Policy Implications

50. The Collection Policy sits within many of Council's social, cultural and planning frameworks. Through the framework and guidelines of developing, exhibiting and interpreting a collection, the Policy addresses the following strategic objectives of the Council Plan (2017-2021):
 - (a) A Healthy Yarra: 1.8 Provide opportunities for people to be involved in and connect with their community;
 - (b) An Inclusive Yarra: 2.3 Continue to be a local government leader and innovator in acknowledging and celebrating Aboriginal history and culture in partnership with Traditional Owners;
 - (c) An Inclusive Yarra: 2.4 Acknowledge and celebrate our diversity and people from all cultural backgrounds; and

- (d) A prosperous Yarra: 5.5 Facilitate and promote creative endeavour and opportunities for the community to participate in a broad range of arts and cultural activities.

Legal Implications

51. Not applicable.

Other Issues

52. The City of Yarra Art and Heritage Collection is a growing collection. The absence of a purpose built gallery to display the Collection and industry standard storage facilities to preserve the Collection increases the risk of deterioration and potential hazards to a valuable Council asset.
53. The absence of a purpose built gallery reduces the opportunity of interpreting the Collection via major exhibitions, reducing community access to engaging in educational experiences, events and special public programming that supports the Collection.
54. Displaying artwork in multi-use public spaces can also have limitations on the nature of the artworks that can be displayed – there have been a number of occasions in which artworks have had to be taken down at Richmond Town Hall because they were deemed not suitable for variety of community members who may be visiting the town hall for other purposes.
55. Limited storage capacity at Council premises requires Collection items to be stored off site in appropriate facilities. This is an on-going expense for Council that reduces access to manage, view and appreciate the Collection by staff and the local community.
56. Although the Collection is growing through donations by generous benefactors, some internal programming and the Percent for Public Art scheme, the absence of an acquisition budget reduces the opportunity of a considered approach to grow the Collection strategically and for Council to be responsive to unique opportunities that may arise.
57. Council continues to be offered unique and important artworks for acquisition without an avenue to acquire. Most recently local gallery Dianne Tanzer offered to Council Vincent Namatjira's latest portrait of footballer and activist, Adam Goodes, a part of a series that continues his celebration of Indigenous legends; people who have fought for and changed perceptions of Indigeneity in Australia.
58. Artworks like this would add to an important social, political and cultural narrative of Yarra Council and be an enduring asset to the Yarra community.

Options

59. Council has the options of:
- (a) Implementing the revised and updated City of Yarra Collection Policy; or
 - (b) Maintaining two older policies that are less relevant to the standards.

Conclusion

60. Managing the Yarra Art and Heritage Collection is an operational matter and as such it is important the policies that guide Council are updated regularly with respect to best practice.
61. Yarra's Collection is important historically and artistically and is of enduring civic and aesthetic interest. There are many reasons for Council to look after this important collection, Council can do so by continuing to collect, display, document, and maintain its collection.

RECOMMENDATION

1. That Council:
 - (a) note the revised City of Yarra Collection Policy 2020 and the role the Policy plays in supporting Yarra's creative community; and
 - (b) adopt the City of Yarra Collection Policy 2020.

CONTACT OFFICER: Brona Keenan
TITLE: Arts & Cultural Development Officer
TEL: 9205 5212

Attachments

- 1 [↔](#) City of Yarra Collection Policy May 2020

11.4 Adoption of Yarra's Social Justice Charter

Executive Summary

Purpose

To present Yarra's Social Justice Charter to Council for adoption.

Key Issues

A social justice charter is a practical way of protecting human rights. It can be used as a tool to guide a council's plans and strategies, and is a way of clearly articulating a council's position in relation to human rights and social justice.

Council's Charter is a tool which aids Council to adhere to its obligation to uphold human rights.

Data to develop the Social Justice Charter was gathered through a variety of sources. This included convening an internal stakeholders group to oversee its development, a review of relevant community consultations, 'Inclusive Yarra' – a broad program of community engagement and consultation, and workshops held with key internal stakeholders.

The final version of the Charter comprises Council's statement of commitment and guiding principles; an overview of the Yarra community; the priority areas in which the Charter applies; and practical examples in which those principles are (and can be) applied by Council.

The Charter does not include an action plan as it will be a guiding document for Council. It provides the rationale for policy direction and the commitment to serving the whole community, including those groups who are disenfranchised or not traditionally represented in matters of governance.

Once the final Charter has been endorsed, Officers will work across Council to develop branch implementations plans as a means of imbedding its use, and highlighting the work that Council does in the social justice space.

Financial Implications

The Charter will be implemented and promoted within existing budgets.

PROPOSAL

That Councillors adopt the inaugural Yarra Social Justice Charter.

11.4 Adoption of Yarra's Social Justice Charter

Reference: D20/109402

Authoriser: Acting Group Manager People and Culture

Purpose

1. To present Yarra's Social Justice Charter to Council for adoption.

Background

2. Social justice is based on the concept of human rights and equality and can be defined as the way in which human rights are manifested in the everyday lives of people, at every level of society.
3. A social justice charter is a practical way of protecting human rights. It can be used as a tool to guide a council's plans and strategies, and is a way of clearly articulating a council's position in relation to human rights and social justice.
4. The Community Partnerships branch (now the Diversity & Inclusion and Community Development units) was tasked with developing a social justice charter, which was committed to in the Council Plan 2017-2021.
5. Data to develop the Social Justice Charter (the Charter – see Attachment 1) was gathered through a variety of sources (see Attachment 2). This included convening an internal stakeholders group to oversee its development, a review of relevant community consultations, 'Inclusive Yarra' – a broad program of community engagement and consultation, and workshops held with key internal stakeholders.
6. It should be noted that while the document is an internal-facing document, it has external application in explaining Council's commitment to human rights and how they play out through Council's work and in the community.
7. An analysis of the data revealed that stakeholders were largely concerned with the following themes:
 - (a) Welcoming diversity;
 - (b) Community connectedness;
 - (c) Participation & inclusion; and
 - (d) Safe & liveable spaces.
8. These themes fed into the key guiding principles of the Charter: Access, Equity, Participation and Rights.
9. The draft Charter was developed around the key guiding principles and reviewed by the internal stakeholders group. Further modifications were made.
10. During the period of public exhibition, the response to the Charter was overwhelmingly positive, with stakeholders suggesting only minor clarifications and additions.
11. The Charter is a tool which aids Council to adhere to its obligation to uphold human rights. The final version of the Charter comprises Council's statement of commitment and guiding principles; an overview of the Yarra community; the priority areas in which the Charter applies; and practical examples in which those principles are (and can be) applied by Council.
12. The Charter does not include an action plan as it will be a guiding document for Council. It provides the rationale for policy direction and the commitment to serving the whole community, including those groups who are disenfranchised or not traditionally represented in matters of governance.

13. Once the final Charter has been endorsed, Officers will work across Council to develop branch implementations plans as a means of imbedding its use, and highlighting the work that Council does in the social justice space.

External Consultation

14. Data regarding social justice issues was gathered from a number of sources.
15. Officers conducted a review of data from relevant community consultations including those feeding into the Active Healthy Ageing Strategy 2018 – 2024, Access and Inclusion Strategy 2018 – 2024, 0-25 Plan, Council Plan 2017 – 2021 (including the Municipal Public Health Plan), and Re-imagining Victoria Street consultations.
16. 'Inclusive Yarra', a broad program of community engagement and consultation, was held in late 2018. Participants were asked where they've seen or experienced inclusiveness in Yarra that they think should be celebrated, and ideas for improving inclusiveness in Yarra and what's inspired them.
17. The public exhibition period for the Charter was launched at a Council event celebrating Human Rights Day on 10 December 2019.
18. The consultation was advertised via postcards and posters, Council's social media channels, Yarra Life, and through key stakeholder networks including the Yarra LGBTIQ+ Network, the Yarra Housing and Homelessness Network, the Yarra Multicultural Advisory Group and the (then) Aboriginal Advisory Group.
19. On Your Say Yarra, stakeholders were invited to comment about a time they felt their human rights were protected or not protected, and what Council can better do to better protect their human rights.

Internal Consultation (One Yarra)

20. In developing the Charter, Officers convened an internal stakeholders group from Social Policy (now Social Strategy), Diversity & Inclusion, Aged & Disability and Children's Services to get feedback on the Context, Issues & Best Practice paper. This group set the context and provided guidance on the development of the Charter, due to their roles in Council and commitment to issues of human rights and social justice.
21. Workshops were held with key internal stakeholders, including representatives from Community Partnerships, Arts & Culture, Aged & Disability, Family Youth & Children's, Leisure, City Works, Parking & Compliance, Social Policy and Information Services, to discuss how the guiding principles of the Charter and how the Charter might relate to existing social justice commitments.
22. Follow up one on one meetings were held with the key internal stakeholders who had participated in the initial workshops, where they were able to provide feedback on the draft.

Financial Implications

23. The Charter will be implemented and promoted within existing budgets.

Economic Implications

24. Council recognises that certain groups in the community face various and sometimes intersecting barriers, and the Charter outlines ways in which these barriers can be understood and ultimately addressed.
25. The Charter focuses on principles which encourage all members of the community to participate in community life, including employment, education and volunteering. This provides opportunities for self-determination and community engagement, which ultimately contributes to a richer and more diverse participation in the economic life of Yarra. The municipality can only benefit with a diverse and engaged workforce.

26. The Charter will be used to guide program planning including fee policies at Council. For example, fees for Council services can be formulated with consideration for families on low incomes. This practice will contribute to increased participation in services for vulnerable sectors of the community.

Sustainability Implications

27. An engaged and informed community that participates in sustainability projects such as community education and awareness, community gardens and urban agriculture, delivers positive sustainability outcomes for the municipality.
28. Opportunities for linking in staff from Sustainability and Urban Agriculture with disadvantaged communities will be increased with the promotion of the Charter.

Climate Emergency Implications

29. The hierarchies of social inequality and vulnerability are replicated in disasters. People who are most impacted by climate change are often the most vulnerable and have the least resources.
30. These people also tend to be the least responsible for the climate emergency because they consume fewer resources than people with an economic advantage.

Social Implications

31. The Charter plays a key role in breaking barriers to access, participation and inclusion for the whole community, recognising that certain groups have intersecting and more complex barriers to overcome.
32. These principles are aligned with social inclusion principles which encourage building relationships and developing skills which in turn nurture a more engaged and resilient community.

Human Rights Implications

33. It can be argued that human rights and social justice are complimentary concepts. Human rights are concerned with restraints on the exercise of power, whereas social justice is concerned with the redistribution of resources in order to protect human rights.
34. Social justice principles work together to manage inequities based on cultural, social, economic and political factors. As a result, social justice principles aim to provide a fair allocation of resources and entitlements without discrimination.
35. Social justice is based on the concepts of human rights and equality, and can be defined as the way in which human rights are manifested in the everyday lives of community members.
36. Therefore, this Charter's main focus is on the practical ways human rights can be protected and nurtured for Yarra's diverse community, recognising the complex interplay of barriers and inequities.
37. It is envisaged that the Charter will assist in Council's annual reporting on its performance based on the Victorian Charter of Human Rights and Responsibilities.

Communications with CALD Communities Implications

38. Communities from diverse cultural and language backgrounds are one of the areas highlighted in the Charter as a priority area for Council in considering issues of access and participation. It is recognised that language and cultural background can be a barrier to community members fully participating in community life. The Charter's aim is to raise awareness of this while also providing practical examples of how to overcome these barriers.

Council Plan, Strategy and Policy Implications

39. The Council Plan 2017-2021 gives direction to the Social Justice Charter through the following strategic objectives:
 - (a) Objective 1 – A healthy Yarra, a place where community, health, safety and well-being are a focus in everything we do;

- (b) Objective 2 – An inclusive Yarra, a place where inclusion, diversity and uniqueness are welcomed, respected and celebrated; and
 - (c) Objective 7 – A leading Yarra, a place where transparency, performance and community participation drive the way we operate.
40. Specifically, as part of Objective 2, the Council Plan clearly states at (2.2.2) to “investigate developing a social justice / human rights charter to better articulate council’s commitment”.

Legal Implications

41. Some of the legislation related to this area include:
- (a) Universal Declaration of Human Rights 1948;
 - (b) Human Rights and Equal Opportunity Commission Act 1986;
 - (c) Racial Discrimination Act 1975;
 - (d) Charter of Human Rights and Responsibilities Act 2006 (Vic); and
 - (e) Local Government Act 1989 (Vic).
42. The Charter of Human Rights and Responsibilities Act 2006 (Vic) requires local Councils to act compatibly with human rights and to consider human rights when developing policies, making laws, delivering services and making decisions. Yarra’s Social Justice Charter aims to act as a guide to assist with this obligation.

Other Issues

43. Certain sectors of the community may question Council’s involvement in this area, and that the role of Council should be in the traditional areas of “roads, rates and rubbish”. Information to the public should include Council’s legislated obligations to consider human rights when developing policies, making laws, delivering services and making decisions, as stated in 2.3 of the Charter of Human Rights and Responsibilities Act 2006 (Vic).
44. With regard to the Right to Freedom of Expression it should also be noted that laws around “hate speech” in Victoria are covered by legislation known as the Racial and Religious Tolerance Act. The legal definition of vilification in this Act is conduct that ‘incites hatred, serious contempt, revulsion or severe ridicule’ on the grounds of another person’s race or religious belief or activity. This includes (according to the Victorian Equal Opportunity and Human Rights Commission) speaking about a person’s race or religion in a way that could make other people hate or ridicule them.

Options

45. There are no options.

Conclusion

46. A social justice charter is a practical way of protecting human rights. It can be used as a tool to guide a council’s plans and strategies, and is a way of clearly articulating a council’s position in relation to human rights and social justice.
47. Council’s Charter is a tool which aids Council to adhere to its obligation to uphold human rights.
48. The final version of the Charter comprises Council’s statement of commitment and guiding principles; an overview of the Yarra community; the priority areas in which the Charter applies; and practical examples in which those principles are (and can be) applied by Council.
49. The Charter does not include an action plan as it will be a guiding document for Council. It provides the rationale for policy direction and the commitment to serving the whole community, including those groups who are disenfranchised or not traditionally represented in matters of governance.

50. Once the final Charter has been endorsed, Officers will work across Council to develop branch implementations plans as a means of imbedding its use, and highlighting the work that Council does in the social justice space.

RECOMMENDATION

1. That:
 - (a) Councillors adopt Yarra's inaugural Social Justice Charter.

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TITLE: Senior Diversity and Inclusion Advisor
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Attachments

- 1⇒ Social Justice Charter Final
- 2⇒ Consultation Report Yarra Social Justice Charter Final

11.5 Graffiti Management Framework

Executive Summary

Purpose

The purpose of this report is to present to Council the Draft Graffiti Management Framework 2020 – 2022 following consultation feedback, including submissions from the Fitzroy Residents Association (FRA), community graffiti management trials, a restructure of the methodology used for graffiti removal and graffiti audits across the municipality.

Key Issues

The proposed adoption of the updated Graffiti Management Framework 2020 – 2022.

Financial Implications

There are no financial implications for the purposes of this report. The services proposed in this report can be provided within the existing budget allocation.

PROPOSAL

That:

- (a) Council endorse the updated Graffiti Management Framework 2020 – 2022; and
- (b) Subject to endorsement, the services proposed in the Graffiti Management Framework 2020-2022 take effect from the 3rd August 2020 to allow appropriate workflows to be implemented.

11.5 Graffiti Management Framework

Reference: D19/229065

Authoriser: Director City Works and Assets

Purpose

1. The purpose of this report is to present to Council the Draft Graffiti Management Framework 2020 – 2022 following consultation feedback, including submissions from the Fitzroy Residents Association (FRA), community graffiti management trials, a restructure of the methodology used for graffiti removal and graffiti audits across the municipality.

Background

2. The updated Draft Graffiti Management Framework 2020-2022 was presented to Council (as the Draft Graffiti Management Framework 2019-2022) for adoption on the 2nd July 2019, following a public consultation process. The adoption of the draft updated Framework was delayed to allow the consideration of a late submission from the Fitzroy Residents Association (FRA) and to further clarify aspects of the draft Framework.
3. At the Council Meeting on the 2 July 2019 the below resolution was adopted;

COUNCIL RESOLUTION

Moved: Councillor Coleman **Seconded:** Councillor Jolly

Request a deferral of this report for one month to ensure that:

- (a) areas of the policy which are currently unclear are clarified;
 - (b) that areas such as the heritage dimensions are more carefully considered; and
 - (c) that the submission from the Fitzroy Residents Association and others today are considered by officers for potential inclusion by officers in the revised report.
4. It was subsequently agreed with the CEO that the report would be deferred for a longer period to allow additional information from Graffiti trials and audits being undertaken, to be considered and to inform the final Draft Graffiti Management Framework 2020-2022.

Graffiti Management Service Review

5. In early 2018 City Works undertook a review of the graffiti management operations to identify potential improvements in the way that the service was delivered.
6. The key finding of the review were:
 - (a) graffiti removal was not being carried out in strict accordance with the Graffiti Management Framework 2015 – 2018;
 - (b) the framework required residents to remove graffiti from private property;
 - (c) a high percentage of the resources were being utilised to remove graffiti from private property and in particular from rear laneways (Night soil laneways – I.e. laneways that run behind properties, rather than those that now provide frontage to some properties) due to resident pressure;
 - (d) paint matching was consuming a disproportionate amount of time which lowered productivity rates;
 - (e) the purchase of paint was expensive and not efficient as Council became a storehouse for excessive volumes of paint that had been matched to specific addresses;
 - (f) high priority areas were not receiving the appropriate levels of service in accordance with the Graffiti Management Framework 2015-2018; and

- (g) the service was not providing Council or the community with value for money outcomes.

Community Graffiti Management Trials

- 7. In June 2018 City Works commenced 12 month graffiti management trials in collaboration with the Yarra community across six areas including Abbotsford, Collingwood, Fitzroy, Fitzroy Nth, Richmond and Richmond Nth.
- 8. The objectives of the trials were to:
 - (a) work in collaboration with the Yarra community to identify better ways to manage and prevent graffiti within Yarra;
 - (b) to identify proactive methods to improve the appearance of the City of Yarra and to enhance the environment and liveability of our City;
 - (c) to stimulate civic pride within the City of Yarra Community;
 - (d) to support the community with free graffiti removal kits, paint vouchers and practical advice;
 - (e) to test the effectiveness of quick removal as a preventative measure;
 - (f) to seek alternative methods of graffiti prevention to include, but may not be limited to, quick removal, various wall treatment including plants, colours to deter graffiti, stakeholder engagement, signage, murals, surveillance and enforcement; and
 - (g) to gather information and data that could be utilised to inform the updated Graffiti Management Framework 2020-2022.

Trial Methodology

- 9. Six trial areas were established with core groups as representative for their respective areas. The areas had specific boundaries and a letter was delivered to each property within the trial areas explaining the purpose of the trial and the expectations from the community and from Council during the trial period. All graffiti was removed by Council within the boundaries of the six areas to provide a base starting point for data collection.
- 10. Expectations from the community within the trial areas were:
 - (a) monitor the respective area for graffiti;
 - (b) take a photo of identified graffiti and email to Council with details of time, date and location;
 - (c) property owners to clean the graffiti or paint over the graffiti ASAP and send details to Council; and
 - (d) property tenants to clean the graffiti or paint over the graffiti ASAP and send details to Council.
- 11. Expectations of Council within the trial areas were:
 - (a) provide residents with free graffiti removal kits or free \$50 paint voucher;
 - (b) remove graffiti or paint over graffiti from all other non-private assets as soon as possible;
 - (c) remove graffiti or paint over graffiti from private property where residents were elderly, had physical constraints or the graffiti was excessive in size as soon as possible;
 - (d) record data for analysis and research;
 - (e) facilitate trial stakeholders;
 - (f) set up a Facebook group for trial participants to communicate and share ideas;
 - (g) work with trial groups to trial ideas for graffiti management in each trial area;
 - (h) use trial learnings to feed into the updated Graffiti Management Framework 2020-2022;

- (i) arrange and facilitate group meetings as required; and
- (j) provide data reports and progress reports as required.

Trial Results

12. The key findings of the community Graffiti Management Trials include:
- (a) quick removal of graffiti is the most effective preventative method;
 - (b) graffiti attracts graffiti;
 - (c) the return hit rate within the trial areas was an average of approximately 25%;
 - (d) proactive graffiti removal programs are more effective than reactive programs;
 - (e) self-removal of graffiti is effective for small areas up to 1 square metre in size;
 - (f) some residents have expressed an appetite to pay for a Council graffiti removal service, in other words, fee for service;
 - (g) property owners are more engaged than rental tenants;
 - (h) civic pride is generally important to property owners; and
 - (i) the community is more likely to self-remove with the appropriate level of support from Council.

Graffiti Information Workshops

13. Since June 2018 City Works staff have held graffiti information workshops at Bunnings Collingwood on a monthly basis. The focus of the workshops is to provide Yarra residents with free graffiti removal kits, paint vouchers and practical advice to assist with graffiti removal. The workshops have attracted positive feedback from the Yarra community and provides a positive platform for residents to engage with Yarra staff.

Yarra Graffiti Audit – August 2018

14. In August 2018 a graffiti audit was completed across the entire Yarra municipality. The snapshot across Yarra in August 2018 is provided in table 1 below:

Table 1

TOTAL GRAFFITI - SQUARE METRES	109,000	
CATEGORY	SQUARE METRES	% OF TOTAL
Ground Level	102,500	94%
Second Level	6,500	6%
Rear of property (Night soil laneways)	39,000	36%
On property line ground floor	57,000	52%

Graffiti Service Restructure

15. In September 2018, the method of service delivery for graffiti removal was restructured into two components:
- (a) a proactive program for retail strips and high priority areas (delivered by a Contractor);
 - (b) Council owned property and other reactive removal (delivered by in house team);
 - (c) the total budget remained the same and was distributed between contractor work and in house work;

- (d) this was a shift away from a reactive service, to a proactive service for high priority areas; and
- (e) this allowed the busy retail areas to be cleaned overnight when there is less pedestrian activity. This was difficult to arrange with in house staff due to industrial relations limitations.

Result of the Service Restructure

16. The result of the restructure was an increase in productivity by over 200%. This was due to economies of scale gained by a proactive approach and a change in work times to allow better access for graffiti removal in high priority areas. For the contractor, graffiti removal represents 80% of their total business so they have a deeper skill level and are better equipped with paint mixing and matching equipment so all jobs can be done on the spot.

Audit December 2019

- 17. Since the graffiti audit in August 2018 and the service delivery restructure in September 2018, the focus has been graffiti removal surfaces on property lines on the ground floor. There has been no removal of graffiti from rear night soil laneways or from second story levels. Laneways are not considered priority and second story surfaces present significant OH&S risks.
- 18. In December 2019, another graffiti audit was completed across Yarra. The focus of this audit was to measure graffiti on property lines on the ground floor to provide an understanding of how effective the proactive approach has been over the past 15 months. The results of the August 2018 audit and the December 2019 audit for this specific category are compared in table 2 below.

Table 2

AUDIT CATEGORY	SQUARE METRES AUGUST 2018	SQUARE METRES DECEMBER 2019	% IMPROVEMENT
On property line ground floor	57,000	40,000	30%

19. The information in table 2 above demonstrates that the restructure of the method of delivery for graffiti removal combined with a consistent and proactive approach has reduced the volume of graffiti within Yarra. Improvements in the status of graffiti has been achieved with more efficient use of resources and without an increase in budget.

Draft Graffiti Management Framework 2020 - 2022 – Further Review

- 20. The Draft Graffiti Management Framework 2020-2022 has been further reviewed and updated based on a number of considerations including:
 - (a) the submission from the FRA on the 2 July 2019;
 - (b) further discussions with the FRA;
 - (c) learnings from the Community Graffiti Management trials;
 - (d) the restructure and methodology of graffiti removal over the past 18 months;
 - (e) results from the graffiti Audit completed in December 2019; and
 - (f) feedback from Yarra residents at the Graffiti Management Workshops held at Bunnings Collingwood since June 2018.
- 21. A Copy of updated Draft Graffiti Management Framework 2020 – 2022 can be found as Attachment 1.

Categories of updates within the Draft Graffiti Management Framework 2020 – 2022

- 22. There were 2 major areas of concern identified by the FRA:
 - (a) the treatment of graffiti on heritage buildings; and

- (b) assistance for graffiti removal from private property outside of the high prominence zones.

Heritage Buildings

- 23. The section on Heritage has been updated within the draft framework to clarify Council's position regarding heritage buildings. Further clarity is provided regarding the removal of graffiti from heritage buildings which includes a reference to Heritage Victoria Guidelines. The World Heritage area in Fitzroy has also been included as part of the High Prominence category to ensure a more proactive graffiti management approach.

Graffiti on private property outside of High Prominence Zones

- 24. The FRA has noted that they appreciate that Council needs to focus on high priority areas, however they also feel that the high prominence zones are being subsidised by the ratepayers and that the areas outside of high prominence zones are not receiving a fair share of graffiti removal resources.
- 25. The attached draft Framework has been updated to clarify the treatment of graffiti removal for private property outside of the high prominence zones.

Graffiti on private property outside of High Prominence Zones

- 26. The attached draft Framework has been updated to clarify the treatment of graffiti removal for private property outside of the high prominence zones.
- 27. In summary the updated Framework reflects that Council will support residents outside of high prominence zones with graffiti removal in accordance with guidelines set out below.
- 28. Guidelines include:
 - (a) Council will provide a graffiti removal service to private property outside of high prominence zones by request a maximum of 2 times per annum;
 - (b) this will only apply to surfaces on footpath building lines such as walls and fences;
 - (c) graffiti behind building lines will not be removed by Council;
 - (d) Council will not remove graffiti above 3 metres in height;
 - (e) Council will not remove graffiti from second storey surfaces;
 - (f) Council will not remove graffiti from rear laneways (Night Soil Laneways);
 - (g) Council will explore the potential for an on-request, cost-neutral to Council, fee for service for removal of graffiti from private property outside of high prominence zones, beyond the 2 allowable removals per annum by June 2021;
 - (h) removal of graffiti will be consistent with heritage conservation principles and graffiti treatment on heritage buildings will be in accordance with Heritage Victoria Guidelines; and
 - (i) graffiti removal will be in accordance with the Graffiti Prevention Act 2007.
- 29. This process will be reviewed after a 12 month period to identify efficacy and any potential impacts on budgets. The updated Draft Graffiti Management Framework 2020 – 2022 reflects that there will be a review after a 12 month period.

External Consultation

- 30. The external consultation process included the Yarra Community at large, the participants involved in the Community Graffiti Management Trials, the FRA, other Councils, Council's graffiti removal contractor and the MAV.

Internal Consultation (One Yarra)

- 31. The internal consultation process included the Executive Team, Compliance, Arts & Culture and City Works.

Financial Implications

32. There are no financial implications for the purposes of this report, presuming Council endorses the options proposed within the Framework. Any variance from this has potential to add costs which have at this point, not been budgeted for.

Economic Implications

33. There are no economic implications for the purposes of this report.

Sustainability Implications

34. There are no sustainability implications for the purposes of this report.

Climate Emergency Implications

35. There are no climate emergency implications for the purposes of this report.

Social Implications

36. There are no social implications explored in detail within this report. It is acknowledged that graffiti is viewed differently by people in the community, and that street art is valued by many, whilst tagging is generally considered to be vandalism and seen as detrimental.

Human Rights Implications

37. There are no human rights implications for the purposes of this report.

Communications with CALD Communities Implications

38. There are no CALD Communities implications for the purposes of this report.

Council Plan, Strategy and Policy Implications

39. There are proposed updates to the Graffiti Management Framework 2020 – 2022 as outlined within this report.

Legal Implications

40. There are no legal implications for the purposes of this report, however legal advice will be sought to inform the option of applying a Local Law to compel owners to clean Graffiti off their property, as per Action 5.3 of the Draft Framework.

Other Issues

41. No other issues have been identified.

Options

42. The options for consideration are, either to:
- (a) adopt the updated Graffiti Management Framework 2020 – 2022 that addresses community feedback, including input from the Fitzroy Residents Association (FRA); or
 - (b) not adopt the updated Graffiti Management Framework 2020 – 2022.

Conclusion

43. Graffiti management is a contentious issue for some Yarra residents. It is a challenge to reach a balance between what is or is not an acceptable level of graffiti and the available budget and resources available for graffiti management.
44. Trials within the City of Yarra in collaboration with community members identified that quick removal of graffiti is a strong preventative measure. A restructure of the service delivery methodology for graffiti removal with a focus on more efficient use of resources has resulted in productivity improvements and an overall reduction of the volume of graffiti within Yarra.
45. Part of the productivity gain has been achieved by not removing graffiti from rear laneways (Night soil laneways) that run behind the rear of properties. This has allowed a more proactive approach in the high prominence zones.

46. The two key areas of concern from the FRA regarding the draft Graffiti Management Framework 2020 – 2022 presented to Council for adoption on the 2 July 2019 were the treatment of heritage buildings and the level of graffiti removal support provided to private properties outside the high prominence zones. There has been significant consultation with the FRA regarding the attached updated Graffiti Management Framework 2020 – 2022.
47. The updated framework addresses concerns regarding heritage buildings and particularly the World Heritage Area in Fitzroy. Allowing 2 graffiti removal services per annum per property for areas outside of the high prominence zones provides an additional level of support. Not servicing rear laneways (Night soil laneways) allows resources to be used in areas that have a much greater impact.
48. The focus of Councils efforts and this Framework is to incrementally reduce the level of graffiti across Yarra by taking a proactive approach and utilising resources in a more flexible and efficient manner. The challenge is to manage graffiti in a cost effective way, while improving the amenity of across the municipality. The Graffiti Management Framework seeks to achieve this.

RECOMMENDATION

1. That:
 - (a) Council endorse the updated Graffiti Management Framework 2020 – 2022; and
 - (b) Subject to endorsement, the services proposed in the Graffiti Management Framework 2020-2022 take effect from the 3rd August 2020 to allow appropriate workflows to be implemented.

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TITLE: Manager City Works
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Attachments

- 1 [↔](#) Draft Graffiti Management Framework 2020-2022

11.6 Executive Director Heritage Victoria's Recommendation to Include Eastern Freeway on the Victorian Heritage Register

Reference: D20/109645
 Authoriser: Group Manager Chief Executive's Office

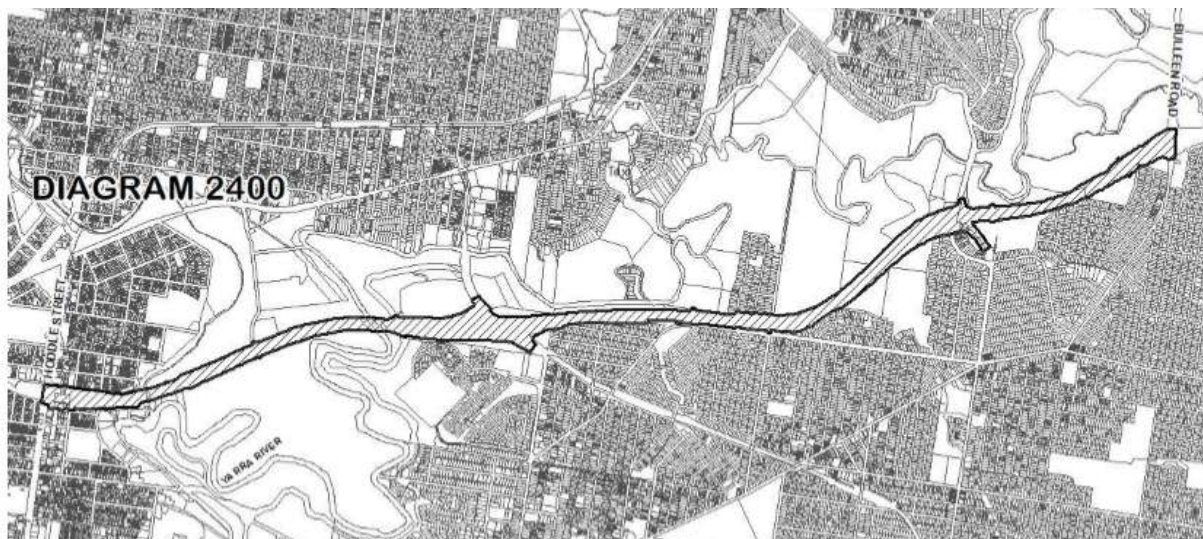
Purpose

1. To update Councillors about Executive Director Heritage Victoria's recommendation to include Eastern Freeway Stage one on the Victorian Heritage Register (VHR); and the process for its consideration by the Heritage Council of Victoria.

Background

2. In 2019, Heritage Victoria received two nominations as below for inclusion of Eastern Freeway in the Victorian Heritage Register:
 - (a) Nomination 1 included the section of the Eastern Freeway from the Hoddle Street road bridge at Clifton Hill/Collingwood to the Bulleen Road Bridge, Balwyn North/Bulleen; and
 - (b) Nomination 2 included Eastern Freeway between Hoddle Street and Springvale Road including Koonung Creek Linear Parklands, east of Bulleen Road; and associated roadside verges.
3. The two nominations combined comprise Stages One, Two and Three of the Eastern Freeway sections, constructed between 1972 and 1997.
4. Heritage Victoria made an assessment of the nominations against each of Heritage Council Criteria (stated below) for its inclusion in the Victorian Heritage register.
 - (a) Criterion A - Importance to the course, or pattern, of Victoria's cultural history;
 - (b) Criterion B - Possession of uncommon, rare or endangered aspects of Victoria's cultural history;
 - (c) Criterion C - Potential to yield information that will contribute to an understanding of Victoria's cultural history;
 - (d) Criterion D - Importance in demonstrating the principal characteristics of a class of cultural places and objects;
 - (e) Criterion E - Importance in exhibiting particular aesthetic characteristics;
 - (f) Criterion F - Importance in demonstrating a high degree of creative or technical achievement at a particular period;
 - (g) Criterion G - Strong or special association with a particular present-day community or cultural group for social, cultural or spiritual reasons; and
 - (h) Criterion H - Special association with the life or works of a person, or group of persons, of importance in Victoria's history.
5. Their assessment informs that Eastern Freeway Stage One is likely to satisfy:
 - (a) Criterion A - Importance to the course, or pattern, of Victoria's cultural history; and
 - (b) Criterion D - Importance in demonstrating the principal characteristics of a class of cultural places and objects.
6. For details of the assessment refer Attachment 1.
7. On 11 December 2019, Executive Director Heritage Victoria (ED Heritage Victoria) made the following recommendation to Heritage Council of Victoria:

- (a) That the Eastern Freeway - Stage One (Hoddle Street to Bulleen Road) be included as a Heritage Place in the Victorian Heritage Register under the Heritage Act 2017 [Section 37(1) (a)]; and
 - (b) That the Eastern Freeway - Stages Two and Three (Bulleen Road to Springvale Road) not be included as a Heritage Place in the Victorian Heritage Register under the Heritage Act 2017 [Section 37(1)(b)].
8. The recommended extent of registration of the Eastern Freeway – Stage One (the proposed registration) in the VHR affects the whole place shown in the diagram below including the land, roads, grassed central median, bridges, overpasses, landscape elements, plantings, light structures and other features.



9. The written extent of the land nominated in Eastern Freeway - Stage One is described as all of the land i.e. the road reserve known as the Eastern Freeway between Hoddle Street and Bulleen Road and part of the road reserves of Alexandra Parade, Yarra Bend Road, Yarra Boulevard, Chandler Highway, Belford Road and Bulleen Road; and all of Lot 3 on Title Plan 689629; Lot 1 on Title Plan 852459; Lot 1 on Title Plan 9045857; Lot 1 on Title Plan 892243; Res 5 Plan of Subdivision 613939 and Crown Allotment 2461 Parish of Jika Jika; and parts of Lot 1 on Title Plan 878808; Lot 1 on Title Plan 562690; Lot 3 on Title Plan 609629; Lot 1 on Title Plan 547802; Lot 1 on Title Plan 611711; Lot 1 on Title Plan 802753; Lot 1 on Title Plan 894594; Lot 1 and 2 on Title Plan 710814; RES 1, 2, 3 and 4 on Plan of Subdivision 613939; Lot 1 on Plan of Subdivision 418204; RD on Lodged Plan 10110; Lot 2 on Title Plan 709677 and part of Crown Allotments 113E, 133N and 2577 Parish of Jika Jika; Crown Allotment 33A Section A at Clifton Hill, Parish of Jika Jika; and Crown Allotments 59L and 59P Parish of Boroondara.
10. Map below shows the extent of land within the City of Yarra, being covered by the nomination.



External Consultation

11. Public exhibition of the recommendation of ED Heritage Victoria and registration process is being managed by Heritage Victoria and Heritage Council of Victoria.
12. The public advertising period closed on 14 February 2020.
13. Council was also notified about the recommendation of the ED Heritage Victoria about the proposed registration and its public exhibition.
14. Heritage Council of Victoria, has advised that over 390 submission were received as a part of the Section 44 submissions process.
15. Council has not made any submission.

Internal Consultation (One Yarra)

16. Following units/departments have been consulted to understand the impact of this registration on Council infrastructure:
 - (a) Buildings and Asset Management;
 - (b) Strategic Transport;
 - (c) Traffic and Engineering;
 - (d) City Works;
 - (e) Executive Planner Strategic Protects; and
 - (f) Open Space Services.
17. The consultation has indicated that the proposed registration of Eastern Freeway part one does not have any major impact to Council infrastructure.
18. The registration documentation includes an exemption for routine maintenance of infrastructure.
19. Minor works such as maintenance the footpath leading to and on Hoddle Street; which is managed by the Council, would be covered under the permit exemptions.

Financial Implications

20. There are no immediate financial implications to the Council related to this registration.

Economic Implications

21. There are no significant adverse economic impacts to the Council.

Sustainability Implications

22. There are no adverse sustainability impacts.

Climate Emergency Implications

23. There are no known climate emergency impacts to the Council.

Social Implications

24. There are no adverse social implications within the Council.

Human Rights Implications

25. There are no known significant human rights implications of this nomination.

Communications with CALD Communities Implications

26. This is part of an external agencies' work, Council does not have any direct responsibilities.

Council Plan, Strategy and Policy Implications

27. Heritage protection of the Freeway would be consistent with Council's Heritage Strategy.

Legal Implications

28. The proposed registration would mean that under the Victorian Heritage Act if a person/organisation wishes to undertake works or activities in relation to a registered place or a registered object, they must apply to the Executive Director, Heritage Victoria for a permit.
29. If an owner/person is uncertain whether a heritage permit is required, it is recommended that Heritage Victoria be contacted.
30. If works are proposed which have the potential to disturb or have an impact on Aboriginal cultural heritage it is necessary to contact Aboriginal Victoria to ascertain any requirements under the Aboriginal Heritage Act 2006.
31. If any Aboriginal cultural heritage is discovered or exposed at any time it is necessary to immediately contact Aboriginal Victoria to ascertain requirements under the Aboriginal Heritage Act 2006.
32. Council would need to comply with the provisions of the Victoria Heritage Act to the extent of Council works on the land affected by the registration.
33. Council, under the Road Management Act would also have management obligations for its roads and infrastructure being affected by this registration,

Other Issues

34. Officers support the assessment of heritage significance of the Eastern Freeway Stage One by Heritage Victoria under Criterion A and D.
35. ED Heritage Victoria's recommendations also include preparation of a Conservation Management Plan to manage the place in a manner which respects its cultural heritage significance.
36. Heritage Council of Victoria has informed that a Registrations Hearing will be organised once the Covid19 restrictions ease.
37. Yarra City Council would be notified about the Registration Hearing as an interested party and would also have the opportunity to attend the hearing.

Options

38. Council observes the Heritage Council of Victoria's process as an interested party and in the event if the proposed registration is approved Council writes to Heritage Victoria to keep Council informed about the preparation of a Conservation Management Plan and any requirements for the Council resulting from that.

Conclusion

39. Councillors note the above report and provide their feedback on whether a council report is needed.

RECOMMENDATION

1. That Council:
 - (a) note the report;
 - (b) note that Heritage Victoria has advised that a Directions Hearing by video conference is proposed on 9 July; and
 - (c) monitors the Heritage Council of Victoria's process as an interested party and in the event the proposed registration is approved, Council write to Heritage Victoria requesting it be kept informed about the preparation of a Conservation Management Plan and of any requirements on the Council which may result from the registration.

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Attachments

- 1 [⇒](#) ED HERITAGE VIC RECOMMENDATION - Include Eastern Freeway Stage One on the VHR

11.7 Executive Director Heritage Victoria's Recommendation to the Heritage Council of Victoria on Yarra Bend Park, Yarra Bend Road Fairfield

Reference: D20/109653
 Authoriser: Group Manager Chief Executive's Office

Purpose

1. To update Councillors about Executive Director Heritage Victoria's recommendation to include Yarra Bend Park in Fairfield on the Victorian Heritage Register (VHR); and the process for its consideration by the Heritage Council of Victoria.

Background

2. On 24 January 2020, Executive Director Heritage Victoria (ED Heritage Victoria) made a recommendation to the Heritage Council of Victoria that Yarra Bend Park be included in the Victorian Heritage Register(VHR) under the Heritage Act 2017 [Section 37(1)(a)] as:
 - (a) Registered Place; and
 - (b) Registered Archaeological Place.
3. The extent of the proposed registration includes all of the land outlined in yellow in the diagram below including the land, archaeological features, buildings and structures, roads, trees, landscape elements and other features.

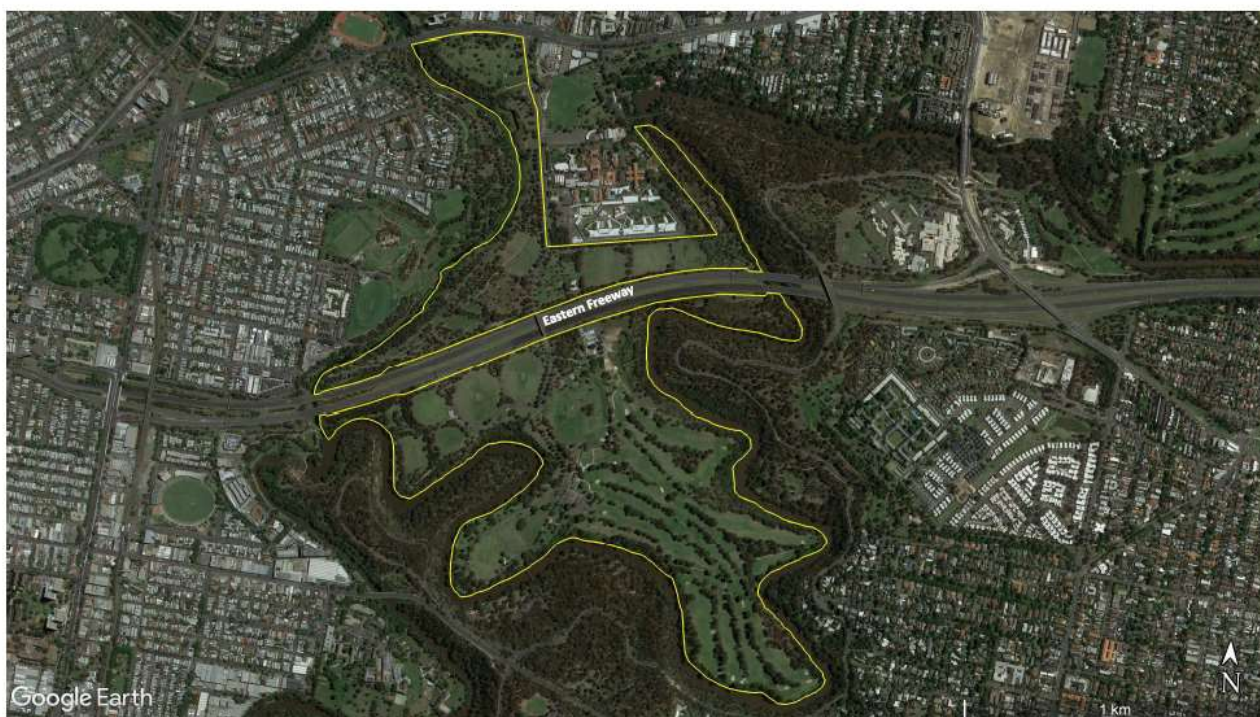


Figure 1: 2019 Google Earth image showing proposed extent of Yarra Bend Park (yellow).

4. The written extent of the land includes Crown Allotments 113F, 113J, 113L, 113M, 113N, 113P, 113Q Parish of Jika and part of Crown Allotment 113E Parish of Jika Jika.
5. Yarra Bend Park is characterised by open parkland and recreational areas including a golf course and club house, sporting ovals, picnic areas, playgrounds, Parks Victoria administration buildings, fly fishing ponds, a plant nursery and walking tracks.

6. The place is bounded by Heidelberg Road to the north, the Yarra River to the south, east and west, and the Merri Creek to the west. It is bisected by the Eastern Freeway. The land also contains areas of known and likely archaeological deposits and sufficient land to reflect the history and protect the cultural heritage significance of the place.
7. It encompasses areas of post-contact Aboriginal and non-Aboriginal significance, including the Merri Creek Protectorate Station, Merri Creek Aboriginal School and the Native Police Corps Headquarters (1842-1852); and includes the grounds of the former Yarra Bend Lunatic Asylum, including areas adapted by the asylum, and/or later re-used by subsequent government institutions and for associated recreational activities.
8. It excludes areas reserved by the Fairfield Hospital (VHR1878) (c.1901) and Fairfield Park (c.1912), which co-existed with, but demonstrated a clear physical and thematic separation from the Yarra Bend Asylum during the years of its operation (c.1848-1927).
9. ED Heritage Victoria's assessment of the place against the tests set out in The Victorian Heritage Register Criteria and Thresholds Guidelines (2014) suggests that Yarra Bend Park is likely to satisfy a number of criterion for its significance at the State level; for the following reasons.

Criterion A: Importance to the course, or pattern, of Victoria's cultural history

10. Yarra Bend Park, through the physical fabric and archaeological and documentary evidence, allows the association with the various government institutions formerly located at the place, and with the development of active and passive recreational activities to be understood better than most other places with substantially the same associations.
11. The government initiated and/or operated institutions at the place were among the earliest in Victoria, and archaeological evidence has the potential to provide a better understanding of this phase of Victoria's history.
12. Infrastructure to support recreational activities has developed over time and demonstrates the changing approach to recreation during the twentieth century.

Criterion B: Possession of uncommon, rare or endangered aspects of Victoria's cultural history

13. Yarra Bend Park has a clear association with the early development of government initiated and/or operated institutions in Victoria. This association is evident in the physical fabric of the place, archaeological remains and in documentary evidence. Yarra Bend Park is an uncommon example of an expansive inner-city area which was the location of various institutions from the 1840s to the 1990s. It has remained largely undeveloped since the demolition of the nineteenth century buildings in the 1920s. Because of this, there is a strong likelihood that the place retains significant archaeological evidence that is not widely replicated at other places.

Criterion C; Potential to yield information that will contribute to an understanding of Victoria's cultural history

14. Yarra Bend Park has the potential to provide knowledge relating to various government institutions, including the former Merri Creek Protectorate Station, Merri Creek Aboriginal School, Native Police Corps Headquarters and the Yarra Bend Lunatic Asylum, Fairhaven Venereal Disease Clinic and Fairlea Women's Prison. The information likely to be yielded through archaeological investigation, will meaningfully contribute to an understanding of Victoria's early history and is not already well documented or readily available from other sources.
15. Further details of the assessment can be found at Attachment 1.
16. Officers support the assessment of heritage significance of Yarra Bend Park by Heritage Victoria under various criteria.

External Consultation

17. Public exhibition of the recommendation of ED Heritage Victoria and registration process is being managed by Heritage Victoria and Heritage Council of Victoria.
18. A public notice of the recommendation was published online on the Heritage Council of Victoria's website and in the Age of 24 January 2020.
19. The advertising period to make any submissions closed on 23 March 2020.
20. Council was also notified about the recommendation of the ED Heritage Victoria and its public exhibition.
21. Council has not made any submission.
22. Heritage Council of Victoria, has notified Yarra City Council (as an interested party) about the submissions made by Yarra Bend Golf Club and North East Link Project.
23. Yarra Bend Golf Club's submission focuses on the Specific Exemptions (page 21- Attachment 1) and includes that it should be amended to provide more realistic guidance for future expectations of the potential for sub surface archaeological deposits.
24. North East Link Project's submission seeks amendment to the boundary of Yarra Bend Park's registration so that it does not overlap with the extent of registration of the Eastern Freeway – Stage 1.
25. The submissions can be provided to councillors to be viewed if required.
26. Heritage Council of Victoria has informed that:
 - (a) a Registrations Hearing is likely to be scheduled when the Covid19 restrictions ease;
 - (b) as an interested party, Yarra City Council will be informed about the Directions Hearing and Registrations Hearing when the dates are finalised; and
 - (c) Council will have an opportunity to attend the hearing.

Internal Consultation (One Yarra)

27. The information about this nomination was provided to the following units/departments of the Council for their feedback.
 - (a) Buildings and Asset Management;
 - (b) Recreation and Leisure Services;
 - (c) Open Space planning and Design;
 - (d) Open space services; and
 - (e) City Works.
28. The internal consultation has informed that:
 - (a) Parks Victoria is responsible for the overall management of the Yarra Bend Park, its sporting and recreation facilities and Yarra City Council is only a part of the management committee; and
 - (b) Council is responsible for the northern section of the Yarra Bend Road, drain and trees along the road reserve which are within the proposed extent of registration.
29. Permit exemption criterion on pages 20-24 of Attachment 1 include aspects of routine maintenance of landscaping, safety and security, events, road and car park infrastructure etc.; any new works would need to follow Heritage Victoria's standard permit processes.
30. The internal consultations have not raised any major concern for the Council, related to the proposed registration, permit requirements or exemption criterion.

Financial Implications

31. There are no immediate financial implications to the Council related to this registration.

Economic Implications

32. There are no significant adverse economic impacts to the Council.

Sustainability Implications

33. There are no adverse sustainability impacts.

Climate Emergency Implications

34. There are no known climate emergency impacts to the Council.

Social Implications

35. There are no adverse social impacts to the Council relating to this registration.

Human Rights Implications

36. There are no known significant human rights implications of this registration.

Communications with CALD Communities Implications

37. This is a part of an external agencies' work, Council does not have any direct responsibilities.

Council Plan, Strategy and Policy Implications

38. Inclusion of Yarra Bend Park on the VHR would be a higher degree of heritage protection which would further facilitate Yarra's Heritage Strategy objectives.

Legal Implications

39. The proposed registration would mean that under the Victorian Heritage Act if a person/group or organisation wishes to undertake works or activities in relation to a registered place or a registered object, they must apply to the Executive Director, Heritage Victoria for a permit.
40. If an owner/person is uncertain whether a heritage permit is required, it is recommended that Heritage Victoria be contacted.
41. Under the Heritage Act 2017 permits are required for any works or activities which alter the place or object, unless a permit exemption is granted. This applies to all parts of the registered place including fabric associated with Aboriginal and non-Aboriginal cultural heritage values.
42. If this place is registered under both the Heritage Act 2017 and the Aboriginal Heritage Act 2006 the requirements of both Acts need to be met.
43. To establish whether this place is registered under the Aboriginal Heritage Act 2006 please contact Aboriginal Victoria. If works are proposed which have the potential to disturb or have an impact on Aboriginal cultural heritage it is necessary to contact Aboriginal Victoria to ascertain any requirements under the Aboriginal Heritage Act 2006.
44. If any Aboriginal cultural heritage is discovered or exposed at any time it is necessary to immediately contact Aboriginal Victoria to ascertain requirements under the Aboriginal Heritage Act 2006.
45. Yarra City Council, would need to comply with the provisions of the Victoria Heritage Act and Aboriginal Heritage Act 2006 to the extent of Council works on the land under the VHR or VAHR.
46. Council also has management obligations for its roads and associated infrastructure under the Road Management Act.

Other Issues

47. Yarra's Leisure Services have been working with Parks Victoria (The Principal) and Sport and Recreation Victoria on the Fairlea Sports Precinct within Yarra bend Park, a project entirely funded by Sport and Recreation Victoria, as part of the Inner-City Netball Program, a State government election commitment.

48. A key expected outcome of that project is to activate an underutilised section of Yarra Bend Park in the Fairlea precinct with eight new netball courts, a shared-use pavilion, upgrades to a satellite pavilion (toilets) and other improvements including landscaping, car parking and bike racks.
49. The project is due for completion in 2021.
50. Once complete, the City of Yarra will manage the site for Parks Victoria.
51. The inter agency Project Working Group on the above project had been advised of the ED Heritage Victoria's recommendation.
52. A submission has been made by Yarra Bend Golf Club to the Heritage Council of Victoria (refer para 23 of this report).

Options

53. Option 1: Council writes a letter to the Heritage Council of Victoria in support of the ED Heritage Victoria's recommendation.
54. Option 2: Council does not write any letter, observes the Registration's Hearing process and waits for Heritage Council of Victoria's decision.

Conclusion

55. Option 2 above would be preferable for the following reasons:
 - (a) Council does not have significant responsibility for the management of Yarra Bend Park and officers have not identified any adverse impact to Council if Yarra Bend Park's registration in the VHR is approved; and
 - (b) Submissions made by Yarra Bend Park Golf Club and North East Link Authority have sought further clarifications to some aspects of the registration and related conditions as discussed previously.

RECOMMENDATION

1. That Council:
 - (a) note the report;
 - (b) note that Heritage Victoria has advised that a Registrations Hearing by video conference is proposed on 7 September 2020;
 - (c) note that submissions made by Yarra Bend Park Golf Club and the North East Link Authority have sought further clarifications to some aspects of the registration and related conditions; and
 - (d) note that Council does not have significant responsibility for the management of Yarra Bend Park and officers have not identified any adverse impact to Council if Yarra Bend Park's registration in the VHR is approved.

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Attachments

- 1 [↔](#) ED HERITAGE VICTORIA - Recommendation to include Yarra Bend Park on the VHR