



Ref: DOC/21/130531

Submission to AmendmentC212more
Strategic Planning Unit
Moreland City Council
Locked Bag 10
MORELAND VIC 3058

Dear Sir/Madam

RE: Amendment C212more – Moreland Planning Scheme

Thank you for your letter dated 1 October 2021 regarding the proposed Amendment C212 to the Moreland Planning Scheme. I am pleased to provide a submission on behalf of Creative Victoria.

Supporting Creative Industries and Neighbourhoods through Planning

Creative Victoria (CV) is dedicated to championing, strengthening and growing Victoria's creative industries and the value they bring to all Victorians. Through the Victorian Government's *Creative State 2025* strategy, we are working to deliver a range of actions to support stability in the sector through the coronavirus pandemic and beyond, create opportunity and stimulate growth of jobs and skills for creative workers, businesses and industries, and secure Victoria's reputation as a global cultural destination and bold creative leader.

Action 13 of the Strategy aims to support and strengthen Creative Neighbourhoods – suburbs and towns where creative spaces and activity are high – with secure and accessible workspaces and facilities for creatives, strategic policy reform to unlock creative spaces and by fostering vibrant creative hubs. Moreland is home to established creative neighbourhoods in Brunswick and Coburg, and an emerging neighbourhood in Coburg North.

CV's own research and practice shows planning system interventions are an important tool to facilitate new creative spaces and uses through zoning and policy, as well as safeguard existing creative communities from displacement due to land use conflicts, land redevelopment and land value speculation which impacts affordability.

We therefore welcome the proposed statements in the Municipal Planning Strategy (MPS) which explicitly recognise the creative industries as a leading sector in Moreland's economy and future economic growth opportunities, and the Brunswick Design District as a key creative hub supporting Moreland and Melbourne's north.

Creative Victoria is a committed partner in the development of the Brunswick Design District and looks forward to working with Council and RMIT University to support spaces, pathways and creative connections to sustain Brunswick as one of Victoria's most vibrant creative neighbourhoods and to create broad benefits for Melbourne's north.

We note the accompanying policy and Strategic Framework Plans. These will support land use decision-making to facilitate establishment and growth of creative and other allied land uses in key locations being Activity Centres, the Brunswick Design District, and Core Industrial and Employment Areas.

Research undertaken by CV shows creative spaces have a high correlation with Industrial and Commercial Zones due to the type of building stock that supports a wide variety of practices, the relative affordability and the enabling land use zoning. In Moreland, there are discernible clusters of creative businesses across commercial and industrial zoned precincts in Brunswick, Coburg and Coburg North.

The policy to support creative industries in these locations, within an overall economic development strategy to retain industrial and employment areas, diversify employment opportunities and support economic vitality and growth in activity centres are positive steps to help ensure the creative community can remain an integral part of Moreland's identity and future.

For further information regarding this submission, please contact [REDACTED], [REDACTED]
[REDACTED]

Yours sincerely,

[REDACTED]

Creative Victoria

5 / 11 / 2021

5 November 2021

FROM

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

TO

Moreland City Council
Strategic Planning Department
strategicplanning@moreland.vic.gov.au

Dear Strategic Planning Department

AMENDMENT C212MORE TO THE MORELAND PLANNING SCHEME

We act for [REDACTED] the registered proprietors of [REDACTED] Brunswick East (**Land**).

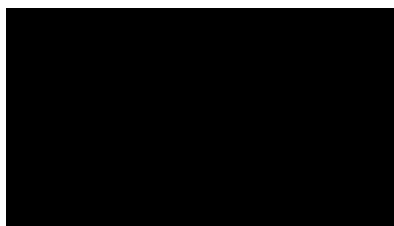
Our client applauds Moreland City Council for the strategic work it has undertaken which seeks to fill gaps within the Scheme.

Our client lodged permit application number [REDACTED] on 15 March 2019 for the strategic redevelopment of their Land with a multi-level building. Changes to the design of the proposal are currently being finalised which respond to a number of changes proposed as part of the Amendment.

A number of experts engaged by our client in preparation for the current proceeding on foot will consider the proposed drafting of the amendment in the context of the current permit application. While our client is currently supportive of the proposed amendment, we reserve our right to provide further submissions upon review and advice from our experts.

Should Moreland City Council resolve to refer the submissions received in response to the amendment to a planning panel for consideration, our client reserves its right to be included in any future planning panel considering the proposed amendment.

Please contact the writer on [REDACTED] if you have any questions.



Submission #9

Amendment C212 to Moreland Planning Scheme

Submission from Brunswick Residents Network

Contact [REDACTED]

This submission refers in particular to the clauses relating to transport and traffic. It is informed by the findings in our recent survey report "Walking in Brunswick, how to make walking in Brunswick safer and more enjoyable". This report can be read at <https://brunswickresidents.wordpress.com/traffic/brn-traffic-and-walking-surveys/>.

We have also included brief comment on development and housing issues, and may contact you in the near future with further clarification of these notes.

Our comments are, referring to clauses in the Explanatory Report:

1. Clause 16 – regarding the Moreland Integrated Transport Strategy.

We propose that where you note in a dot point, the need to recognise that "some people need to drive ", that you add the words "**and that for some people driving is not an option**".

Explanation: Our report highlights our finding that many people do not drive/have access to a car, and the importance of Council recognising this and adjusting policies and services to meet the needs of these people.

2. Clause 16 – regarding the Moreland Integrated Transport Strategy.
In the same list of dot points, we suggest rewording "reduces local vehicle traffic" to "reduces ...to low levels".

Explanation: It is important for the liveability of our streets, and to encourage active transport such as walking, that traffic volumes and speeds should be low – not just "reduced", which does not suggest any benchmark.

3. Clause 16 - regarding the Moreland Integrated Transport Strategy.

Prioritising our transport network according to the following 'road user hierarchy'. We fully support this hierarchy as per our submission to the MITS and in terms of the recommendations of our 2021 Walking in Brunswick report.

4. Clause 19 – strategy "ensuring residential uses do not undermine viability of businesses operating in activity centres". We raise concerns about this clause, and would like to see it amended. As illustrated in the Bunnings Glenlyon Planning Application existing residents who find themselves in Activity Centres should not be denied rights to amenity including the peaceful enjoyment of their homes.

In terms of “existing noise generation uses”, the second dot point should have added to it “that meet EPA standards”. Even if activity centres are to host noisy activities (from car stackers to music venues and late-night restaurants) this activity should be governed by EPA noise standards.

5. Clause 20 – Biodiversity support . This clause is supported. Our Walking in Brunswick report finds that “more shady trees” is agreed by a clear majority of respondents (55%) to be something that would make them walk more.

6. Clause 21 – As for point 20, we strongly support this clause, but suggest adding “and support of roadside and nature strip gardens”

7. Clause 24 – Moreland should be allocating space for more public housing, as well as “social housing” administered by nongovernment housing associations. Simply allocating land for “affordable” housing doesn’t define the length of time it will remain affordable. Public housing tenants are concerned that developers are rebuilding existing public housing into private (affordable) and social housing without any requirement that these new dwellings possess the same rooms or amenities as the old ones, leading to disruption of strong social and mutual aid networks. We therefore submit that reference to “affordable” housing should be deleted.

8. Clauses 27 and 28. We support these changes. We note that the findings in our survey report include the need for wider and unobstructed footpaths, safer crossing points, and separated cycling and pedestrian paths.

Moreland Bicycle User Group

Contact: [REDACTED]

Email: [REDACTED]

Submission in response to Amendment C212 - Changes to the Moreland Planning Scheme

1. Changes to Clause 2.03-7 Transport of the Municipal Strategic Statement to support the implementation of the Moreland Integrated Transport Strategy 2019 (MITS)

It is proposed to insert the following wording: *'The availability of car parking where people live, and their destinations, will strongly influence the ways they travel. Getting the type, location and amount of car parking right can contribute to better transport, land use, economic and community outcomes. This includes improved sustainable transport uptake while catering for those who need to drive.'*

Car parking is not accessible to everyone in Moreland. The choice to use a private motor vehicle is not available to everyone. People in Moreland over the age of twelve are not able to use a car independently because:

- they are too young to hold a licence,
- conditions associated with ageing preclude them from driving,
- they have a disability or medical condition that precludes driving, or
- they cannot afford to own and/or use a motor vehicle.

However, many of these people are able to walk, ride a bicycle and use public transport.

Bicycles often operate as mobility devices for those who have disabilities or are agedⁱ. In countries with quality cycling infrastructure a third of all trips by people aged 65-75 are made by bicycleⁱⁱ. For many, the bicycle acts as a "rolling walking stick"; a type of mobility device far easier on the joints than walking. Bicycles allow people to carry loads too heavy to carry by foot, and provide a means of independent mobility to many that might not be otherwise available.

Hence for many people, the availability of parking will have no influence over the way they travel, except in as much as if it encourages other people to drive it will be harder and less safe for those who don't to get around.

Getting the type, location and amount of car parking right is important because some people *need* to walk, cycle or use public transport as using a motor vehicle is not a choice open to them.

Additionally many people in Moreland already choose to use active and sustainable travel means and Moreland's policies aim to encourage the uptake of active and sustainable transport.

Moreland BUG suggests that this clause should be amended as follows: *This includes more equitable access to road space for those who can not drive and improved sustainable transport uptake while allowing for those who need to drive.'*

Moreland BUG also suggests that the existing strategic directions are deleted and replaced as follows:

Current drafting

‘Planning for a transport network that:

- *Caters for all ages, is accessible and equitable, including recognition that some people need to drive.*

Moreland BUG proposed drafting

- *Caters for all ages, is accessible and equitable, including for those who cannot drive while allowing for those that need to drive.*

Moreland BUG strongly supports the proposed insertion of the MITS (2019) road user hierarchy into the Municipal Strategic Statement. The road user hierarchy adopted as part of MITS prioritises active transport and safety for vulnerable road users – whilst also supporting the many people in our community for whom independent travel via a private vehicle is not available.

2. Changes to Clause 15.01 Urban Design to support the creation of greener streets.

The proposed drafting provides support to *‘reallocate road space and existing carparking to create greener streets, such as through street planting.’*

Moreland BUG is strongly supportive of the inclusion of this objective in the Municipal Strategic Statement. Greener streets have been proven to be an effective way of increasing the uptake of active travel modes. Whilst those who are able to use private vehicles have the choice of air conditioning, green streets provide the ‘air conditioning’ for those walking, cycling and accessing public transport. According the Heart Foundation streets with trees and greenery also provide a positive impact on people’s mental health and particularly that of older peopleⁱⁱⁱ.

3. Embed Sustainable Transport in Moreland in the Planning Policy Framework– to support the implementation of MITS

The proposed drafting provides policy guidance that Council should consider *“reallocating road space and existing car parking to... support improvements to pedestrian and cycling infrastructure, including access to public transport [and] facilitate the safety of walking and cycling.”*

Moreland BUG is strongly supportive of the inclusion of this policy. As described above, private motor vehicle use is not a choice for many people living in Moreland. Additionally, many others want to use active transport to access the many benefits it brings people living in urban environments; more timely travel, enhancement of mental and physical health being just two, but are deterred by the lack of support in Moreland’s road infrastructure.

It is also vital for Moreland to be able to meet its ambitions under the Zero Carbon Moreland framework, which is also proposed for adoption as an incorporated document as part of this planning scheme amendment.

In Moreland, transport accounts for 17% of municipal emissions and motor vehicles a full of 13%.^{iv} The Intergovernmental Panel on Climate Change has identified travel by bike – which produces zero

emissions and generates far reaching positive socioeconomic impacts – as a pathway to ensuring a low carbon future.

Swapping a car for walking and / or cycling even one day a week can reduce the average person's carbon footprint by approximately half a tonne per annum. Switching from a car to a bicycle, saves approximately 150g of CO₂ per kilometre.

It is abundantly clear that the replacement of even short trips with active transport will have wide ranging environmental, economic and health benefits – and Moreland BUG is strongly supportive of support for Sustainable Transport, being embedded in the Moreland Planning Scheme.

4. Transport Framework Plan

The proposed Municipal Strategic Statement includes a number of plans including a Transport Framework Plan. This plan identifies potential future public transport infrastructure, but does not include Council's short, medium and long term bicycle infrastructure ambitions. Moreland BUG suggests that key projects – like the Coburg to Glenroy link, extension of the Upfield Path, etc – are included as future projects to guide **orderly planning in the City of Moreland**.

ⁱ Moreland BUG Submission – Moreland Disability Plan

ⁱⁱ Modacity, Canada.

ⁱⁱⁱ Heart Foundation <https://www.healthyactivebydesign.com.au/healthy-active-ageing/active-ageing/evidence/outdoor-spaces-and-buildings>

^{iv} Snapshot - 2019 Moreland municipal emissions snapshot

<https://snapshotclimate.com.au/locality/municipality/australia/victoria/moreland/?fbclid=IwAR3CleOMe6QqAg1EpOvTWMFdu5DUlBD93PgJUWji49rpHOMbgnl-V3qJDtI>

From: webservices@moreland.vic.gov.au
To: [Strategic Planning](#)
Subject: CM: Amendment C212: submission received
Date: Friday, 5 November 2021 6:24:33 PM

Name : [REDACTED]
Address : [REDACTED]
Email : [REDACTED]
Phone : [REDACTED]

Make a submission : Submission to Amendment C212more' in the subject line. I am writing this submission regarding bike lanes in Kent and Northumberland Roads. I am finding the bike lanes to be a hazard. It is very difficult to see any oncoming traffic when coming out of a side street into Kent Road. There is barely enough room for a car to drive in either road when a car is coming in the other direction. Parking is extremely difficult to find when I drive my elderly parents to the doctor on the corner of Kent Road. Traffic is held up on rubbish collection days and I feel the bike lanes are just causing hazardous situations.

Upload your submission :

Privacy : I agree

From: webservices@moreland.vic.gov.au
To: [Strategic Planning](#)
Subject: CM: Amendment C212: submission received
Date: Friday, 5 November 2021 6:54:59 PM

Name : [REDACTED]
 Address : [REDACTED]
 Email : [REDACTED]
 Phone : [REDACTED]

Make a submission : I am a resident of Pascoe Vale and would like to make a submission on Amendment C212. I disagree with some of the proposed changes to the Moreland Planning Scheme, section 0-2.03-7 Transport The proposed changes include a road user hierarchy that does not include a number of road users namely freight and delivery vehicles, trade vehicles and emergency vehicles. Under planning for a transport network there should be more detail around population growth in particular. As a resident of Pascoe Vale there are still a few larger blocks with single houses that inevitably will be redeveloped as the houses age. I believe the suburb is suffering from severe overdevelopment and the impact on family life and removal of green space (front and back yards) is significant. This has been felt more so during the pandemic where living space and outdoor space is limited due to 3-4 units having replaced a single home. Unfortunately the development has been happening for many years and now the council is saying ok we now have you all living in Moreland in shoe boxes and green space has been reduced and, low and behold, there are more cars because the population has grown particularly in the north of Moreland where there is a higher population of large families. So the Council now wants discretion to reallocate road space, remove car parking, install bike lanes etc. to fix the problem the Planning scheme caused in the first space. Where are all the plans? The pedestrian and cycling strategy documents were voided by MITS. The community needs to be able to see complete plans for each unique suburb in Moreland. The excel spreadsheet of the 10 year capital works program for pedestrians and cycling is not a plan that a resident can easily see how it all fits together. As a resident I cannot support the Council's strategic direction unless I can see how it all fits together in my suburb. I want to see: - What other potential large housing developments are in the pipeline or likely in my suburb - What roads/streets will be predominantly for businesses eg. Bakers Road, Coburg North or Gaffney Street precinct where Bunnings etc is located - How will the major roads and streets eg. Sydney Road, Lygon Street etc look in the future – what type of businesses will be encouraged on those roads and streets, Sydney Road in particular is so shabby and needs to be reinvigorated - What shopping areas are Activity centres and which ones are just local shops - What roads/streets will be mainly for dining/restaurants - What Public Transport looks like now and what other changes are planned eg. any further removal of level crossings? - Survey people parking at the train station – is it predominantly because they can't walk or ride to the station and if so, isn't it better to encourage people to park and take PT rather than drive the whole distance? I would have thought if you could already ride or walk to the station you wouldn't be driving and parking - What are the key roads/streets for freight and transport carriers - What are all the existing and planned cycling routes - What are all the planned pedestrian improvements eg. crossings - What car parking overlays are there for roads/streets particularly those with services and businesses - What roads/streets have heritage overlay - What roads/streets need replacement tree planting or additional tree planting - What parks/recreational facilities are planned for upgrades and how will they look Clause 15.01-1L "reallocate road space and existing car parking to create greener streets, such as through street tree planting". This would be unfair if it was a road or street full of apartments that the Council approved and thereby all green space removed and to then say to residents you do not have a car park as we want to plant trees is just hypocritical. How does it all look together and how many residents are able to

shift to a more sustainable mode of transport. Its one thing to want it but how many residents use the ring road or freeway to commute to work. How many of the good Moreland folk will be pushed out to Hume or other municipalities as they can no longer live in Moreland in an apartment and park their work vehicle. Moreland has a large demographic of working class people who have work vehicles which is evident in the side roads and streets where they are parked because apartment living generally only allows one park and generally that is taken up with a family car. How many families can actually live without a car if they have babies and kids? The term "Toorak Tractor" is here and now and evident in most suburbs of Moreland. More current surveying of the community in Moreland with clear questions that are not leading the witness is critical as the reference to the Monash University survey only goes a small way to understanding the transport requirements throughout Moreland. The latest ABS Census also did not have an adequate amount of questions to really understand the timeframe and what is required to achieve a significant shift in mode of transport. Walking the streets and roads during the pandemic has given me a really good insight on how the residents of Pascoe Vale are living and I believe a lot more work has to be done on understanding the lifestyles of residents, working on education programs and creating plans that the community can understand and see the big picture. At the moment we are seeing businesses struggling, major roads and streets looking shabby, a lot of ugly lots that haven't been developed, mish mash of tree planting, mish mash of highrise apartments built poorly and we have lost a lot of the family friendly, elderly friendly community feel. A lot of angst on many of the Council's decisions hasn't helped either. In summary I believe that the amendments in regards to transport and in particular reallocating road space need to be under a caveat of "deliberated on a case by case basis" and based on a clear, transparent overall plan for an individual road/street for local area taking into consideration all the points I have made above. Kind regards [REDACTED]

Upload your submission :

Privacy : I agree

5th November 2021

To: Strategic Planning
Submission to Amendment C212more
Moreland City Council
Locked Bag 10, Moreland VIC 3058
via Moreland Council website online submission page

Dear Sir / Madam,

Re: Submission to Amendment C212more

Thank-you for the opportunity to make a submission to this Planning Scheme Amendment. My submission is about two aspects of this Amendment – the proposed changes to policies related to biodiversity in Moreland and the proposed changes related to the Moreland Integrated Transport Strategy 2019 (MITS 2019). I haven't looked at the other aspects of this Amendment.

This means the following clauses:

Clauses 2.03-2 and 12.01-1L – re biodiversity and the environment

Clauses 2.03-7, 15.01-1L, 18.02-1L, 18.02-2L – re transport and the MITS

Proposed Schedule to Clause 72.08 Background Documents, which includes proposed:

Deletion of:

- Moreland Bicycle Strategy 2011-2021
- Moreland Pedestrian Strategy 2010-2019
- Moreland Parking Management Policy 2011
- Moreland Climate Action Plan 2007

Change Moreland Integrated Transport Strategy from June 2010 to March 2019

Change Moreland Vehicle Crossing (Driveway) Policy from July 2010 to April 2014

Insert

- Moreland Nature Plan 2020
- A Park Close to Home (Dec 2017)

I make this submission as a resident of the north of Moreland, and I made a submission to a related Planning Scheme Amendment, C183 in 2019-20.

I am opposed to the changes to biodiversity and transport being implemented into the Moreland Planning Scheme at this point in time, and believe that Council needs to convene Citizens Advisory Committees in accordance with its Governance Rules and Community Engagement Policy (as per the new LGA 2020) to first consider the proposed changes and wording to the Planning Scheme. The Moreland Planning Scheme is an important legal document, and from my observations of Council processes, the language and wording of policies in the Scheme carries weight.

These two parts of C212more should be removed.

The new Local Government Act 2020 places new requirements on Councils, such as section 60(2) (b) for the Governance Rules to *"institute decision making processes to ensure that any person whose rights will be directly affected by a decision of the Council is entitled to communicate their views and have their interests considered"*.

And Section 9(2)(a) of the over-arching governance principles that “*Council decisions are to be made and actions taken in accordance with the relevant law*”.

The MITS 2019 does not have any references to any law or legislation, and the Council Resolutions of 13 March 2019 that adopted the MITS 2019 did not reference any law or legislation either.

The MITS 2019 and the Parking Management Policy are both currently under review, since December 2020.

These reviews should happen first before any changes are made to the Moreland Planning Scheme, so that section 4(1)(a) of the Planning and Environment Act 1987 to “*provide for the fair, orderly, economic and suitable use, and development of the land*” is upheld.

It is not fair or orderly to change the Planning Scheme policies on transport, when Council already voted 11 months ago to make significant changes to its Transport Strategy, and to undertake a public consultation process.

I would like to make the following points in support of my submission, as follows:

1. Relevance of Planning Scheme Amendment C183

Amendment C183 is relevant because it sought to implement the MITS 2019 into the Moreland Planning Scheme, which at the time still had a Municipal Strategic Statement. It sought to update Clauses 21.02 and 21.04 to align with the Moreland Integrated Transport Strategy 2019 and Moreland Parking Implementation Plan 2019¹.

The Planning Panel Report recommended that C183 be adopted in part with a recommendation that:

*5. Adopt the proposed changes to Clauses 21.02, 21.04 and 22.03 subject to any consequential changes that may be required as a result of any further work done on a revised car parking plan.*²

However Moreland Councillors voted to abandon Amendment C183 in full at the meeting of 13 May 2020, on the advice of Council Officers³. In my opinion that advice was faulty, because it did not explain the consequences of leaving the Moreland Planning Scheme with references to outdated strategies and strategies that had been revoked.

The Resolutions did not state why Council chose not to follow the recommendations of the Planning Panel Report. I have only a basic understanding of Planning matters, but I did read the 2nd Page of the Panel Report which explains how Reports are used and which states that “*The planning authority is not obliged to follow the recommendations of the Panel, but it*

1 Planning Scheme Amendment C183 Panel Report 1 April 2020, PPV – page 1
<https://www.moreland.vic.gov.au/globalassets/areas/strategic-planning/amendment-c183-panel-report.pdf>

2 As above – Executive Summary page iii of iii

3 Agenda and Minutes of Moreland Council Meeting of 13 May 2020 Report DCF14/20 Amendment C183 MITS and Moreland Parking Implementation Plan Decision Gateway 3
<https://www.moreland.vic.gov.au/my-council/council-and-committee-meetings/council-meetings/council-meeting-minutes/>

Executive Summary states “*Council officers recommend abandoning the Amendment at this time and beginning a new Amendment process following completion of the parking restrictions rollout and 12 month trial of the new suite of associated parking permits. Following this, the further survey and modelling work would be undertaken as recommended by the Panel*”

must give its reasons if it does not follow the recommendations. [section 31 (1) of the Act, and section 9 of the Planning and Environment Regulations 2015] “

In my opinion, Councillors did not give any demonstration of having considered adopting C183 in part, rather than abandoning it in full.

The end result is that the Moreland Planning Scheme has continued to refer to the MITS 2010-19, the Moreland Bicycle Strategy 2011-2021, and the Moreland Pedestrian Strategy 2010-19 (e.g. Schedule to Clause 72.08 Background documents).

The latter two Strategies were actually revoked by Council when the MITS 2019 was adopted on 13 March 2019⁴

The MITS 2010-19 has never been officially revoked.

Since I started paying attention to planning permit applications – which was only from March 2020 onwards – I have seen planning permit applications refer to the MITS 2019, the MITS 2010, the Bicycle Strategy 2011, in a manner that is clear that applicants use whichever document will suit their purpose. All of which appears to be totally fine by Moreland Council planners who seem to do their utmost to support developers at the expense of residents and local amenity.

I actually see some planning applications refer to a Coles Supermarket that used to exist in Pascoe Vale, but which moved to Coburg North in 2017, but that doesn't seem to matter because the applicant just wants to claim how many services and facilities are close to their subject site, and therefore can justify a reduction in carparking provision and overdevelopment of the subject site, because future residents will be able to walk everywhere to meet their everyday needs (supposedly).

So my overall view is that it will not make much difference to planning permit application outcomes if the proposed changes to transport-related clauses of this Amendment C212 do not proceed at this point in time.

2. The version of the MITS 2019 that is on public exhibition for this Amendment does not show the provisional revisions that were endorsed by Council at the meeting of 14 April 2021⁵

Moreland Councillors voted on 9 December 2020 to remove the headline strategy and action of the MITS 2019, for a Planning Scheme Amendment and parking restrictions, and for a further report to be brought to the April 2021 Council meeting.

On 14 April 2021, Council considered a Report that contained initial revisions to the MITS 2019 and various changes to the Parking Management Policy (PMP), so that it could go out to public consultation in May-June 2021.

4 Agenda and Minutes of Moreland Council meeting of 13 May 2019 Report DCF12/19 Moreland Integrated Transport Strategy (MITS) and Parking Implementation Plan 2019 – Adoption. Officer Recommendation no. 2 that “Acknowledges the existing Bicycle Strategy and Pedestrian Strategy as superseded due to adopting MITS 2019, and as a ten year program of bicycle and pedestrian infrastructure will be developed for Council consideration at the May 2019 meeting.”

<https://www.moreland.vic.gov.au/my-council/council-and-committee-meetings/council-meetings/council-meeting-minutes/>

5 Agenda of Moreland Council meeting of 14 April 2021 Report 7.1 Moreland Integrated Transport Strategy Review attachment 1 Indicative Edits to MITS 2019 following Council decision NOM60/20 (pages 22-51)

That public consultation process still has not happened, but in the meantime Council Officers presented this Amendment C212more to the meeting of 9 June 2021. The item almost lapsed until the Mayor moved the Officer Recommendation for C212more. The Governance Rules suggest that a Mayor usually does not move or second motions.

It does not seem fair or orderly to attempt to implement the MITS 2019 into the Moreland Planning Scheme before the public consultation and review of the MITS 2019 and PMP has happened.

3. The MITS 2019 is not a stand-alone document, it has 2 or 3 other documents, none of which are on public exhibition

The other parts of the MITS 2019 are:

- MITS Appendix
- MITS Background Report Part A (Feb 2018)
- MITS Technical Appendix (Feb 2018)

However this Amendment only proposes to have a reference to the MITS 2019 in the Schedule to Clause 72.08 Background Documents

Page 8 of the MITS 2019 (the version on public exhibition), which is the Introduction, says that *“This document should be read in conjunction with the MITS Appendix, which contains further background and detail about our strategies and actions”*

Page 10 of the MITS 2019 says that *“More detail can be found in the Moreland Integrated Transport Strategy 2018 – Background Report.”*

If and when Moreland Council ever finally puts the MITS and Parking Management Policy out to public consultation (which was supposed to happen between May-June 2021⁶), then it would have been one of my suggestions that the MITS is revised into one document, similar to how the City of Melbourne Transport Strategy is.

4. The reallocation of road space is mostly about the reallocation of the kerbside, and Council already has a policy for this – the Parking Management Policy – yet this Amendment is proposing to remove the reference to the PMP from the Schedule to Clause 72.08 Background Documents.

The suburbs of Moreland are all long established suburbs, and most have experienced significant levels of over-development over the past few years, which has been exacerbated by Council's preference to grant dispensations for off-street parking provision in planning permit applications.

This has resulted in an increasing need for residents, ratepayers, and visitors to use on-street parking.

The Parking Management Policy has objectives as follows:

- Provide a transparent mechanism for apportioning limited on-street parking space, balancing efficiency and equity, as well as the needs of multiple users
- Provide equitable access to on-street or public car parking areas for users, consistent with the user priority guidelines in this policy

6 As above, page 21 of the Agenda

- Encourage residents and business operators to utilise sustainable transport modes
- Improve safety
- Manage traffic flow within the municipality
- Support the objectives and actions of MITS 2019

Furthermore, the PMP has a set of User Priority Guidelines for two different types of settings.

In my opinion, the reallocation of road space on nearly every street in Moreland will require the removal of parking spaces, therefore it seems to me that if policies in the Moreland Planning Scheme are re-written to have sentences about reallocating road space, then the processes described in the PMP will be over-ridden in a haphazard and random manner.

It is the opposite of a fair and orderly planning system.

5. The Road User Hierarchy proposed to be added into Clause 2.03-7 Transport is very simplistic, it contradicts other Council Plans and the Transport Integration Act 2010, and doesn't take into consideration the land use

Transport systems are more complex than just pedestrians, cyclists, public transport and private vehicles (or as is written in the MITS 2019 “people who choose to drive”).

The City of Melbourne Transport Strategy 2030 has a road user hierarchy that considers far more groups of users, especially emergency vehicles and disability access, though it seems to have over-looked Council's own waste collection and street-sweeping vehicles:

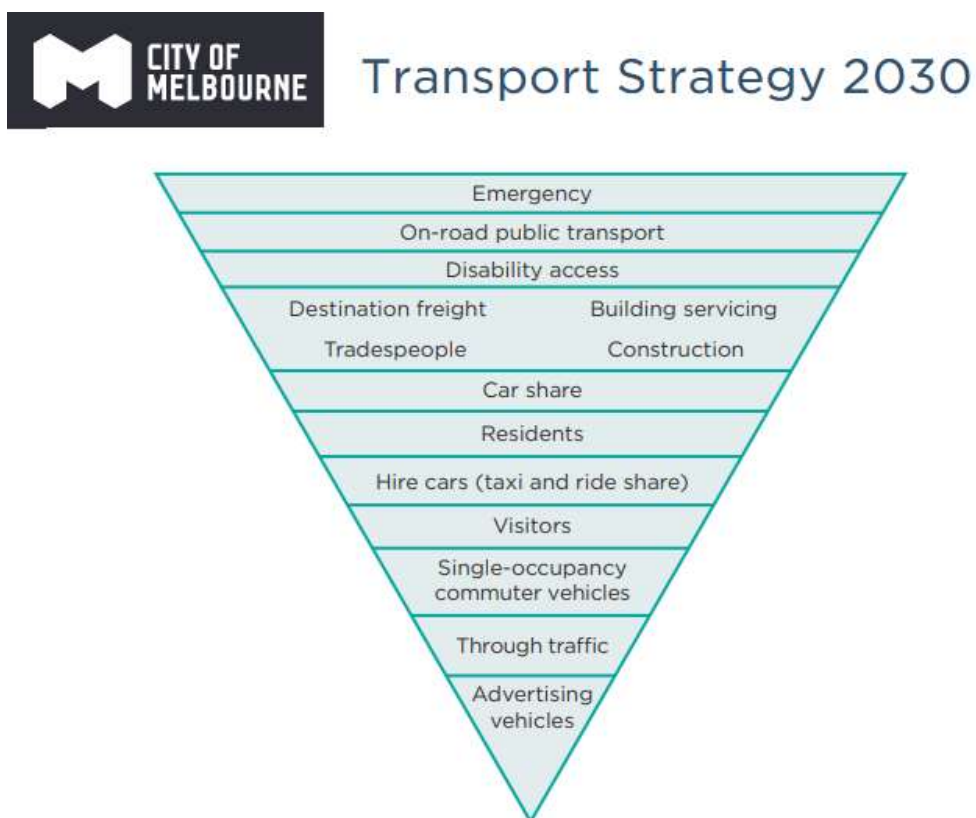


Figure 20: On-road motor vehicle priority hierarchy

Ratepayers pay a waste charge that is a user-pays fee. Surely there should be consideration for user-pays services such as kerbside waste collection in Moreland Council's Transport Strategy?

Furthermore, the Victorian Government has stated that construction is one of its key mechanisms for economic recovery from Covid-19. Therefore it would seem sensible for any road user hierarchy to acknowledge trade and construction vehicles, and not to place them at the bottom of a hierarchy.

6. Under the Road Management Act 2004 section 9, owners and occupiers of any land which adjoins a road is entitled as of right to access the road from that land

In my opinion the proposed changes to Clauses 2.03-7, 15.01-1L, 18.02-1L and 18.02-2L, will interfere with these rights, because as already seen in the projects rolled out by Moreland Council, reallocating road space often involves narrowing a road, which causes traffic congestion and impacts surrounding streets also, and makes it significantly more difficult for residents to get to their properties when driving.

If the Moreland Planning Scheme is a legal document in its own right, does this mean that other laws related to roads, traffic and parking will be over-ridden by the proposed changes? Or just that it will add extra complexity to appeals at VCAT, and therefore additional costs for objectors?

There are other Clauses in the Moreland Planning Scheme that seem to contradict these proposed changes, such as Clause 56.06-4 Neighbourhood Street Network which states that a Neighbourhood Street Network must:

- Provide safe and efficient access to activity centres for commercial and freight vehicles.
- Provide safe and efficient access to all lots for service and emergency vehicles.
- Provide safe movement for all vehicles.

7. Council has recently voted to change the wording of Strategy 2.6 of the Council Plan 2021-25 away from "reallocation of road space" to "To collaborate with the community to improve pedestrian and cycling infrastructure on a case by case basis"

Therefore it is inappropriate to proceed with changes to the Moreland Planning Scheme that do not align with the current vision of Councillors and the endorsed Council Plan for 2021-25.

Councillors made this change to Strategy 2.6 because they have seen the problems caused by a broad-sweeping action such as "the reallocation of road space", in projects such as the Kent Road Pascoe Vale pop-up bike lane trial.

Councillors have recognised that pedestrian and cycling infrastructure needs to be considered on a case by case basis, taking into consideration the specific context of each site.

Furthermore the Agenda to next week's Council meeting of 10 November 2021 has a Report 7.9 in which Officers recommend further community consultation on the permanent bike lanes proposed for De Carle Street Coburg, which was to be the first project under the MITS 2019 action for reallocation of road space when doing planned capital works such as road reconstruction.

It seems that the actions and strategies of the MITS 2019 are not so easy to implement in real life.

8. **Several key actions and strategies of the MITS 2019 have been revoked or altered by Councillors over the past two years, it is inappropriate to proceed with implementing the MITS into the Planning Scheme until a proper review has taken place.**
9. **In my opinion, the only way that reallocation of road space can be successful, is if the Moreland Planning Scheme has carparking plans and Parking Overlays for every suburb and precinct of Moreland, as per the guidelines of Planning Practice Note 57 The Parking Overlay, and requires increased off-street parking provision in new developments**

The Moreland Planning Scheme does not have any Parking Overlays or Carparking Plans that offer local context to the Planning Scheme. The recommendations of the Panel Report to C183 have not been implemented.

Therefore a general action of “reallocating road space according to a road user hierarchy” will not actually take into account the local context and site-specific context.

A lot of the MITS 2019 sounds good in theory, but in reality it doesn’t work.

If Council wants to remove on-street parking, and reallocate it to cyclists or for street trees, then there needs to be planning mechanisms in place that force developer applicants to provide higher levels of off-street parking in new developments.

10. **Council Advisory Committees are supposed to “play a key role in providing early advice to Council about significant strategies and policies it is initiating” according to page 9 of the Community Engagement Policy (Dec 2020)⁸**

Whereas in actual fact, Council sidelined it’s citizen advisory committees during the first year of this Council term – when significant documents such as the Council Vision and Council Plan – were being developed, by claiming the need to review these committees.

The Moreland Planning Scheme is also a significant document, and in my opinion, the proposed changes related to biodiversity and transport, should have been presented to the relevant Citizen’s Advisory Committees for their input and advice into specific wording and language.

Especially as the Planning Scheme was translated to the new Planning Policy Framework via C200 in a rushed manner by Council Officers, and sent straight to the Minister for approval.

It is not fair that Moreland Council has not complied with it’s Community Engagement Policy, nor the Governance Rules, in respect to the purpose of citizens advisory committees.

8 Moreland Council Community Engagement Policy, endorsed 9 Dec 2020
<https://www.moreland.vic.gov.au/globalassets/key-docs/policy-strategy-plan/community-engagement-policy-adopted-by-moreland-council-on-9-december-2020.pdf>

Council Advisory Committees

Moreland Council's Advisory Committees are an important network of stakeholders who we regularly engage to obtain detailed feedback on the ways our operations and decisions may affect specific communities. Some Committees help us understand the issues and concerns of specific community groups such as the Human Rights Advisory Committee; while others help us understand issues relevant to specific topics, such as the Transport Advisory Committee. The role and function of Advisory Committees is guided by the Local Government Act 2020.

During the lifetime of this policy Council's Advisory Committees will play a key role in providing early advice to Council about significant strategies and policies it is initiating.

11. **The Explanatory Report says that “Transport integration as set out in Part 2, Division 2, 11 was also comprehensively considered as part of the development of the Moreland Integrated Transport Strategy 2019” which I don’t think is true**

The MITS 2019 on public exhibition makes no mention of the Transport Integration Act 2010.

This is vastly different to the City of Melbourne Transport Strategy which has a full page devoted to explaining roles and responsibilities and policy alignment, including the Transport Integration Act 2010 and Climate Change Act 2007⁹

I don’t think the MITS 2019 should be implemented into the Moreland Planning Scheme until it is re-written to a higher standard, including references to relevant road and transport legislation that is triggered by each strategy and action proposed in the MITS.

A Council has powers over roads and traffic that are defined in the Local Government Act 1989, and there is no evidence that Councillors have given any consideration to how the MITS 2019 aligns with these powers.

My suggestion is to remove the transport and biodiversity elements of C212more.

Thank-you in advance for considering my submission.

Kind Regards,

9 City of Melbourne Transport Strategy 2030, pages 25-26
<https://www.melbourne.vic.gov.au/SiteCollectionDocuments/transport-strategy-2030-city-of-melbourne.pdf>