

The unused 'road' does not portray the physical characteristics of a 'road' and there would appear to be no impediment to Council forming the view that the unused 'road' is no longer reasonably required as a 'road' for public use.

This report discusses rectifying the anomaly on title and seeks direction to proceed to commence the statutory procedures by giving public notice of Council's intention to discontinue the section of unused 'road', and to have the resultant land set aside as a reserve to be retained by Council for municipal purposes.

### **Resolution (CO2014/203)**

That Council:

1. Being of the opinion that the unused 'road', located between nos. 30 and 34 Paterson Crescent Greensborough, is not reasonably required as a 'road' for public use, now directs that, pursuant to Section 206 and Schedule 10 Clause 3 of the *Local Government Act 1989* and Sections 207A(a) and 223 of that Act, the statutory procedures be commenced to give public notice, in the "*Diamond Valley Leader*", of its intention to discontinue the unused 'road' and retain the resultant land for municipal purposes.
2. Consider a further report to hear submissions, if any, received in response to the public notice referred to in item 1 above.
3. Subject to the discontinuance of the unused 'road', authorise the lodging of an application for a permit, pursuant to section 35(8) of the *Subdivision Act 1988*, to create a reserve to be retained by Council for municipal purposes to be known as 32 Paterson Crescent Greensborough.

Moved: Cr Steven Briffa

Seconded: Cr Rick Garotti

CARRIED

## **4.11 PLANNING SCHEME AMENDMENT C94 - PANEL REPORT**

### **EXECUTIVE SUMMARY**

Amendment C94 proposed the introduction of a Heritage Overlay over two residential precincts and two individual places. The amendment was placed on public exhibition between 5 December 2013 and 13 February 2014.

Six submissions were received as follows:

- Two supported the Amendment;
- One sought reduction of the extent of HO197;
- Two opposing from the owner and potential owner of HO197;
- One sought variation of the Amendment for HO195.

At its meeting on 3 March 2014, Council resolved to split the Amendment into two parts:

- Part 1 comprised places in respect of which no submissions were received, and was adopted by Council; and
- Part 2 comprised one precinct (Kenilworth Parade Precinct HO195) and one site (Saxam Homestead HO197) that were the subject of submissions, and were referred to

a Panel.

The report from the Panel recommends that Amendment C94 Part 2 should be adopted as exhibited with some minor modifications. Council is now positioned to consider adopting the Panel's report and recommendation and seek the Minister for Planning's approval for planning scheme changes.

**Resolution (CO2014/204)**

That Council:

1. Adopt Banyule Planning Scheme Amendment C94 as shown in Attachment 2 and 3.
2. Request the Minister for Planning approve Amendment C94 which introduces permanent planning controls for heritage into the Banyule Planning Scheme.
3. Request the Minister for Planning complete the process of gazetting Amendment C94 before the temporary schedule 195 to the Heritage Overlay expires on 31 October 2014.
4. Consider including a condition in any subdivision permit for the site and surrounding area requiring the owner to clear the Saxam Homestead and its site of debris, secure the building from water damage and undertake any additional urgent works identified as necessary to secure the building, prior to the commencement of subdivision works.

Moved: Cr Jenny Mulholland

Seconded: Cr Rick Garotti

CARRIED

#### **4.12 PROPOSED NAMING OF CROWN LAND - FRED LASSLETT RESERVE**

##### **EXECUTIVE SUMMARY**

To name the currently unnamed crown land on the corner of Mount and Yarra Streets, opposite Heidelberg Railway Station "Fred Lasslett Reserve" in honour of Mr Fred Lasslett

**Resolution (CO2014/205)**

That

1. Council assign the name "Fred Lasslett Reserve" to the crown land on the corner of Mount and Yarra Streets in Heidelberg.
2. Council lodge the necessary submission to the Office of Geographic Names (OGN).
3. Upon the outcome of the submission to the OGN, thank all persons and community groups involved in the consultation, notify them of Council's decision and the result of the OGN submission.
4. Council keep the Lasslett family updated on the proposal's progress; and
5. Council erect appropriate signage for the reserve.
6. Council write to Jenny Macklin, Federal member for JagaJaga seeking information on Federal Government grants to contribute to a memorial in honour of Fred Lasslett