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VICTORIA

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THIRD ANNUAL REPORT

OF THE

TOWN AND COUNTRY PLANNING BOARD

FOR THE PERIOD

1ST JULY, 1947, TO 30TH JUNE, 1948

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PRESENTED TO BOTH HOUSES OF PARLIAMENT PURSUANT TO SECTION 4 (3) OF THE  
TOWN AND COUNTRY PLANNING ACT 1944

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# Town and Country Planning Board.

## THIRD ANNUAL REPORT.

The Honorable J. A. Kennedy, M.L.C.,  
Minister of Public Works,  
Public Offices,  
Treasury Gardens,  
Melbourne, C.2.

30th Sept., 1948.

SIR,

1. In accordance with the requirements of Section 4 (3) of the *Town and Country Planning Act* 1944 (No. 5043), the Board has pleasure in submitting to you, for presentation to Parliament, the report on its activities during the twelve months ended 30th June, 1948.

2. The Board held 46 weekly meetings during the twelve months, and was represented by one or more of its members at many conferences held both in Melbourne and in country centres.

### THE ACT.

3. The Board is pleased to report that most of the amendments, which it has sought during the past eighteen months, were incorporated in a Bill which was passed without amendment by the Legislative Council on 8th June. As at 30th June, the Bill was in the Second-Reading stage in the Legislative Assembly.

4. The main benefits to be derived from the Legislative amendments are as follow :—

- (1) The onerous requirements of Section 12 (2) (b) relative to the service of copies of an interim development order will have been removed.
- (2) A right of appeal to the Minister from a refusal by a responsible authority to permit interim development will be provided.
- (3) Provision is being made that due regard will be paid by public authorities to a planning scheme being drawn up by a municipal council or group of councils, and the Governor in Council will be empowered to prevent a public authority from commencing or continuing any work which might conflict with a planning scheme.
- (4) Provision is being made for the revocation of interim development orders in certain circumstances.
- (5) The possibility of a planning scheme being rendered invalid because of some minor default or omission in its preparation or submission, discovered after its approval, will be removed.
- (6) Where a planning scheme gives effect to purely zoning proposals, the period of exhibition will be reduced from three months to one month, which approximates the period required in the case of a by-law under Section 197 of the Local Government Act which enables a similar result to be obtained by a less direct method.
- (7) The question of the payment of compensation is being clarified in regard to the use of land for specified purposes.

5. These amendments have been shown to be a necessity and many of the Councils that have experienced difficulty in operating under the Principal Act will have the opportunity of completing their planning schemes at an early date when the Bill becomes law. The Board is confident that many other councils will be encouraged to undertake planning schemes when this measure is passed since the procedure will be not only clarified but simplified.

6. During the year a number of further amendments to the Act were proposed by the Municipal Association of Victoria, the Planning Institute of Australia, the Architectural Research Group, and the Sandringham City Council. It has not been possible to give full consideration to these proposals yet, but the Board intends to study them in the near future as it considers further amendments to the Act will be required.

7. The main matter raised by the Sandringham City Council, namely, greater facility for obtaining new titles to land compulsorily acquired and re-subdivided, will be met if the Bill to amend the Transfer of Land Act, which has been brought forward by the Housing Commission of Victoria, becomes law. The Board indicated to you, and to the Housing Commission, that it approved of such legislation, since it would be of assistance in implementing town and country planning schemes.

### REGULATIONS.

8. No regulations were promulgated during the twelve months under review, the only matter that had been considered now being incorporated in the amendments to the Act.

### PLANNING SCHEMES.

9. The following table shows the municipalities which have resolved to prepare planning schemes since the appointment of the Board in February, 1946, in accordance with the provisions of the *Town and Country Planning Act 1944* :—

Location of Scheme.	Municipality.	Stage Reached as at 30th June, 1948.
COMMENCED BEFORE 1ST JULY, 1947.		
<i>Cities—</i>		
Chelsea Township .. ..	City of Chelsea .. ..	Interim Development Order issued
Mildura .. ..	City of Mildura .. ..	Interim Development Order issued
Nunawading (1 square mile) ..	City of Nunawading .. ..	Interim Development Order issued
Sandringham (1 square mile) ..	City of Sandringham .. ..	Exhibition Period completed
<i>Towns—</i>		
Ararat .. ..	Town of Ararat .. ..	Nearing completion
Hamilton .. ..	Town of Hamilton .. ..	Interim Development Order issued
Horsham .. ..	Town of Horsham .. ..	Interim Development Order issued
<i>Shires—</i>		
Moorpanyal Riding .. ..	Shire of Corio .. ..	Incorporated in Geelong and District scheme
Doncaster and Templestowe Ridings	Shire of Doncaster and Templestowe	Interim Development Order issued
Euroa .. ..	Shire of Euroa .. ..	Complete by end of 1948
Moe and District .. ..	Shire of Narracan .. ..	Interim Development Order issued
Heywood .. ..	Shire of Portland .. ..	Open for preliminary exhibition
Seymour .. ..	Shire of Seymour .. ..	Interim Development Order issued
Robinvale .. ..	Shire of Swan Hill .. ..	Interim Development Order issued
Traralgon .. ..	Shire of Traralgon .. ..	Interim Development Order issued
Cobram .. ..	Shire of Tungamah .. ..	Interim Development Order issued
Warragul .. ..	Shire of Warragul .. ..	Nearing completion
Werribee and District .. ..	Shire of Werribee .. ..	Interim Development Order issued
<i>Joint Committee—</i>		
Geelong and District .. ..	Eight municipalities .. ..	"Existing Conditions" plan nearing completion
COMMENCED SINCE 1ST JULY, 1947.		
<i>Cities—</i>		
Ballaarat .. ..	City of Ballaarat .. ..	Nearing completion
Moonee Ponds Creek .. ..	City of Essendon .. ..	Interim Development Order issued
Fitzroy .. ..	City of Fitzroy .. ..	Interim Development Order issued
<i>Shires—</i>		
Frankston and District .. ..	Shire of Frankston and Hastings	Interim Development Order issued
Shire of Grenville—North Riding	Shire of Grenville .. ..	Interim Development Order issued
Morwell, Yinnar, and District	Shire of Morwell .. ..	Interim Development Order issued
Numurkah Township .. ..	Shire of Numurkah .. ..	Interim Development Order issued
a total of 26 schemes		

10. During the year, the Board—individual members and the Secretary—accepted invitations to visit the undermentioned suburban and country centres to confer with municipal authorities on town and country planning matters:—

Bairnsdale, Ballarat, Brunswick, Charlton, Chelsea, Colac, Collingwood, Eltham, Euroa, Fern Tree Gully, Geelong, Kerang, Maryborough, Mildura, Moe, Moorabbin, Morwell, Nhill, Portland, Seymour, Swan Hill, Traralgon, Wangaratta, and Warrnambool.

11. Board members, whilst in Sydney and Adelaide on private business, conferred with planning authorities in those centres.

12. A member of the Board was present at the Royal Victorian Institute of Architects and the Institute of Surveyors when prominent speakers addressed those bodies on town planning matters.

13. During August, 1947, the Board made the services of the Secretary available to advise a committee conducting a traffic census in Adelaide.

#### NEED FOR UP-TO-DATE BASIC DATA MAPS.

14. During the course of the last twelve months, the Board has had further evidence of the lack of any up-to-date basic maps of either metropolitan or country municipalities.

15. Such maps should show at any time the existing use of all land and such natural features as rivers and streams, railways, main roads, and, where possible, contours at reasonable intervals. Basic maps of this nature are invaluable in the ordinary administration of local government and as a preliminary to the preparation of any town or country planning scheme.

#### GREATER MELBOURNE PLANNING SCHEME.

16. In the Board's Second Annual Report, considerable emphasis was given to this matter.

17. The Metropolitan Sectional Council of the Municipal Association of Victoria called a conference to consider the matter and a sub-committee was appointed to make recommendations. The sub-committee finally recommended that the Melbourne and Metropolitan Board of Works, as representative of all councils concerned, should be appointed to prepare a planning scheme for the development of the metropolis. The full conference adopted the recommendation and circulated it to every council seeking an expression of opinion. The recommendation was almost unanimously approved.

18. A deputation from the Municipal Association later waited on you with a view to placing the proposal before you, and submitted a statement outlining the efforts that had been made since 1920 to have such an authority appointed.

19. On 5th February, 1948, the Board placed before you its views on the question of metropolitan planning and the following is an extract from the minute:—

“The Town and Country Planning Act as it stands has already been utilized as a basis for the commencement of planning by a number of country municipalities. When the Act is amended as agreed, it will greatly facilitate and encourage further action, but here again it will be the country municipalities that will benefit.

In the Board's view, the Act will not be found conveniently workable for the metropolis as a whole, or even for any substantial number of adjoining municipalities acting jointly in the metropolitan area. The difficulties of persuading any one council to take the initiative, the almost certain refusal of one or more councils vitally affected in any area to join in the setting up of a Joint Committee, the difficulties of arranging agreement amongst any group as to the joint representation of a committee, or as to the area involved, or the basis of costs, &c., &c., are all problems which the Act as now framed just does not meet. The best recent illustration of the difficulties associated with reaching agreement in the metropolitan area, even with Government initiative and intervention (which would not generally apply) is shown in connexion with the foreshore improvement scheme.

It is obvious, however, that some central authority must do the planning of the metropolitan area, whether it be an existing authority with added power, or a new body created for the purpose. The Town and Country Planning Act does not envisage this Board undertaking the task, nor does my Board consider that it would be correct procedure for it to be so instructed. It is infinitely wiser that this Board should remain a reviewing—not a creative planning—authority.

Therefore, in recognition of these factors, and because the Board was anxious to bring some planning thought to bear on the metropolis, a recommendation was made to your predecessor that a committee be set up on similar lines to the Metropolitan Town Planning Commission, to examine the Final Report of that Commission in the light of present day development and make recommendations as to how that report could best be brought up to date.

In view of the previous Minister's statement that he did not favour this course, the Board submits, as an alternative for your consideration, the appointment of the Melbourne and Metropolitan Board of Works as the planning authority for Metropolitan Melbourne. As all metropolitan councils are generally represented by the members of the Melbourne and Metropolitan Board of Works, the local government atmosphere would be retained.

The Melbourne and Metropolitan Board of Works has rating powers, employs a good technical and administrative staff, and already possesses a great deal of the information required for the planning of the metropolis. It has successfully planned for water supply, sewerage, and main drains, and it is considered much time would be saved if it were entrusted with this additional work in lieu of setting up some new authority. It could be a planning authority only. After the completion and approval of the plan of development for the metropolis as a whole, the implementation would be carried out by each council in respect of its own district as if the plan had been prepared by a joint committee in accordance with the *Town and Country Planning Act 1944*.

Authorities such as the Country Roads Board, the Public Works Department, and the Melbourne and Metropolitan Board of Works itself, could be made the constructing authority for the carrying out of those works which they are expert in, if any municipality considered that any part of a plan was beyond its resources of plant or personnel.

Almost every metropolitan scheme in the last thirty years or more has presented separate financial problems for the Government of the day. The Board therefore recommends that steps be taken to set up a metropolitan improvement fund for financing all metropolitan projects on a priority basis to be agreed upon by the planning authorities. Contributions to such a fund by all metropolitan authorities should be enforced on an assessment to be determined, to create an annual revenue corresponding with capacity to utilize labour and materials. It need be very little more in many cases than would be the amount now spent by individual authorities on similar projects of which they would be relieved. Collections from betterment rates and other such types of revenue could all be similarly utilized so as to relieve the municipalities, &c., of contributions to the extent to which all such avenues were forthcoming.

My Board is convinced that the above proposals would provide a solution to problems which are the daily anxiety of every public authority in the metropolitan area, as well as the constant source of press, radio, and other community agitations. We should be most happy to assist in every way in drafting the necessary legislation to give effect to these ideas."

20. Later, you instructed the Board to write to each individual council in the metropolitan area and ask what action it was taking to avail itself of the powers conferred by the Town and Country Planning Act. In reply, most councils indicated that little could be done that was not of a metropolitan nature, and, therefore, required a far more comprehensive scheme than could be obtained by one or more immediately adjoining councils combining for the purpose. Most councils replying in this vein suggested that the Melbourne and Metropolitan Board of Works' powers be extended as recommended by the Municipal Association.

21. In a reply prepared by the Municipal Association, the following comment is pertinent :—

“ Councils in the metropolitan area have given consideration to planning but have found it both impracticable and impossible to prepare schemes as the problems are too widespread to be dealt with on the basis of individual municipal areas.

Briefly, some of the problems are set out :—

- (a) Zoning of residential, business, and factory areas.
- (b) Traffic control, including provision of bridges, traffic lights, narrow city entrance roads, main city through-roads, maintenance, by-pass roads, &c.
- (c) Provision and maintenance of recreational areas.
- (d) Slum reclamation (Housing Commission).
- (e) Transport facilities—co-ordination of various services.
- (f) Outer green belt to prevent further suburban sprawl.

Most of these matters affect the future development of Melbourne as a whole, and it is most unlikely that the 40 municipalities, or any group of them, would voluntarily arrive at unanimity in regard to action to deal with any one of these problems.

Only recently an effort was made to arrive at a decision regarding erosion and improvements of the foreshore of Port Phillip Bay. The scheme was rendered abortive because most municipalities were of opinion ‘ some civic body should be entrusted with the important tasks covering this and all the increasing problems in the metropolitan area ’.

Such body would investigate, find, and apply solutions without being influenced unduly by parochial considerations and have the necessary staff and authority to implement its decisions.”

22. The Board is pleased that you have indicated that you now approve of the proposal to constitute the Melbourne and Metropolitan Board of Works the responsible authority for the preparation of a planning scheme for the metropolis, and that you have placed the matter before Cabinet with a view to giving effect to the proposal before the end of 1948.

#### REPLANNING INNER AREAS.

23. In the Board's Second Annual Report (paragraph 48), the hope was expressed that more extensive studies would be possible in order to demonstrate the wisdom of replanning some inner suburban areas. Unfortunately, the necessary staff has not been available, but the Board has made some further progress as indicated later.

24. *High Cost of Public Utilities in Melbourne.*—The ever continuing expansion of Melbourne's outer suburbs is a costly business. The cost of street construction, maintenance, and lighting, of water, gas, and electric mains, of sewers, and of telephone lines, becomes higher per house as the scattered settlement spreads further and further out. Better planning and the more economical use of the land would result in all these essential services being supplied at a cheaper rate per head to all the people of the metropolis. The scattered development now taking place on the perimeter of the City will, therefore, inevitably increase costs to us all. This scattered development is also adding seriously to the costs of public and private transport of people and of goods, including the carriage of fresh foodstuffs from the country to take the place of milk and fresh vegetables once produced close to the city.

25. Slums are to be deplored, whether in the inner suburbs, on the outskirts of the city, or in the country, but people generally are not conscious of the enormous waste in all of the older suburbs caused by too great a proportion of the area being used for roads, by allotments with very narrow frontages and great depths, or, conversely, very broad frontages and little depth.

26. The wasteful use of land in inner suburbs forces many people, largely young couples, out to the outskirts and means that many of them spend far too much time travelling. This is costly, induces fatigue, and results in many of them being isolated from friends and relatives.

27. The "outward sprawl" is not only wasteful in the manners outlined—it still leaves many vacant allotments in the serviced areas; it involves more liberal allowances for open spaces for recreation, more miles of trams and buses, more use of coal, steel, iron, cement, timber, &c., more schools, more churches, more baby health centres, more shops, and so on.

28. *Population Density.*—The gross density of the settled areas of Melbourne is only 9·2 persons per acre. This is very low for a large city, is very wasteful, and does not confer any special benefits on the people. On the contrary, it causes great nuisance and expense to many people.

29. The gross densities of some well built-up Melbourne municipalities are of interest :—

Fitzroy	..	..	..	..	34 persons per acre
St. Kilda	..	..	..	..	27 " " "
Prahran	..	..	..	..	25 " " "
Collingwood	..	..	..	..	24 " " "
Brunswick	..	..	..	..	22 " " "
Richmond	..	..	..	..	21 " " "
South Melbourne	..	..	..	..	20 " " "
Hawthorn	..	..	..	..	16 " " "

30. In all of these areas, there are many instances of wastefully-used land as well as bad examples of overcrowding.

31. The figures for a number of large cities reveal a great range in densities :—

City.	Population.	Area.	Density per Acre.
		Acres.	
Sydney .. .. .	1,310,530	156,149	8·4
Melbourne .. .. .	1,142,000	126,249	9·2
Birmingham .. .. .	1,048,000	51,147	20·0
Montreal .. .. .	1,000,159	33,880	29·6
New York .. .. .	7,454,995	191,360	39·0
County of London .. .. .	4,062,880	74,850	54·0
Madrid .. .. .	1,023,301	16,550	62·0
Mexico City .. .. .	1,029,068	7,250	142·0
Paris .. .. .	2,829,746	19,300	147·0

32. The town plan for the rebuilding of London recommends a gross density of 60 persons per acre in the outer area and greater densities in the two inner-city areas.

33. *A Richmond Study.*—The accompanying study in replanning a small area in the City of Richmond was made as an illustration of the bad conditions in many of our inner suburbs—not only because they contain slums, but also in the wasteful use of valuable land. Land in many of the inner areas of the metropolis, supplied with all public services and close to the heart of the city, is most wastefully used. The area in Richmond, selected for study, is by no means unique. Many other such areas exist in many suburbs.

34. This area in Richmond fronts Bridge-road, between Burnley and Griffiths streets, and is bounded on the north by Somerset-street—a total area of approximately 42·5 acres measured from the centre lines of the containing roads.

35. The present development of the area is shown in outline on Map No. 1. The land use at present is :—

Housing (net area)	..	..	..	..	..	Acres.	15·25
Industrial use	..	..	..	..	..	5·0	
Shopping and commercial	..	..	..	..	..	2·0	
Church (one only)	..	..	..	..	..	0·25	
Roads and rights-of-way	..	..	..	..	..	20·0	
Total	..	..	..	..	..	42·5	



36. *Present Population (assumed).*—At present there are 262 occupied houses. Assuming each house shelters 4 people, 1,048 persons are living in the houses. There are also 14 residential shops which can be assumed to house an average of 4 persons. The total population of the area is, therefore, generously assumed at 1,110 persons.

37. *Sizes of Allotments.*—The average size of the lots is 2,540 square feet, but many houses have much larger areas, whilst some have less total area than 1,200 square feet. Five houses, built on ground having a total area of about 10,000 square feet (2,000 square feet each) face on to a right-of-way. Some houses are built on allotments 15 feet wide, 12 houses have only 15 feet frontage and 100 feet depth, whilst in front, and at the rear, are streets 99 feet wide.

38. *Types of Houses.*—Many of the houses are of a poor type and old, but quite good houses are mixed in here and there. Although it is hardly correct to describe all this housing as slums, some are definitely slums and most of the housing areas can safely be termed obsolete.

39. *An Illustration of how the Area could be Re-developed.*—Map No. 2 shows in outline a suggestion for the replanning of the area to provide a suitably-balanced development. The proposal comprises 140 apartments in 2-storey residential blocks, 279 flats in 10 blocks of 3-storey buildings, a large residential hostel set in ample grounds, a modern shopping centre with half residential and half lock-up shops, a large community laundry, a service station, and a community building with a playground. The factory areas are increased from 5 to 8.75 acres and continued to give Bridge-road frontages. The existing property of the Church of Christ is not disturbed but its siting is enhanced.

40. *Details of the Sites for each Suggested Use are:—*

	Acres
No. 140 dwelling units (35 small flats in allotments) .. ..	7.25
No. 10 blocks of flats (279 flats with average floor area of 900 square feet) .. .. .	10.5
Residential hostel and grounds .. .. .	3.0
Shopping centre, including road, small reserve, laundry, and service station .. .. .	3.5
Industrial area .. .. .	8.75
Community Centre, building, and park .. .. .	2.0
Roads, not including footpaths through curtilages .. .. .	7.25
Church .. .. .	0.25
Total .. .. .	42.5

41. *Population that could be Suitably Housed:—*

140 dwelling units at an average of 4 persons each .. .. .	560
279 flats at an average of 3.25 persons each .. .. .	906
Hostel—rooms for .. .. .	200
Resident Superintendent and family, say .. .. .	4
9 residential shops at an average of 4 persons each .. .. .	36
Caretaker's family (flat in park building) .. .. .	4
Caretakers and families in factory areas .. .. .	12
Resident staff families in laundry and service station .. .. .	8
Total .. .. .	1,730

42. *Comparative Costs of Public Utilities.*—The cost per dwelling unit has a very important bearing on the national housing problem. In these days of acute shortages of labour and materials, close attention must be given to this question. Because of staff shortages, it has not been possible for the Board to investigate comparative costs of utilities in detail, but certain information available has an important bearing on the matter.

43. *Road Construction in the Outer Suburbs of Melbourne* varies according to natural conditions, and the Engineer's specification. A 50-ft. wide street in bitumen penetration with concrete kerb and guttering and 4-ft. 6-in. wide concrete footpath, costs from £3 to £5 per foot run, half of which is debited to each side. The cost per house, assuming a 55-ft block, and allowing a proportion to each block for cross roads, parks, and schools, could be put down at, say, £150, where £4 per foot is the cost of road construction.

44. When considering the total cost of a house, all the other costs must, of course, be added. At a conservative estimate, £40 for drains, sewers, and water mains could be added to the cost of road construction, thus adding £190 to the cost of the land and the house. There are no figures readily available to the Board to approximately estimate the costs of electric, gas, or telephone mains.

45. *Figures for the Richmond Proposal.*—The streets surrounding the area are already constructed and serviced with all utilities. The total run of new streets, including that portion of Coppin-street facing housing and the street servicing the new shopping centre, totals 2,780 feet approximately. Since there would be considerable salvage value in materials in the old roads to be abolished (part of Coppin-street is re-used) and the area is comparatively level, £2 10s. per foot run is considered ample. At this rate, the cost of road construction would be £7,000. To this total must be added the cost of about 5,000 feet run of carriage ways and footpaths in the housing area at, say, £1 per foot, bringing the total road and path construction to, say, £12,000. The total number of family units, including flats, apartments, and residential shops, is 435.

46. *A Comparison.*—The cost of road and carriage-way construction at approximately £27 per dwelling unit for the Richmond project can, therefore, be compared with the road construction for a new cottage in an outer suburb at £150. This would certainly be exceeded in many places. For instance, it is greatly exceeded in the Housing Estate at Heidelberg, and in Maidstone the costs of roads and storm-water drains totalled £180 per house. **The conclusion is therefore that each new dwelling unit in an inner suburb replanning scheme would require only about one-fifth the amount of scarce materials (such as cement and bitumen) that would be required to provide roads for a dwelling unit in an outer suburb.** This is for road construction only. Similar savings would be made when all the other public services were installed.

47. *Comments on the Proposal.—Flats*—In considering the question of flats versus single houses, the Commonwealth Housing Commission stated that only multi-storey dwellings can economically exploit high-cost land. At the same time, the Commission recommended individual houses for families with young children. In an area such as the one being considered, an economic scheme is more likely to be produced where the development includes a greater proportion of flats and industrial buildings. For this reason, the two industrial areas are extended to Bridge-road, and no frontages on this main street are used for ordinary residential accommodation as it is considered the land would be too expensive for that type of use.

48. The blocks of flats are orientated and spaced so as to provide that all living and bedrooms will receive sunlight in all seasons. The blocks of flats are suggested three storeys in height—no lifts would be required. The residential rooms in all shops could also be planned so that all living and bedrooms obtain winter sunlight, and each residential shop could have a garden with access to a street. The smaller residential blocks would each contain two ground-floor apartments and two on the first floor.

49. Private garages are located in groups convenient for all persons living in the area. If necessary, garages could also be provided to the small apartment blocks.

50. Parking spaces conveniently located for factories could be provided in the 50-ft. strips separating them from residential areas.

51. This proposal has been planned merely as a study for this type of inner suburban area. It accepts the existing factories and is not advanced as an ideal lay-out such as might apply for a more comprehensive scheme. Housing for 1,110 people is destroyed and provision made for 1,730. Many more people could be housed on this site if a less desirable lay-out were accepted, but it should also be remembered that the industrial and shopping areas are both substantially increased and that a desirable community centre of two acres is provided.

52. Schemes of the type illustrated could be multiplied all over the inner suburbs with great advantage to all concerned. The Board contributes this study in the sincere hope that all councils and authorities concerned will be encouraged to include such desirable ideas in their local planning schemes.

## SWAN-STREET BRIDGE.

53. As recorded in its First Annual Report, the Board attended a conference in March, 1946, called by the Minister of Public Works, when the question of the provision of additional bridges over the River Yarra was discussed. At that conference, other authorities represented were the Melbourne City Council, Country Roads Board, Public Works Department, and the Victorian Railway Commissioners.

54. The representatives of the Melbourne City Council stressed the Council's continued approval of the provision of a bridge across the river at Swan-street. They offered to meet half the cost of the project and to hand over to the Country Roads Board, the suggested constructing authority, all plans and specifications for the work that the Council had drawn up with a view to calling tenders.

55. The result of the conference was that the Country Roads Board was appointed the constructing authority and authorized to contribute half the cost of the bridge, the other half being provided by the Melbourne City Council. Work commenced in September, 1946, but, partly due to difficulty in obtaining materials and adequate labour, progress has been slow. It became a matter for regret, however, that, eighteen months after the construction had been commenced, an agitation was successful in inducing the Melbourne City Council to reverse a policy it had advocated consistently for many years.

56. The alternative suggested was a "skew" bridge directly adjacent to Princes Bridge. This proposal had been advocated in a certain direction for many years but had not gained any previous support by any authoritative body. Such a bridge would involve using Riverside-avenue as a main traffic artery, and this road is very narrow in one place. Traffic on this road would have no opportunity of distributing itself as would be the case with the Swan-street proposal, consequently, the traffic would meet other bridge traffic at the bridgeheads. This proposal would not become an effective part of an east-west by-pass road. In its Second Annual Report, when commenting on the re-alignment of the building line of Riverside-avenue, the Board drew attention to the undesirability of this road being used as a main traffic artery.

57. On being requested by you to furnish comments on the two alternative proposals, the Board forwarded a minute on 17th May last, in which it said:—

"The River Yarra forms a natural barrier to transport on the southern side of the City of Melbourne. Nine roads lead out of the city to the north, all carrying heavy traffic, but only the three bridges carry the southern traffic. This serious defect of Melbourne as a city has been evident for a long time, and was specially commented on in the reports of the Metropolitan Town Planning Commission in 1925 and again in the final report of 1929. Since then the volume of traffic has vastly increased, consequently, the construction of additional bridges over the Yarra is becoming more and more urgent, and the lack of them more and more costly to the city as a whole.

The Commission's reports recommended bridges at the foot of Spencer, King, William, and Queen streets. One has been constructed at Spencer-street and was an immediate and tremendous relief to traffic. It now carries more traffic than either Princes or Queen's Bridges and more commercial traffic than the other two together. At least one of the other bridges is now a most urgent need of Melbourne.

*Swan-street Bridge.*—The bridge now being built as a continuation of Swan-street across the river will help the traffic problem in many ways:—

- (1) Heavy goods traffic connecting Collingwood and Richmond factory areas with Port Melbourne, Fishermen's Bend, and the Docks, will have a more direct and quicker route.
- (2) The Flinders-street vehicular traffic will be reduced.
- (3) Traffic congestion on Queen's and Spencer street bridges will be reduced.
- (4) The pedestrian traffic in Flinders-street will greatly benefit.
- (5) An east-west by-pass will be formed south of the central business area—this will connect the eastern suburbs with Port Melbourne and Williamstown.
- (6) Easy access will be given to a number of sports grounds from all the southern suburbs without crossing Princes Bridge.

It will be desirable to construct an underpass at St. Kilda-road, either at Alexandra-avenue or Linlithgow-avenue. Some objections have been raised to the use of Alexandra-avenue by commercial vehicles, but the Board points out that the section of the avenue west of Jeffries-parade is now almost unused. Only approximately 1,400 vehicles passed along the section in both directions during the twelve hours of the census in 1947, a reduction of about one-third over the 1926 census figures, although the overall traffic of Melbourne increased by 62 per cent. in the twenty years between the two counts.

The Swan-street Bridge was placed on the urgent list by the Metropolitan Town Planning Commission in 1929, was recommended by an expert conference in 1936, and again by the conference called in 1946 by the Hon. P. J. Kennelly, M.L.C., when Minister of Public Works."

58. The subsequent decision of the Government to continue work on the bridge at Swan-street was gratifying to the Board, and it is confidently anticipated that, in due time, there will be the same general satisfaction at the adopted crossing as followed the provision of the Spencer-street Bridge. The Board recalls that even stronger but unwise opposition was expressed to the Spencer-street Bridge proposal prior to its construction.

59. It will, however, become essential for a better westerly approach to the Swan-street Bridge to be constructed underneath St. Kilda-road, probably in the vicinity of Alexandra-avenue junction. Some re-arrangement of the unsatisfactory street system on the south bank of the River Yarra in the South Melbourne Municipality to link with the St. Kilda-road underpass will also become necessary.

#### EASTERN HIGHWAY—(CITIES OF HEIDELBERG, NORTHCOTE, AND PRESTON).

60. In its Second Annual Report, the Board reported the progress made up to 30th June, 1947, at conferences with representatives of the Councils of the Cities of Heidelberg, Northcote, and Preston, the Housing Commission, the Country Roads Board, and other Government authorities concerning the provision of an eastern highway through the municipalities mentioned.

61. It was finally agreed that the following recommendations be made :—

- (1) That a highway 132 feet wide be provided from Sydney-road at Campbellfield to Bell-street, Preston, using the route and existing streets as shown on the accompanying plan.
- (2) That a road 80 feet wide be provided from Bell-street South to Heidelberg-road at Fairfield, on the eastern side of the proposed East Preston railway line and using either of the routes shown on the accompanying plan.
- (3) That the costs of acquisition be referred to the Country Roads Board for an estimate.
- (4) That Bell-street from the junction with the new highway easterly to Heidelberg be widened to 132 feet.
- (5) That Station-street be linked with Albert-street and other streets to the north as far as Broadway, as shown.
- (6) That necessary instructions be issued so that no development would be permitted that would prejudice the ultimate achievement of the proposed route.

62. Although these recommendations were submitted on 1st September, 1947, little or no progress can be reported as at 30th June, 1948.

63. The Board regrets that it has not been possible to at least reserve the route, but recognizes that the acquisition of the necessary land would be an unfair charge on the financial resources of the City of Preston. Moreover, the matter is essentially metropolitan in character and its fulfilment should not be the responsibility of an individual municipal council in whose district the main portion of the route is located.

64. The Board has, from time to time, advocated the creation of a Metropolitan Improvement Fund as was recommended by the Metropolitan Town Planning Commission in 1929. Such a fund could be used to finance other important projects, irrespective of the financial ability of the individual councils concerned.

65. This project provides another instance of the urgent need for a metropolitan planning authority.

## WIDENING OF BRIDGE-ROAD, RICHMOND.

66. During 1947, the then Minister of Public Works, Hon. P. J. Kennelly, M.L.C., requested the Board to prepare a planning scheme under the Town and Country Planning Act to provide for the widening of Bridge-road, Richmond, between Hoddle and Church streets.

67. An "existing conditions" plan was drawn up showing the present alignment of Bridge-road and the boundaries of all individual property holdings adjacent to the thoroughfare. The Board was unable to proceed further at this stage, as no reliable data was available to indicate the capital value of properties likely to be affected by any road-widening scheme.

68. Soon after your assumption of office, you approved of the expenditure of the necessary amount to enable arrangements being made with the Federal Deputy Commissioner of Taxation for his Senior Valuer to undertake the work. Due to his many other commitments, the Senior Valuer has, at 30th June, been unable to complete the work involved, but it is hoped that, within the ensuing twelve months, some finality will be achieved in the preparation of a scheme to alleviate this "bottle-neck".

## VICTORIA-STREET, CITY OF MELBOURNE.

69. In its Final Report of 1929, the Metropolitan Town Planning Commission recommended that action be taken to prolong the 3-chains width of Victoria-street just west of Nicholson-street, through to Latrobe-street, and produced a scheme for the treatment of the area adjacent to the intersection of Victoria, Spring, and Latrobe streets. By means of the prolongation of the 3-chains reserve, a difficult and somewhat dangerous intersection could have been avoided.

70. Early in 1948, it was announced that the Commonwealth Government had decided to acquire the whole of the area bounded by Spring, Latrobe, Exhibition, and Lonsdale streets, and erect thereon blocks of administrative offices. The Board thereupon drew the attention of the Melbourne City Council to the proposal put forward by the Metropolitan Town Planning Commission and recommended that representations be made to the Commonwealth Government for the release of the necessary land for road-widening purposes.

71. The proposal was later brought before the State Parliamentary Public Works Committee, which was enquiring into the proposal to construct a tramway in Latrobe-street to relieve Collins-street of many trams from Victoria-parade, and to provide greater facilities for people requiring access to and from the northern portion of the city.

72. The Board is pleased to learn that the Commonwealth Government is prepared to cede some land to permit of an improved arrangement of the intersection of Victoria, Spring, and Latrobe streets, and looks forward to seeing a scheme approved in the near future. It suggests that buildings should not extend so far north as to prevent the continuation through to Latrobe-street of the southern alignment of Victoria-parade.

## JUNCTION OF WARRIGAL-ROAD-HIGH-STREET, ASHBURTON.

73. In its Second Annual Report, the Board was pleased to be able to relate that agreement had been reached regarding the re-development of this important intersection. Since that date, the Camberwell City Council has agreed to carry out its part of the scheme, and the Housing Commission has agreed to make available the necessary land to make possible the deviation of High-street in the manner proposed.

74. It is unfortunate, however, that the Country Roads Board feels that it is not yet in a position to declare the small deviation of High-street, in the City of Camberwell, adjacent to Warrigal-road, as a main road, although High-street, in the Shire of Mulgrave, and Warrigal-road, have both been so declared. Consequent upon this policy, the Country Roads Board looks to the Camberwell City Council to provide at least half of the cost of constructing the deviation.

75. At the time the Board reported the scheme to you, it felt that, as the Camberwell City Council and the Housing Commission had co-operated so generously and spontaneously, they should not be involved in any further cost.

76. It would now appear that this desirable metropolitan improvement is in danger of being lost for the sake of an amount of less than £3,000. The Board cannot but once again point to the necessity for the creation of a fund from which such desirable metropolitan improvements could be met when they are not the direct responsibility of individual councils.

### ALTERNATIVE ROUTE TO ESSENDON AND THE AIRPORT.

77. Following receipt of advice that the Melbourne and Metropolitan Board of Works had prepared plans for the straightening of the course of the Moonee Ponds Creek for some distance north of Flemington Bridge, this Board called a conference, at the request of the Essendon City Council, for the purpose of inquiring whether the creek banks would provide sufficient space for the location of an alternative route to Essendon and the aerodrome. Such a route would permit of the by-passing of the narrow and congested Mt. Alexander-road, between Flemington Bridge and the Moonee Ponds Junction. A route in this location, having limited access for local traffic, would permit of rapid movement of traffic between the two points mentioned.

78. As yet, no definite route for the road between the creek and the Moonee Ponds Junction has been determined, but the Essendon City Council has taken out an interim development order under the Town and Country Planning Act to protect possible alternative routes pending further investigation into the questions of access and cost.

79. The necessity for an alternative route to the narrow section of Mt. Alexander-road was given special attention in the final report of the Metropolitan Town Planning Commission in 1929. The failure of the Government of the day to take advantage of the opportunity then offered has only accentuated the difficulty, and the 1947 traffic census figures further demonstrate the imperative need for some such scheme.

80. The Board sincerely hopes that the opportunity now offered for the provision of an alternative route along the Moonee Ponds Creek will not also be lost.

### BY-PASS TO SYDNEY-ROAD.

81. On having the question of the relief of traffic congestion in Sydney-road referred to it at the request of the Brunswick City Council, the Board considered alternative routes that might be provided for traffic travelling through the Cities of Brunswick and Coburg, and beyond, via the Hume Highway.

82. After investigation, the Board recommended that the proposal of the Metropolitan Town Planning Commission, as set out in its final report of 1929, with perhaps minor amendments, was still the most readily achievable. The proposal of that Commission embraced a route following the tramway reserve through Royal Park to Park-street, and forming a link with Melville-road (which is already 80 feet wide, north of Moreland-road) to Bell-street, thence by a link to be made with Derby-road which could be linked with East-street and Liston-road; and from the northern extremity of Liston-road, a short link to be provided to meet Sydney-road just south of Campbellfield.

83. The accompanying plan shows the feasibility of the proposal which has already been carried out in part by the municipalities concerned.

84. It is clear from an analysis of both the 1926 and 1947 censuses of traffic that the basic cause of the congestion in Sydney-road is the inadequate number of north-south routes in Brunswick and Coburg parallel with Sydney-road. By far the greater proportion of Sydney-road traffic enters or leaves that road at the various east-west connexions with it to serve the adjacent areas. There is a prevalent misconception about the quantity of traffic which passes to and from the City and the Hume Highway at Campbellfield and beyond.

85. The Board is of the same opinion as the Metropolitan Town Planning Commission that no other scheme will so effectively relieve Sydney-road as the development of the north-south route referred to above. It is one more instance of the urgent necessity to create the metropolitan fund referred to elsewhere in this report, so as to enable this vital work to proceed.

86. The Board visited the Brunswick City Council on 10th May, and, whilst expressing appreciation of the interest being taken in their problem by the Council, it was only possible to urge still further patience pending action by the Government along the lines recommended. The Board regrets that it is powerless to do more in a matter which nearly twenty years of further delay has only established additional proof of the impossibility of expecting local municipalities in the metropolitan area to undertake responsibilities which are purely metropolitan in character.



SHIRE OF FRANKSTON AND HASTINGS—RE-DEVELOPMENT SCHEME  
UNDER SECTION 594 OF THE LOCAL GOVERNMENT ACT.

87. During the twelve months under review, the Board, as required by the Act, reported to you on a scheme of re-subdivision and re-development put forward by the Council of the Shire of Frankston and Hastings.

88. The area embraced comprises some 12½ acres situated about a mile south of the Frankston Railway Station. The subdivision was an old one, dating prior to the passing of the *Local Government Act* 1914. It contained 124 blocks measuring 30 ft. x 90 ft. and contained four parallel roads, one being 40 feet wide and three only 30 feet wide. Only eighteen of the blocks had buildings erected on them, and most of these were of poor construction and had obviously been built as cheap week-end or holiday houses.

89. Because the blocks were too small to comply with present-day building regulations, and they fronted streets less than 50 feet wide, the blocks were not capable of development, although the locality immediately adjacent was advancing rapidly. The plan provides for the closing of certain streets and the opening of new ones of the cul-de-sac type, thus effecting considerable roadmaking economy. At the same time, better access is provided to the blocks in the new subdivision which has been carefully planned to make allowance for the rather steep and broken nature of the area and to reduce the steepness of the land as it affects individual blocks.

90. In the new subdivision there are 51 blocks, all of which should be readily saleable because the area is attractive, overlooking Port Phillip Bay. The accompanying plans show the old and the new subdivisional schemes.

91. In its report to you, the Board indicated its keen appreciation of the proposal advanced by the Council, and expressed the hope that this example would be followed by other Councils which have unsatisfactory subdivisions in their municipal districts.

THE MORWELL PROJECT.

92. The 1946 report of the State Electricity Commission on "Further Development of the Briquette Industry Based on the Brown Coal Resources in the Latrobe Valley" recommended that a new open-cut for winning brown coal, and an extensive plant for the manufacture of briquettes be proceeded with south of the township of Morwell. The Government decided to accept the recommendation and to push on with the project. This decision will result in a great expansion of Morwell, and it has been estimated that the population will increase from 3,000—which is the present total—to at least 12,000 people in the not distant future.

93. The then Premier (Hon. John Cain, M.L.A.) visited Morwell on 8th August, 1947, the Chairman of the Board being one of a group of senior officials accompanying him. The Council of the Shire of Morwell and other representative citizens presented a statement concerning the future of their town and the Premier explained the proposals of the Government. He promised that the Central Planning Authority, in consultation with the Town and Country Planning Board, should be asked to report on the direction in which the town should expand, but he stated that the Government was opposed to expansion of the town on land which covered coal areas economically suitable for the recovery of coal.

94. The Central Planning Authority appointed a committee including the Chairman of this Board to prepare a report on the development of Morwell. This Committee consulted the Shire Council, other local residents, as well as State Government instrumentalities, before submitting its report to the Central Planning Authority. This body adopted the report which was submitted to and adopted by Cabinet on 2nd March, 1948.

95. In the meantime, the Council of the Shire of Morwell, acting on the advice of the Board, passed a resolution on 17th March, 1948, to prepare a planning scheme covering an area embracing the northern portion of its Shire. It also took out an interim development order which was approved by the Governor in Council on 27th April 1948, and then appointed Planning Consultants to prepare a planning scheme for an area embracing the town of Morwell and the adjoining areas.

96. In May last, the Government requested the Minister in Charge of State Development (Hon. H. J. T. Hyland, M.L.A.) to co-ordinate the plans of the various State instrumentalities. He accordingly called a conference for Thursday, 10th June. Representatives of the following bodies were present :—Premier's Department, State Electricity Commission, Country Roads Board, Victorian Railways, Railways Construction Branch, Housing Commission, State Rivers and Water Supply Commission, Town and Country Planning Board (as observers), Education Department, Health Department, and the Shire of Morwell and its Planning Consultants.

97. Prior to the assembly, the Board submitted a statement to the Chairman of the Conference, pointing out that the *Town and Country Planning Act* 1944 is the only legislation under which the objects of the conference could be satisfactorily achieved and recommended :—

- (1) That the interested Government authorities co-operate with the Morwell Shire Council in preparing a planning scheme under the Town and Country Planning Act.
- (2) That a small technical committee be formed comprising representatives from the Government authorities (State Electricity Commission, State Rivers and Water Supply Commission, Country Roads Board, and Railways), together with the Council's Town Planner, to draw up a plan.
- (3) That an area of land that will not conflict with essential needs of other authorities be allocated to the Housing Commission at the earliest possible date to enable it to commence the erection of the first group of houses.
- (4) That the cost of the planning scheme be met by the authorities concerned or the State Electricity Commission as the amount would not be great in proportion to the ultimate expenditure.
- (5) That no permits for development in the interim (during the preparation of the scheme) be issued by the Shire Council unless recommended by the Technical Committee.
- (6) That, in the event of any compensation being awarded for injury due to the enforcement of an interim development order, the authority initiating the control be responsible and indemnify the Council accordingly; and
- (7) That, if the Technical Sub-committee fails to agree on any matter in dispute, the Town and Country Planning Board be asked to arbitrate.

98. The matters discussed at the Conference were :—

- (1) Location of Water Reservoir and supply from Tyers River;
- (2) Narrow gauge railway to connect new open-cut with that at Yallourn;
- (3) Location of permanent and temporary hostels for State Electricity Commission workers;
- (4) Reservation of land north and north-west of present town for future coal-winning;
- (5) Areas for Housing Commission to develop;
- (6) Location and size of areas for educational purposes;
- (7) Health services and ambulance stations;
- (8) Building extensions and alterations; and
- (9) Road alterations.

Sub-committees were appointed to consider the location of the reservoir and the main roads adjacent to the town, but the Minister deferred the recommendation of the Board regarding the technical committee.

99. A second meeting of the Conference was held on 24th June, at which further consideration was given to the problems.

100. Following each Conference, the Chairman reported progress to Cabinet, which, after the second Conference, recorded the following decision :—

“ Cabinet directs that all Commissions, Boards, and Departments concerned in the Morwell brown coal project must display the utmost expedition in completing the planning stages of the project; Minister to advise all concerned.”



101. The Board received a letter from the presiding Minister, dated 30th June, conveying this decision, seeking the fullest co-operation from the Board. The Board appreciates the vital importance of the project to the State and expresses its intention of doing everything in its power to further the co-ordinated planning of the project. It records its opinion, however, that, in view of the stressed urgency, quicker results might have accrued had a technical committee of those most vitally concerned been set up to examine the technical problems concurrently with the holding of the larger conferences which could have determined matters of policy.

#### PRINCES HIGHWAY, MOE.

102. Consequent upon the extension of operations for the winning of brown coal in the Yallourn-Morwell area, the development of the township of Moe was brought into prominence when the Housing Commission undertook to erect some 600 houses to cater for the needs of persons to be employed in connexion with the industry. The Commission selected as its main site the rising ground to the south of the town.

103. About the same time as the Commission became interested in the area, the Country Roads Board was considering the diversion of the Princes Highway with a view to by-passing certain towns where narrow main streets now form the route of the highway. The route selected, as regards the Moe area, cut through the Housing Commission's estate, and the Commission objected to a State highway passing through its neighbourhood.

104. As the Country Roads Board could not determine an alternative route acceptable to it, the Minister was requested to arbitrate in the matter after having the whole question examined by the Town and Country Planning Board. Accordingly, in August, 1947, the Board conducted an inquiry at Moe and took evidence from representatives of the Country Roads Board, the Housing Commission, and the Council of the Shire of Narracan and its town planning consultants. It was generally agreed that the present route, and especially the narrow and dangerous bridge crossing of the railway line, should be discontinued as soon as possible.

105. The Housing Commission and the Shire Council contended that the present route should be retained, but, in lieu of crossing the line from south to north by means of the existing bridge, the highway should continue easterly on the south of the railway reserve and skirt it for some distance beyond the town to a point where the railway could be underpassed.

106. The Country Roads Board contended that its proposed deviation was the most economical proposition as it did not involve the acquisition of improvements on land to the same extent as did the widening of the present route through the town centre and its continuation in an easterly direction. It was pointed out that it was the policy of the Country Roads Board to endeavour to avoid highways in the centre of townships wherever the opportunity occurred to make such a change.

107. After considering the evidence submitted, the Board reported to you on 28th August that it considered that the Country Roads Board proposal should be approved because—

- (1) if the main highway were to pass through the centre of the town the risk of accident to the townspeople as a whole could be far greater than any such risk arising out of the adoption of the Country Roads Board's proposal ;
- (2) the 3-chains wide reserve, as incorporated in the Housing Commission's plan of subdivision as the site of the highway, provides sufficient space to enable the planning of local service roads separated from the main traffic thoroughfare ;
- (3) a pedestrian underpass could be constructed at relatively small cost, thereby connecting houses on either side of the highway and giving children the most direct access to the school and community centre planned to the north of it and obviate any risk of accident ;
- (4) the proposal that the old Melbourne-road, skirting Moe to the north, be developed as the main highway is unacceptable because of the cost involved and the evidence given that at least 50 per cent. of the traffic using the present highway is of a local or inter-town nature ;

- (5) even if land were resumed to permit the continuation of the present highway along the southern fringe of the railway reserve, the location of such a vital highway through the centre of such a potentially important town cannot be recommended when more economical alternatives are available ;
- (6) the Housing Commission's area could have been planned to still further reduce the risk of accident by limiting the points of access to the highway reserve.

108. A sketch of a proposed method of treatment of the highway reserve, which this Board considered acceptable and providing a maximum degree of safety to residents in the Housing Commission's estate, accompanies this report.

109. During the month of March, the Board was advised that you had decided that the route south of the town should be adopted.

#### DEVELOPMENT OF ROBINVALE.

110. The Soldier Settlement Commission's proposal to open up 3,500 acres of Crown land to irrigation for the growing of citrus and drying fruits for the purpose of settling some 150 ex-servicemen on individual blocks, necessitated consideration being given to the now small township of Robinvale, situated on the River Murray between Mildura and Swan Hill.

111. Varying estimates have been made as to the probable township population and the housing, shopping, and other facilities required, and it was thought desirable to co-ordinate all development by means of a town-planning scheme.

112. The Housing Commission took an option over approximately 1 square mile in the township, and, in conjunction with the Swan Hill Shire Council, prepared a preliminary town plan for the area. The Housing Commission has now decided that the probable growth of the town does not now necessitate its retention of such a large area and has abandoned its project.

113. It is pleasing to relate, however, that the Swan Hill Shire Council, with the co-operation of the residents of Robinvale, is proceeding with the completion of a planning scheme on a revised basis.

#### ZONING—RESIDENTIAL AREA BY-LAWS.

114. The Board reported to you on several by-laws submitted to you for the approval of the Governor in Council under Section 197 of the Local Government Act. Among these were by-laws submitted by the Cities of Box Hill, Brunswick, Caulfield, Collingwood, Essendon, Footscray, Hawthorn, Heidelberg, Moorabbin, Northcote, Oakleigh, Richmond, St. Kilda ; the Boroughs of Ringwood, Shepparton ; and the Shires of Broadmeadows, Dandenong, Frankston and Hastings, and Phillip Island.

115. From a perusal of those by-laws, it is apparent that few of the metropolitan councils have by-laws adequately regulating areas for residential, shopping, factory, and other development, and which give a desirable insurance against the intrusion of incongruous uses detrimental to both people and property, although there has been provision in the Local Government Act for this desirable form of municipal government for many years. Little or no consideration is given to the segregation of shops and factories according to the needs of any particular area.

116. Some councils do no more than prescribe limited residential zones (and in the broadest terms), leaving large areas "undeclared" and therefore open to indiscriminate development. Many councils whose districts are developed by high-class residences might experience the greatest difficulty in withstanding a legal challenge to their by-laws which they believe protect their residents from the encroachment of factories and other commercial buildings. Some councils have realized the need for providing new, or revising their old, by-laws, and have set about doing so when their attention has been drawn to the matter by the Board.

117. Few country municipal councils realize the advantage to be obtained by using the existing powers conferred by the Local Government Act which enable them to regulate the use of land in their towns for specified purposes.

118. Use zoning is a fundamental necessity for every municipality, and is a basic requirement for most town and country planning schemes. It affords protection for all parties against incongruous adjoining development; it protects property values; it greatly facilitates planning of all public services; it enhances the amenities of every locality so treated; and it ensures economics in public expenditure.

119. Once a residential area by-law has been approved by the Governor in Council, it is the duty of the Council making the by-law to enforce its observance and to prohibit the carrying out or erection of any new works or buildings otherwise than in conformity with the provisions of the by-law.

120. It has been brought to the notice of the Board, however, that certain councils do not observe their own by-laws strictly, and are prepared to permit development that is prohibited by the by-law. Alternatively, some councils permit development in anticipation of the approval of the Governor in Council to an amending by-law.

121. The Board desires to reiterate that the main purpose of use zoning is to prevent mixed or incongruous adjoining development, and that councils should, under no circumstances, subscribe to any departure from the terms of their by-laws.

#### LOCAL GOVERNMENT ACT—SUPREME COURT JUDGMENT.

122. The judgment given in the Supreme Court late in 1947 by Mr. Justice Barry, in the case of *The King v. The Mayor, Councillors and Citizens of the City of Moorabbin and the Council of the Municipality of Moorabbin ex parte Jakob Kurt Kahn*, is of considerable importance to municipal councils. It relates principally to the interpretation of sub-section (7) of section 197 of the *Local Government Act 1946*, and concerned the refusal of the Council to grant to Kahn a permit for the extension of his factory over land that was prescribed by the Council's By-law No. 101 as a residential area in which the use of any land, &c., for the purpose of any trade, manufactory, &c., was prohibited. The land had previously been similarly prescribed under By-law No. 62, which was in operation prior to Kahn purchasing the land in question which adjoined his existing factory site.

123. In consolidating its residential area by-law under By-law No. 101, the Council repealed all previous by-laws, but substantially re-enacted their provisions. The judgment held that, as By-law No. 62 had been repealed by By-law No. 101, the latter was the only by-law that could be taken into consideration for the purposes of the judgment. The land in question having been held in the same ownership prior to the coming into operation of By-law No. 101, Mr. Justice Barry held that section 197 (7) of the *Local Government Act 1946* did not preclude the right of the owner to obtain a permit from the Council for the desired extensions to his factory.

124. On appeal by the Council, the State Full Court upheld the judgment of Mr. Justice Barry. In concluding the judgment, the Court said:—

“The legislature may, of course, think it wise to amend section 197 (7). Our only function is to construe it as it stands.”

125. Thus, a serious flaw exists in the legislation which could never have been intended by Parliament.

126. Until such time as the law is amended, it will be necessary, wherever undesirable extensions of this kind are to be avoided, for Councils to continue to amend their old residential area by-laws rather than to consolidate all zoning provisions in a new by-law. It is obviously preferable that councils should be able to consolidate their zoning by-laws from time to time, without incurring the risk of having their provisions upset in the manner mentioned.

127. Therefore, shortly after this judgment was given, the Board submitted a recommendation that the loophole thus discovered should be the subject of urgent Parliamentary action. The Board appreciates advice that draft amending legislation has been prepared and trusts that it will soon be passed by Parliament.

## ALTERATION TO STREET ALIGNMENTS.

128. During the month of May, 1948, the Local Government (Street Alignment) Bill was introduced into Parliament. This Bill, when it becomes law, should do much to correct unsuitable and inadequate street alignments by providing a means of effecting widening schemes.

129. The Board gave careful consideration to the clauses of the Bill and suggested certain amendments which might be moved in the committee stages of its consideration by the Legislative Assembly. They were as follow :—

## PART I.

*Clause 12.*—An additional sub-clause is suggested—

“ 1. (e) That after such new alignment has been declared for ten years the Council may give notice to the owner of any building or fence which encroaches beyond the new alignment that such owner shall within a period not exceeding five years make such building or fence conform to the new alignment.”

## PART II.

*Clause 21.*—At the end of the proviso add—

“ but any such repairs or improvements shall be excluded from any liability by the Council for compensation ”.

*Clause 22.*—It is considered this clause should be more specific in its intentions, or, alternatively, the clause should be omitted.

*Clause 24.*—After the word “ compensation ” in the first line of sub-clause (3), add “ if any ”.

Add an additional sub-clause—

(4) “ In the event of the Council levying a betterment rate due to the increase in value of any land caused by the road widening each owner assessed on both sides of the road shall have the right of an appeal to an independent valuer and a determination shall be reached in a manner similar to that provided in Part XL. of the Local Government Act with respect to the making of compensation by a council.”

*Clause 26.*—This clause should be amended to read—

“ Where in the opinion of the Council the fixing of a new alignment or the acquisition of the land between the new alignment and the old alignment pursuant to this Part renders any land which is not between the said alignments insufficient in area to enable the erection of any building permitted by any existing building or other regulation of the Council the Council may at any time acquire that land and such further land (either by agreement or compulsorily) as the Council considers necessary to obtain an economically usable allotment of land. The Council may at any time sell or otherwise dispose of any land so so acquired in such manner as the Council thinks fit.”

*Clause 31.*—A new clause is suggested :—

“ The provisions of this Act shall be binding on all State public authorities unless the Governor in Council on the recommendation of the Minister otherwise directs.”

130. As at 30th June, this matter is still before Parliament. The Board hopes that the Bill will be passed with the amendments included therein.

## UNIFORM BUILDING REGULATIONS.

131. Under powers conferred by the *Local Government (Building Regulations) Act 1940* (No. 4796), Uniform Building Regulations were approved by the Governor in Council in 1945.

132. These regulations control all building operations in cities and towns throughout Victoria and may be adopted in whole or in part by Borough and Shire Councils; a number of such councils have already adopted them. The regulations are not binding on Commonwealth or State instrumentalities including the Housing Commission.

133. The regulations have now been in force since 1st August, 1945, and sufficient experience has been gained to convince many councils that amendments are required. The Municipal Association has accordingly appointed a sub-committee which is preparing a list of proposed amendments.

134. The Board has given some consideration to certain sections of the Regulations that, in its opinion, are town planning matters. It recommends that, when the question of amending the building regulations is raised, consideration should be given to deleting such matters and including them in amendments to the Town and Country Planning Act.

135. Although the Board has not been able to give sufficient time during the year to a careful examination of these items in detail, it suggests the following clauses concern town and country planning:—

## CHAPTER 8.—SITE REQUIREMENTS.

*Clause 803.*—This is a table setting out minimum areas or sites for houses and flats and gives a council five (5) alternative areas. For example, column 1 gives the minimum size of an allotment on which a house can be built as 3,300 square feet with a frontage of 33 feet, whilst column 5 requires a minimum area of 9,300 square feet and 60 feet frontage for a residence.

*Clauses 804 and 805.*—These clauses deal with the distance of houses and flats from street alignments.

*Clauses 808 and 809* deal with the distance from boundaries and areas for buildings of types other than houses and flats. The buildings covered include boarding-houses, shops, warehouses, factories, and public buildings.

*Clause 810.*—This clause deals with open spaces adjacent to residential shops and other types of buildings to which residences are attached.

*Clause 813* is an important clause dealing with a Council's powers to make by-laws prescribing brick areas, limiting the height of residential buildings in certain areas, deciding distance buildings must be set back from street alignments, flats in business areas, &c.

## CHAPTER 9.

*Clauses 901 and 902* deal with the permitted height of buildings in relation to the width of streets.

136. The Uniform Building Regulations set down certain requirements as to the area of building sites, the open space around buildings, distances from the street, and allotment boundaries, all of which are intended to meet the varying conditions of development in cities and towns. It is competent for a Council by by-law to specify which of the sets of conditions it will adopt and apply to the whole of its area. Power is also given for a Council, subject to regulations (not yet promulgated) under the Housing and Slum Reclamation Act to permit the erection of buildings on sites below minimum area requirements on land in respect of which a separate title existed prior to the coming into operation of the Uniform Building Regulations.

137. While it is felt that these provisions of the Uniform Building Regulations are a decided advance on the conditions before their enactment, they do not fully provide for the desirable development of the many different types of areas which can be found even in one municipal district. This part of the regulations must, therefore, remain the most un-uniform section of the Uniform Building Regulations.

138. This Board considers that town planning schemes should not only classify areas for the various types of development, but should also define the height, area, and bulk of those buildings and the space about them.

139. The Town and Country Planning Act enables town planning schemes to include such matters, and it is considered that an approved planning scheme which incorporates such matters should necessarily supersede any provisions of the Uniform Building Regulations which purport to achieve a similar regulation.

#### CUMBERLAND COUNTY COUNCIL SCHEME FOR GREATER SYDNEY.

140. On 27th July, 1948, the Cumberland County Council is due to present to the Minister of Local Government the scheme of development it has prepared in less than three years in respect of some 1,250 square miles of territory. It embraces 69 municipalities, and stretches from the Hawkesbury River in the north to the Bulli Pass in the south, and from the coast to the foot of the Blue Mountains in the west. Over 1½ million people live within the area.

141. To mark the occasion, the Cumberland County Council is arranging a suitable presentation ceremony in the Sydney Town Hall, to which have been invited representatives of public and municipal authorities and kindred bodies from interstate (including this Board).

142. The official invitation contained a miniature reproduction of the scheme and the following pertinent comment :—

“ The adoption of the Planning Scheme for the County of Cumberland will mark the end of an era of unplanned growth during which Sydney grew to be the second city of the British Empire.

It has long been realized that this rapid growth created problems which jeopardized the future of the entire County of Cumberland. Local Government, less than three years ago, was charged with the responsibility of providing the solution by 27th July, 1948.

Alive to the urgency of the need, the Cumberland County Council accepted the assignment and now records with pride the completion of the task by the appointed day.

Prepared in a little over two years, the scheme is a landmark in Australian history.”

143. Prior to the presentation of the scheme to the Minister, it has been on exhibition for a period of three months, during which time some 3,350 objections were lodged—a surprisingly small number in view of the area and the number of people and vested interests involved. All except about 600 of these objections were resolved by agreement or alterations to the plan.

#### TOWN AND COUNTRY PLANNING IN BRITAIN.

144. It is generally acknowledged that Britain is in advance of other countries in town and country planning. The *Town and Country Planning Act 1947* is now in force. The whole of England, Scotland, and Wales is to be planned, the country being divided into areas, each under the control of a Planning Authority. These authorities in some cases are County Councils, and in other cases Regional Councils controlling areas that may be larger than counties. Each authority is charged with the duty of preparing a development plan for its area within three years and these plans must all be revised every five years.

145. A development plan will set out in general terms the use of all land but no detailed planning will be attempted. All matters of major importance, such as land reserved for agriculture, forests, mining, river and foreshore reserves, are to be shown on the plan as well as major communications such as highways canals, railways, and airfields. Towns within the area will not be planned in detail, but those that are suitable for growth will be indicated. The detailed planning will be carried out by the local authorities when this is required.

146. An illustration of the wide scope of this new Act lies in the control over the location of large new industries. Before a manufacturer can commence a new industry he must seek the guidance of the Ministry of Town and Country Planning as well as the Board of Trade. It is hoped that this procedure will help real decentralization, as well as assist in providing continuance of employment on a permanent basis.

147. Landowners may continue the existing use of their land, but must obtain consent to any change of use, which will not be granted unless it conforms to the development plan or is permitted by the Minister on appeal to him. It is hoped this power will preserve valuable food producing areas, ensure that new industries are placed in suitable positions, and stop at last the dreadful "outward sprawl" of housing that has been such a tragic feature of development in Britain for so long.

148. When the use of any land is changed and this results in its value being reduced, the owner will receive compensation from the Government and a very large capital sum is provided to meet such claims. On the other hand, where development is permitted, any increase in land value is to be collected in whole or in part by the Government in the form of a "Development Charge".

149. This English Act is still in the experimental stage, but is a very real attempt to secure the best use of all land for the good of the whole of the people.

#### GENERAL.

150. Other matters which came before the Board were—

- (a) the re-alignment of the Prince's Highway through Dandenong township consequent upon the rebuilding of and extensions to the Postmaster-General's property comprising the Post Office and Regional Telephone Exchange ;
- (b) the improvement of the railway level crossing at Boronia, which has been the scene of fatal accidents between electric trains and other vehicles ;
- (c) the deviation of the Calder Highway from Keilor-road consequent upon the easterly extension of Bell-street, Coburg, across the Moonee Ponds Creek ;
- (d) a re-subdivision of an area in the City of Nunawading which had been badly subdivided many years ago, and which does not meet the requirements of the enactments relating to size of allotments and width of streets ;
- (e) the adequacy of the width of North-road east of East Boundary-road, in the Cities of Moorabbin and Oakleigh ;
- (f) the re-arrangement of Cummings-lane and Bluff-road in the Cities of Brighton, Moorabbin, and Sandringham, with a view to providing better connection between them where they meet South-road ;
- (g) the desirability of regulating the display of roadside advertising signs.

#### DELAY IN PRINTING ANNUAL REPORT.

151. During the course of the debate on the Town and Country Planning Bill, which was presented to Parliament in May, reference was made to the fact that printed copies of the Board's Annual Report for the year ended 30th June, 1947, had only just then come to hand, although the Act required the Board to present its report to the Minister by 30th September in each year.

152. The Board's report for the year ended 30th June, 1947, was presented to you by 30th September. Parliament did not meet until October, 1947, and was then almost immediately dissolved. The report was presented to Parliament in December and ordered to be printed.

153. As numerous other annual reports were then awaiting printing, the Government Printer, due to general pressure of work, was unable to finalize the Board's report until May, 1948. Circumstances beyond the Board's control, therefore, prevented the Second Annual Report from being generally circulated until some months after its preparation had been completed.

## STAFF.

154. During the twelve months under review, no appointments to the staff were made.

155. Your approval of the appointment of a Technical Officer to assist the Board is appreciated. Applications had been called as at 30th June, and, when an appointment is made, much greater assistance can be given to those Councils contemplating and preparing planning schemes.

156. You also approved of the appointment of another draughtsman, the necessity for whose appointment was pointed out in the Board's last report. At 30th June, applicants were being interviewed with a view to an early appointment.

Yours faithfully,

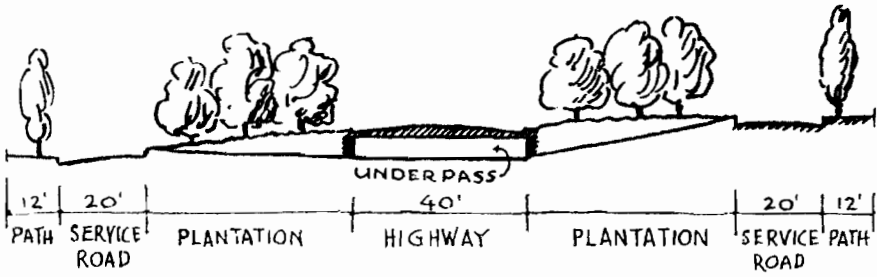
J. S. GAWLER, Chairman.

F. C. COOK, Member.

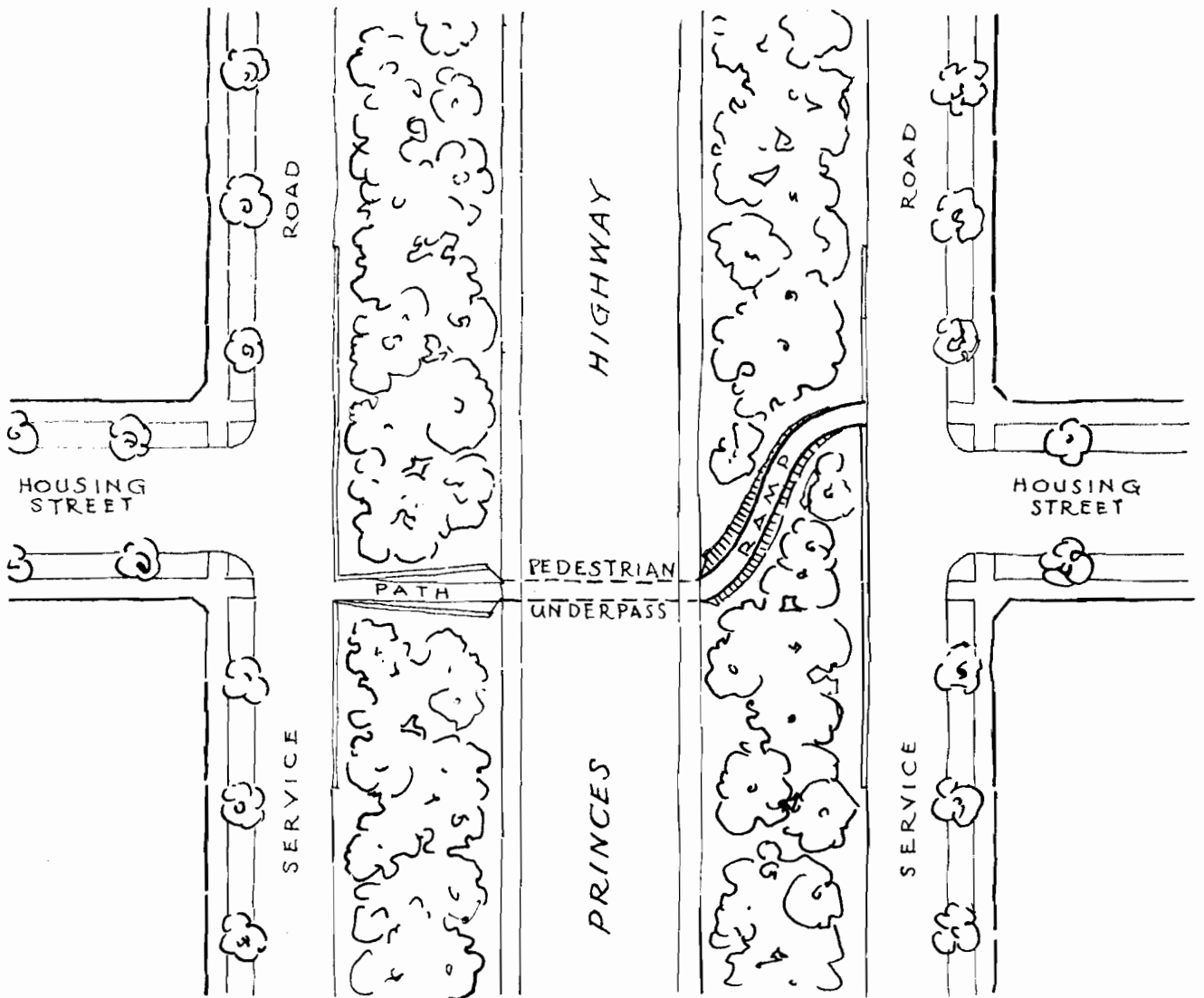
A. N. KEMSLEY, Member.

J. D. McNAMARA, Secretary.





TYPICAL SECTION  
SHOWING PEDESTRIAN UNDERPASS








SKETCH of UNDERPASS at MOE  
scale 1"=40'

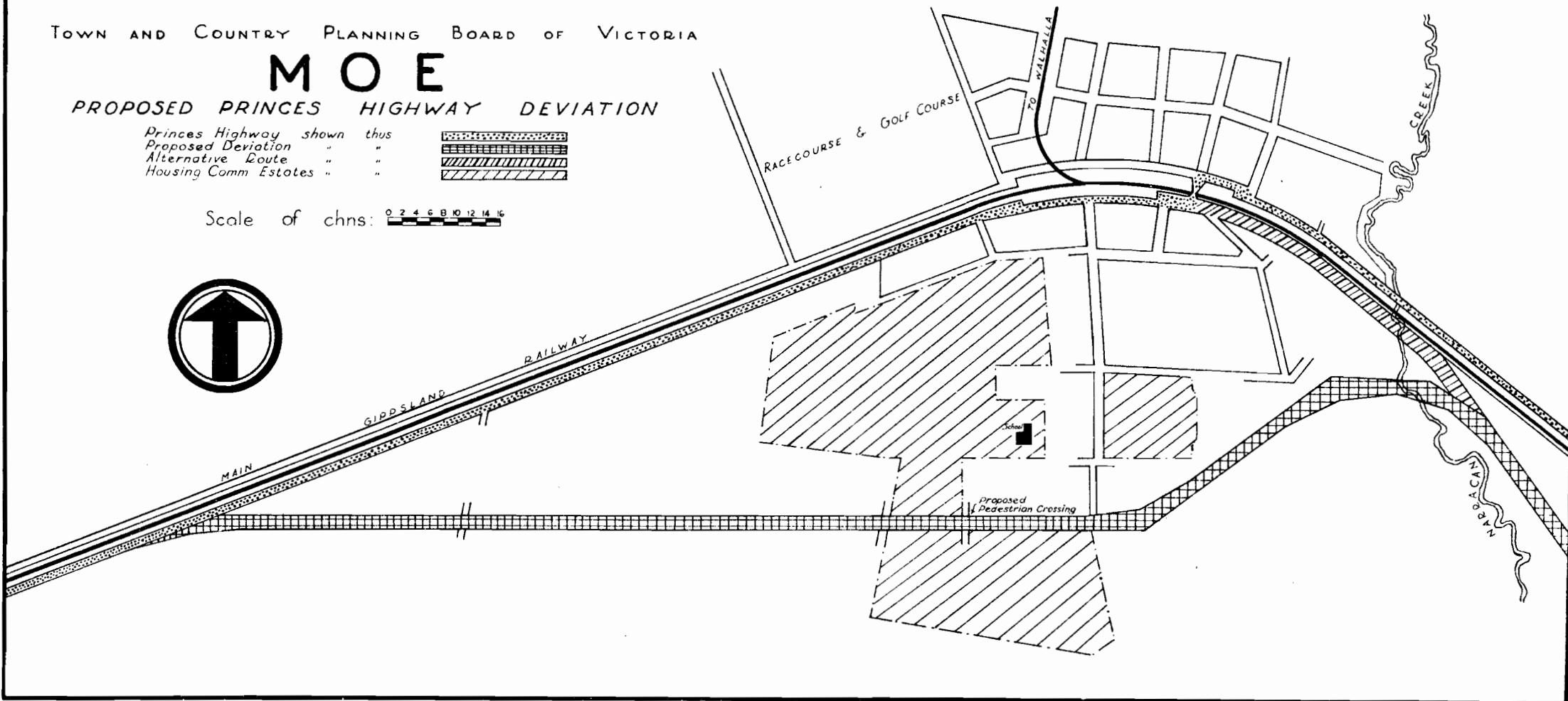
TOWN AND COUNTRY PLANNING BOARD OF VICTORIA

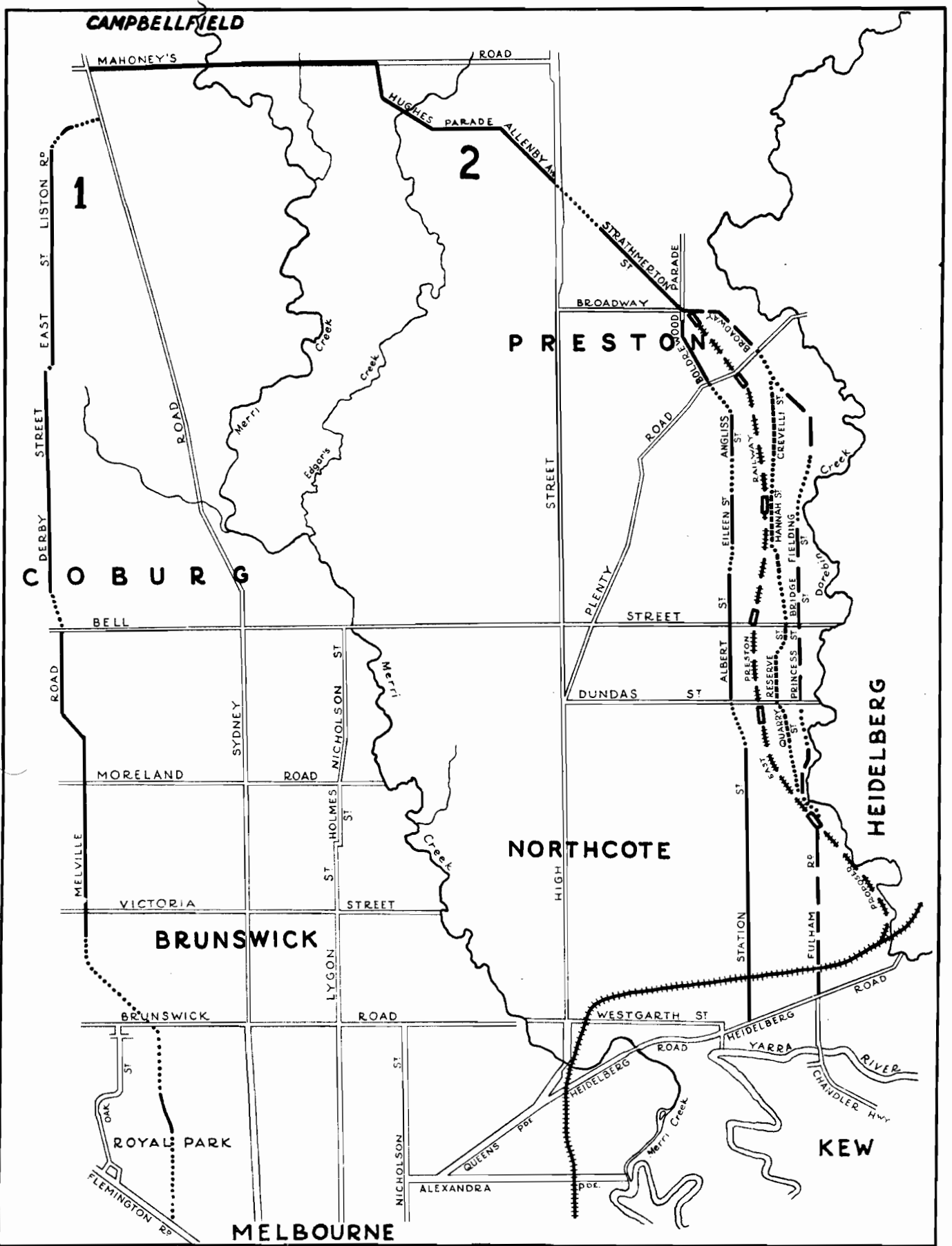
# MOE

## PROPOSED PRINCES HIGHWAY DEVIATION

Princes Highway shown thus	
Proposed Deviation " "	
Alternative Route " "	
Housing Comm Estates " "	

Scale of chns: 



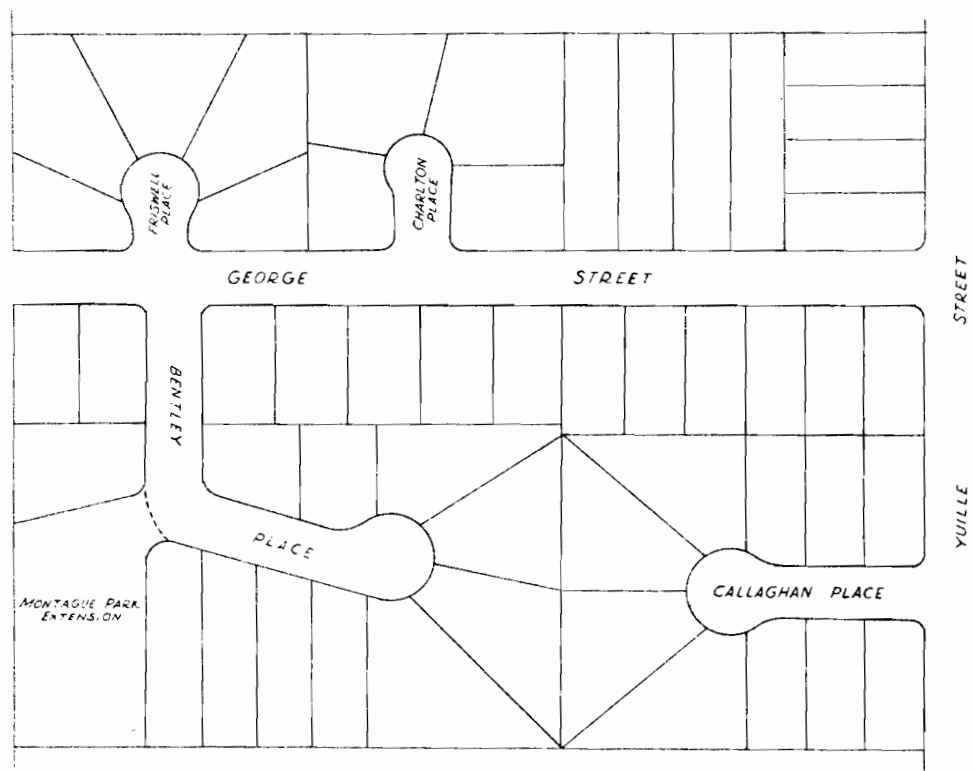
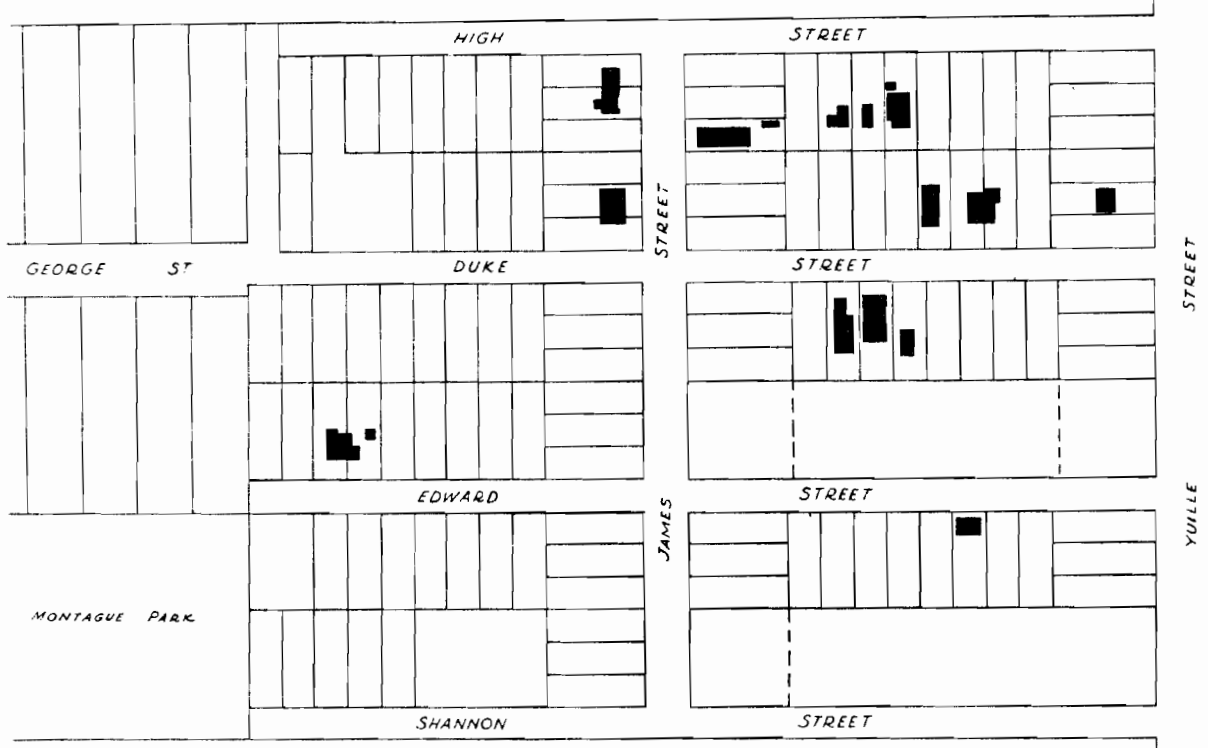


TOWN AND COUNTRY PLANNING BOARD OF VICTORIA

# THE PROBLEM OF ARTERIAL ROADS

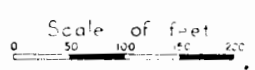
TWO PROPOSALS ARE UNDER CONSIDERATION

- 1 An alternative route from the city leading to Sydney Road at Campbellfield to relieve the acute traffic congestion in Sydney Road Brunswick.
- 2 The Eastern Highway Proposal. This new route would pass through Preston and Northcote.



# FRANKSTON REDEVELOPMENT SCHEME

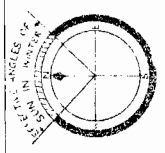
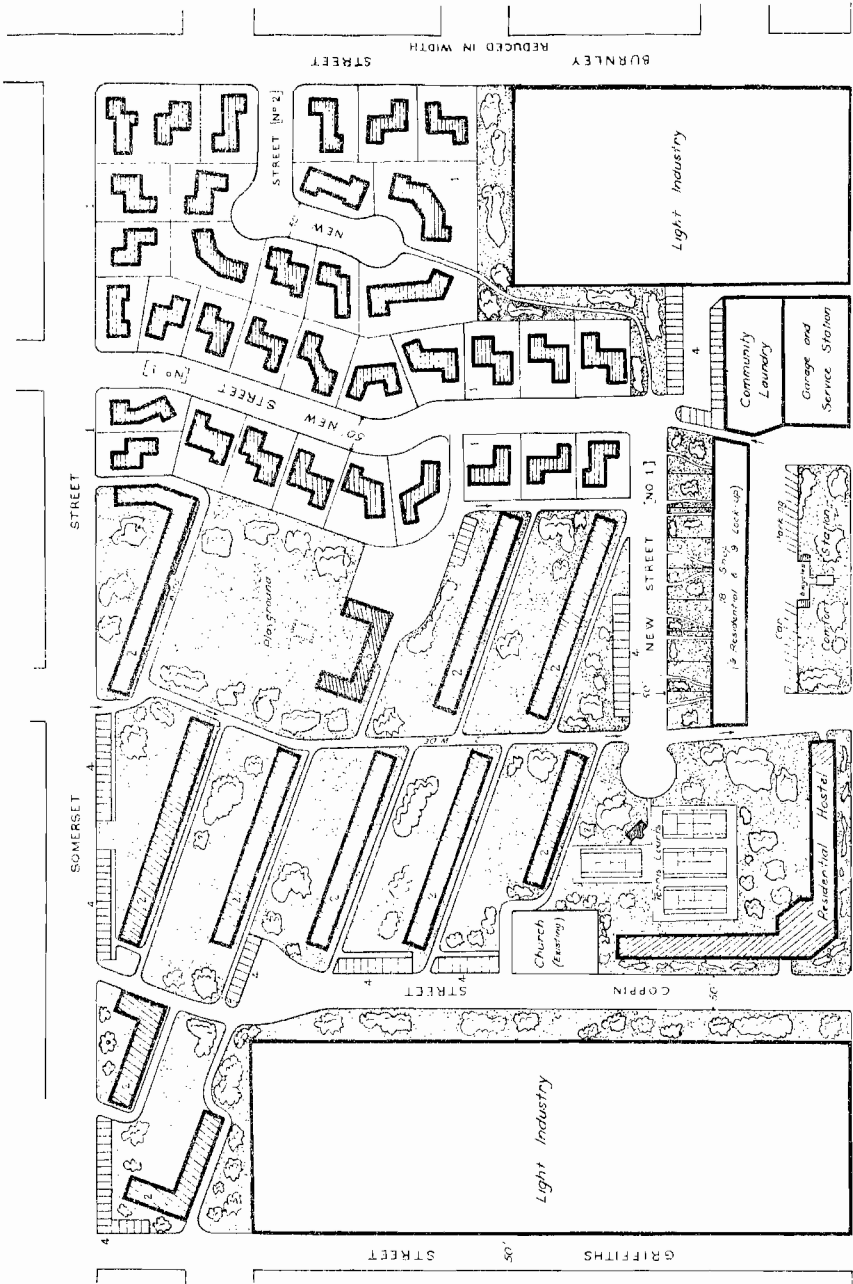
Under Section 594 of the Local Govt Act



EXISTING CONDITIONS



DEVELOPMENT SCHEME



LEGEND

H	HOUSE
S	SHOP
F	FACILITY

TOWN AND COUNTRY PLANNING BOARD OF VICTORIA


A REPLANNING SCHEME FOR THE CITY OF RICHMOND

LEGEND

1. BLOCKS OF 4 APARTMENTS
2. BLOCKS OF 3 STOREY FLATS
3. COMMUNITY BUILDINGS
4. GARAGES

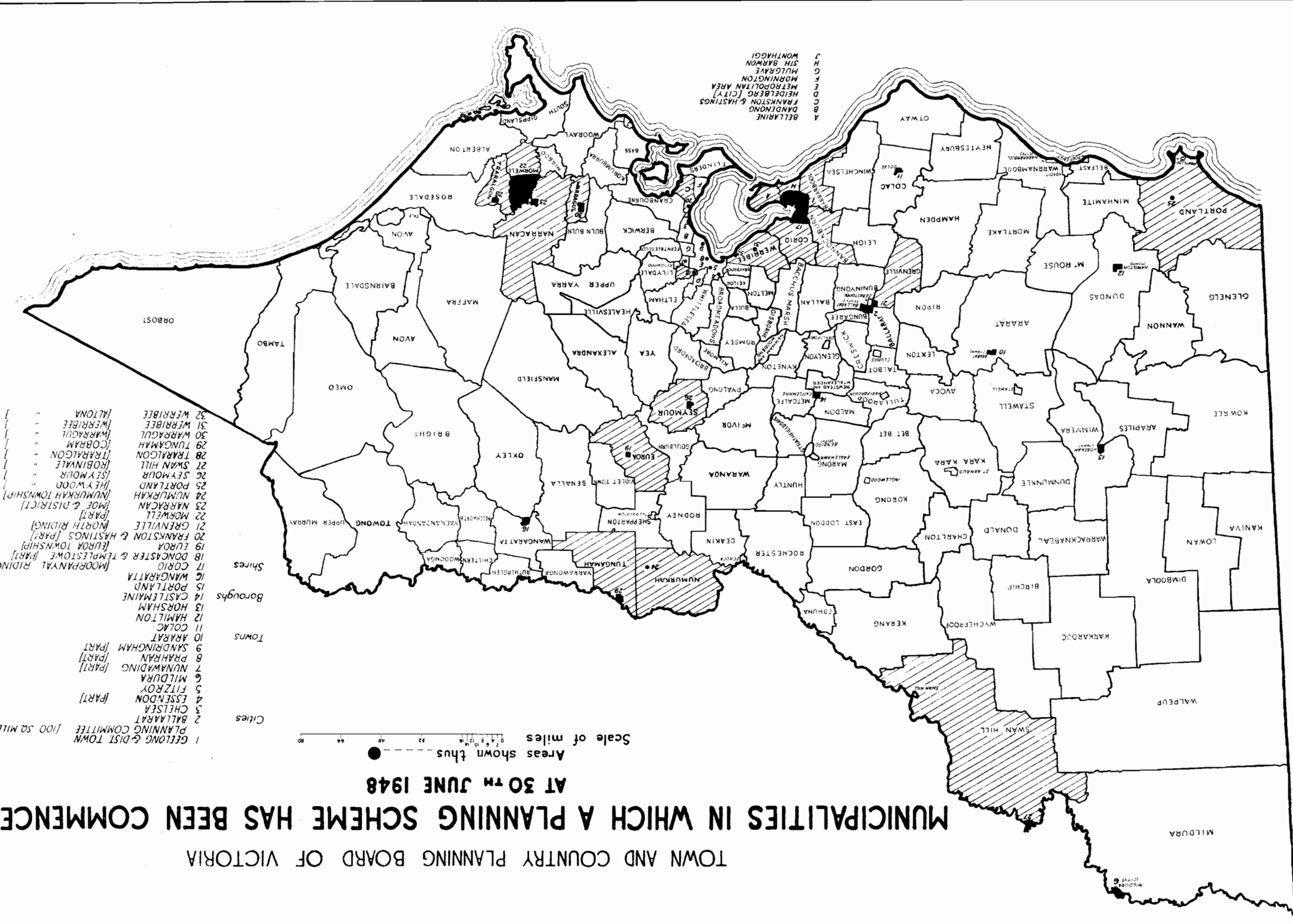
# TOWN AND COUNTRY PLANNING BOARD OF VICTORIA MUNICIPALITIES IN WHICH A PLANNING SCHEME HAS BEEN COMMENCED

AT 30<sup>TH</sup> JUNE 1948

Areas shown thus  Scale of miles



- |    |  |          |
|----|--|----------|
| 1  | GELLONG & DIST. TOWN PLANNING COMMITTEE [100 SQ MILES] | Cities   |
| 2  | BALLARAT   |          |
| 3  | CHELSEA  |          |
| 4  | ESSENDON [PART]  |          |
| 5  | FITZROY  |          |
| 6  | MILDURA  |          |
| 7  | NUMAWADING [PART]                                      |          |
| 8  | PAHRAN [PART]  |          |
| 9  | SANDRINGHAM [PART]                                     |          |
| 10 | ARARAT   | Towns    |
| 11 | COLAC  |          |
| 12 | HAMILTON   |          |
| 13 | HORSHAM  |          |
| 14 | CASTLEMAINE  | Boroughs |
| 15 | PORTLAND   |          |
| 16 | WANGARATTA   |          |
| 17 | CORIO [MOORPARANYAL RIDING]                            | Shires   |
| 18 | DONCASTER & TEMPESTOWE [PART]                          |          |
| 19 | EURA [EUROA TOWNSHIP]                                  |          |
| 20 | FRANKSTON & HASTINGS [PART]                            |          |
| 21 | GRENVILLE [NORTH RIDING]                               |          |
| 22 | MORWELL [PART]   |          |
| 23 | NARRACAN [MOE & DISTRICT]                              |          |
| 24 | NUMURKAH [NUMURKAH TOWNSHIP]                           |          |
| 25 | PORTLAND [HEYWOOD]                                     |          |
| 26 | SEYMOUR [SEYMOUR]                                      |          |
| 27 | SWAN HILL [ROBINVALE]                                  |          |
| 28 | TRARALGON [TRARALGON]                                  |          |
| 29 | TUNGAMAH [WARRAGUL]                                    |          |
| 30 | WARRAGUL [WARRAGUL]                                    |          |
| 31 | WERRIBE [WERRIBE]                                      |          |
| 32 | WERRIBE [ALTONA]                                       |          |



BELLARINE  
FRANKSTON & HASTINGS  
HEIDELBERG [CITY]  
METROPOLITAN AREA  
MORNINGTON  
MULGRAVE  
5TH BARMON  
WONTHAGGI