

27 June 2006**HARDWARE LANE, MELBOURNE – PROPOSED EXTENSION
TO THE INTERMITTENT CLOSURE HOURS****Committee** Planning**Presenter** Cr Ng**Purpose**

1. To recommend to Council that the proposed extension to the operating hours of the intermittent closure of Hardware Lane, Melbourne, between Bourke Street and Lonsdale Street, should not proceed.

Recommendation

2. That Council:
 - 2.1. refuse the extension of the intermittent closure hours of Hardware Lane due to the following:
 - 2.1.1. the area is a mixed use zone and not predominately cafes;
 - 2.1.2. access to the car park must not be restricted; and
 - 2.1.3. there is no evidence to suggest any benefits to the surrounding business;
 - 2.2. request a comprehensive study of the area be undertaken in relation to the benefits of any extension of closure hours;
 - 2.3. request the administration investigate alternative convenient services arrangements; and
 - 2.4. notify in writing every person who has lodged a separate submission of the decision and reason/s for the decision.

Council Report Attachment:

1. Planning Committee, Agenda Item 5.1, 6 June 2006

PLANNING COMMITTEE REPORT

Agenda Item 5.1

6 June 2006

**HARDWARE LANE, MELBOURNE – PROPOSED EXTENSION
TO THE INTERMITTENT CLOSURE HOURS**

Division Assets & Services

Presenter Haig Poulson, Principal Engineer Traffic Engineering

Purpose

1. To recommend to Council that the proposed extension to the operating hours of the intermittent closure of Hardware Lane, Melbourne between Bourke Street and Lonsdale Street should not proceed.

Recommendation from Management

2. That the Planning Committee recommend that Council:
 - 2.1. refuse the extension of the intermittent closure hours of Hardware Lane due to the following:
 - 2.1.1. the area is a mixed use zone and not predominately cafes;
 - 2.1.2. access to the car park must not be restricted; and
 - 2.1.3. there is no evidence to suggest any benefits to the surrounding business;
 - 2.2. request a comprehensive study of the area be undertaken in relation to the benefits of any extension of closure hours;
 - 2.3. request the administration investigate alternative convenient services arrangements; and
 - 2.4. notify in writing every person who has lodged a separate submission of the decision and reason/s for the decision.

Key Issues

3. The Submissions Committee, at its meeting held on 1 March 2006, resolved to recommend that the Planning Committee refuse to extend the intermittent closure hours of Hardware Lane due to the following:
 - 3.1. the area is a mixed-use zone and not predominately cafes;
 - 3.2. access to the multi-level car park must not be restricted; and
 - 3.3. there is no evidence to suggest any benefits to the surrounding businesses.
4. The Submissions Committee also recommended that:
 - 4.1. a comprehensive study of the area be undertaken in relation to the benefits of any extension of closure hours; and
 - 4.2. the administration investigates alternative convenient servicing arrangements.

5. The Submissions Committee received a petition, tabled by the administration, from the Hardware Precinct Association containing 31 signatories requesting that Council extend the intermittent closure hours from 11.00am to 11.00pm, Monday to Sunday, to 7.00am to 11.00pm, Monday to Sunday to further improve pedestrian amenity and safety and create an attractive outdoor environment for the busy café breakfast trade.
6. The operating times of the intermittent closure of Hardware Lane (“the Lane”) has been an on-going matter for traders of the Lane since it was upgraded in the 1980s and the first lunchtime intermittent closure introduced between 12 Noon to 2:00pm Monday to Friday in August 1989.
7. Since 2004, under Council direction, the Street Activity Branch Compliance Team has operated under a moratorium in enforcing the official intermittent closure times. This means in effect, that since 2004 several kerbside cafes in Hardware Lane have offered a breakfast service from 7.00am potentially creating a conflict between customer, pedestrian and vehicular access to the lane. This moratorium was again extended in November 2005 at a meeting of Hardware Lane traders and Council representatives, noting that a review was to be carried out in the immediate future. At that stage, this position will be reconsidered. Withdrawal of the moratorium will result in the only option for Council being, to strictly enforce the intermittent closure hours by Compliance officers. The traders who have enjoyed the benefits of the moratorium in being able to offer a breakfast trade may react adversely to any restriction of trade.
8. Since that initial closure the operating times have been extended on three separate occasions in 1992, 1998 and 2001. Currently the closure operates between 11.00am to 11.00pm Monday to Sunday.
9. On all of these occasions the issue of increasing café trading hours to improve the vitality of the area and the sustainability of the abutting restaurants has had to be weighed up against the servicing needs of all businesses located in the Lane and the access requirements of the adjoining multi-level car park which is accessed off Bourke Street adjacent to Hardware Lane.
10. In addition to the obvious needs of businesses to receive deliveries there is also the need to collect waste from the properties abutting the Lane. To avoid noise disturbance to a number of residential properties in the immediate area, waste collection from the Lane, which is undertaken by a number of private companies engaged by individual businesses in the Lane, commences at 6.00am. Council’s cleansing operations commence following the collection of this waste from the Lane and regularly require intensive cleaning due to the litter left as the direct result of outdoor dining activities. Council’s service providers initially indicated that they required a minimum two hour window of opportunity, from 6.00am to 8.00am, to allow for waste collection and cleansing operations in the Lane.
11. A subsequent meeting was held on 8 November 2005 between Mr Greg Mahoney, President of the Hardware Precinct Association, and Council representatives, regarding cleansing issues surrounding the 7.00am start up closure time put forward in the petition from the Association. Mr Mahoney advised that this start-up time had been nominated to allow an earlier commencement of outdoor dining activities in Hardware Lane in order to capture the breakfast trade and that a number of businesses in the street saw this as necessary in order to remain viable. Mr Mahoney understood the constraints with regard to waste collection and cleansing and, on behalf of the Association, supported the compromise of a 7.30am commencement time for the intermittent closure. Mr Mahoney also agreed that the Association would do its utmost to ensure that businesses in the street, that operated outdoor dining facilities, complied with their licence conditions by cleaning up litter associated with this activity in order to reduce the time taken for Council’s cleaning operations.
12. The proposal to extend the intermittent closure hours of the Lane to operate from 7.30am to 11.00pm, Monday to Sunday, as illustrated on the attached plan 8P2194 (Attachment 1), involves the amendment to signage and rescheduling the installation of removable bollards at Little Bourke Street and Bourke Street, during this period.

13. The extension of the closure times to vehicular traffic would improve :
 - 13.1. safety, by reducing pedestrian/café patrons exposure to moving traffic within the lane;
 - 13.2. pedestrian connectivity between Lonsdale Street and Bourke Street; and
 - 13.3. café trading hours and allow legal trading during the breakfast period.
14. The extension however reduces the opportunity for businesses, including restaurants, to be adequately serviced between 7:30am and 11:00am and this is of concern to a number of businesses in the Lane, particularly the owner and operator of the adjacent multi-level car park, located on the corner of Hardware Lane and Bourke Street, as any consequent illegal parking by delivery drivers could lead to a deterioration in access and road safety conditions.
15. Council has received three (3) submissions on the proposal. These submissions are summarised on Attachment 2. Copies of the submissions are attached in Attachment 3. The main issue raised on the submissions is the difficulty and inconvenience the earlier closure times will have on servicing and deliveries to a number of businesses in the Lane. Observations of the Lane indicate that approximately six (6) cafes open between 7.30am and 8.00am and that the proposed closure will encourage greater usages of the street by businesses and café patrons. This potential increase in business opportunities needs to be balanced against the servicing and delivery requirements of the businesses in both the Lane and Elizabeth Street.
16. On-street parking surveys of streets near the Lane were recently conducted to gauge the level of on-street parking availability. The streets surveyed were Bourke Street, Little Bourke Street and Lonsdale Street, between Queen Street and Elizabeth Street. The on-street parking survey, which was carried out between 7.30am and 11.00am, indicated the following occupancy rates:
 - 16.1. Bourke Street between Queen Street and Elizabeth Street. All on-street parking spaces, both sides had an overall 60% occupancy rate. Loading Zones, both sides had an overall 70% occupancy rate;
 - 16.2. Little Bourke Street between Queen Street and Elizabeth Street. All on-street parking spaces (south side only) had an overall 55% occupancy rate. The Loading Zone (south side only) had a 70% occupancy rate;
 - 16.3. Lonsdale Street between Queen Street & Elizabeth Street. All on-street parking restrictions, both sides, had an overall 50% occupancy rate. Loading Zones, both sides had a 23% occupancy rate; and
 - 16.4. Hardware Lane is also used by many delivery vehicles between 7:00am and 9:00am, which are the critical hours for vehicles accessing the adjacent off-street car park. While the numbers vary from day to day, a survey conducted on Friday 31 March, 2006 recorded 16 delivery vehicles servicing businesses in the Lane for periods of 5 to 30 minutes between 7.00am and 9.00am.
17. While the on-street parking survey results indicate that there may be sufficient alternative on-street parking available for service and delivery vehicles wishing to park in the general area near Hardware Lane, it is also clear from observations of the Lane, that the drivers of delivery vehicles park as close as they can to the properties they are servicing. Consequently, it could be argued that the spaces available in Lonsdale, Little Bourke and Bourke Streets are not convenient for all forms of deliveries and that there is the distinct possibility that delivery drivers will continue to park as close to the businesses and that this will result in them parking within the adjacent vehicle access point to the off-street car park. Such behaviour would not only create considerable traffic disruption to vehicles accessing the car park, it would also lead to unsafe conditions with service vehicle drivers attempting to reverse out of the area while motorists attempt to access the car park, all within an area that is heavily trafficked by pedestrians either walking along Bourke Street or sampling the wares of the Lane.

Time Frame

18. If approved by Council, works to extend the hours of the intermittent closure of the Lane would be implemented in June/July 2006.

Relation to Council Policy

19. The proposed extension of the Lane closure times to vehicular traffic is in line with Section 54 of Council's *Transport Program 2003-2006* and Section 4.1.1 of Council's *Road Safety Plan 2005-2006*, which promote the improvement of pedestrian amenity and safety in areas of high pedestrian usage.

Consultation

20. The proposal has been developed on the basis of the petition from the Hardware Precinct Association which, having 31 signatures (representing 95% of the businesses) indicates there is substantive support for the proposal. The Association has advised that of the remaining property occupiers not represented in the petition, 2% objected to the proposal and 3% were un-contactable.
21. Section 207A of the *Local Government Act 1989* ("the Act") provides for submissions under Section 223 of the Act in regard to the exercise of Council powers to block or restrict the passage or access of vehicles on a road by placing and maintaining any permanent barrier or other obstruction on the road.

Government Relations

22. Council, pursuant to the road closure provisions of the Act, has received a VicRoads' report on this proposal. VicRoads states that the extension to the intermittent closure hours will have minimal impact and improve pedestrian safety and therefore has no objection to the proposal (Attachment 4).

Finance

23. The overall project cost has been estimated at \$100 which is for the amendment to the times on the existing signage.

Legal

24. The proposed intermittent closure constitutes a road closure and necessitates the implementation of the road closure provisions of the Act. In accordance with the Act the public notice outlining the proposal was advertised in the "The Age" newspaper on Thursday, 2 February 2006 (Attachment 5) and letters have been forwarded to stakeholders and owners and occupiers of properties deemed to be affected (Attachment 6).

Sustainability

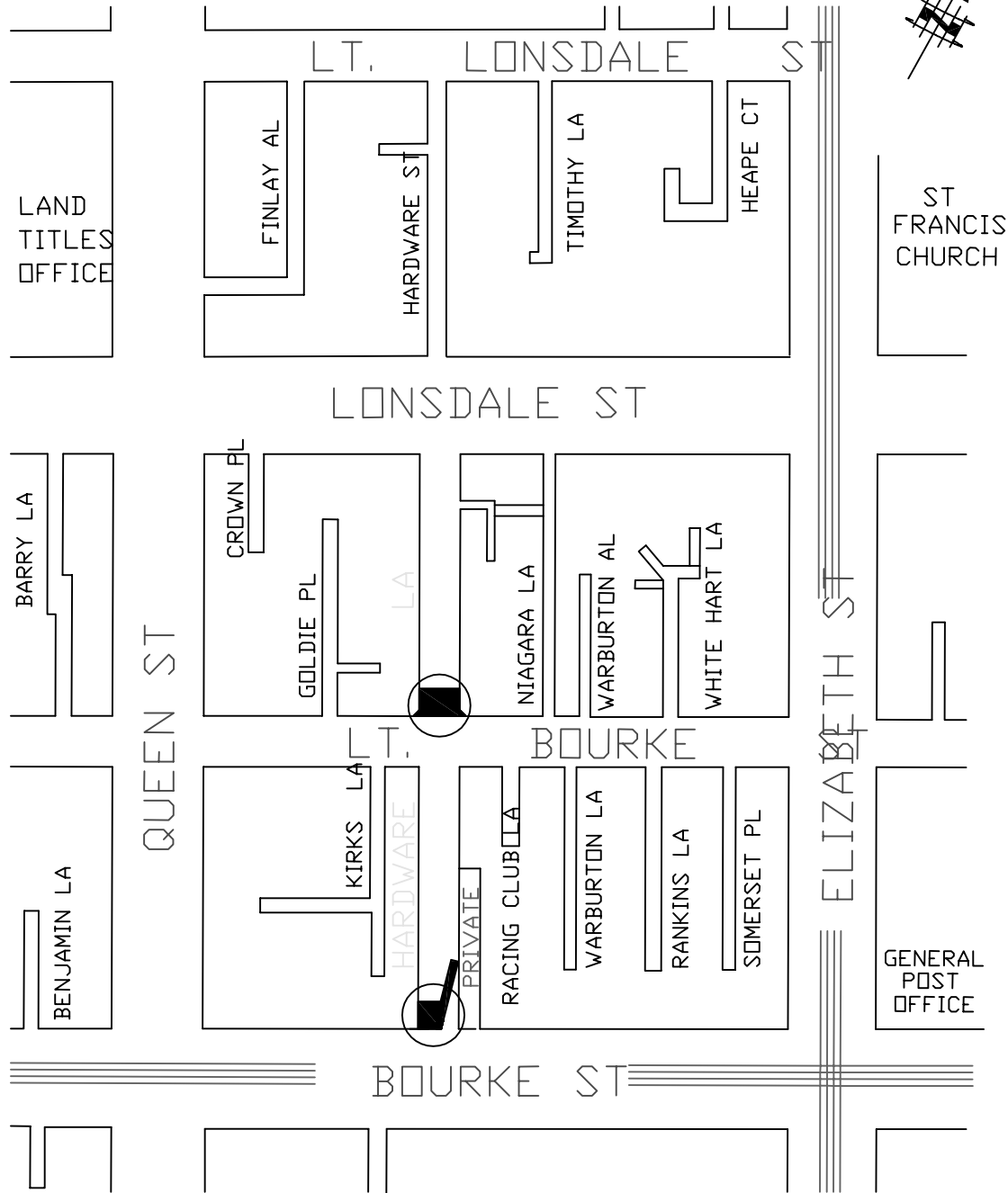
25. The impact of well patronised street cafes in the Lane during the early morning periods could enhance the attraction of Melbourne to all visitors.
26. The early closure of the Lane would lead to increased safety for café patrons and pedestrians, however servicing of various businesses and road safety conditions at the entrance to the adjacent off-street car park could become an issue if adequate alternative short term parking is neither readily available nor used, and delivery drivers attempt to park in the entrance lanes to the multi-level car park.


Background


27. The Lane runs in a north-south direction from Bourke Street to Lonsdale Street, and is situated between Elizabeth Street and Queen Street, in Melbourne's CBD.
 28. The Lane operates as one-way flow between Bourke Street and a point approximately 30 metres south of Lonsdale Street. The remaining 30 metre section operates as two-way flow in order to provide full access to Taylor's House off-street car park at the Lonsdale Street end of the street.
 29. The width of the Lane varies over its length. The portion between Bourke Street and Little Bourke Street is 7 metres wide while its width from Little Bourke Street up to the two-way section is 6.5 metres. The two-way traffic flow section of the Lane is 8.5 metres wide.
 30. Land use abutting the Lane is predominantly cafes, restaurants, food outlets and retail businesses. The Lane is a heavily utilised pedestrian walkway and as a consequence, it has been designated by Council as a 'Shared Zone'. The 'Shared Zone' control requires motorists to travel at a maximum speed of 10km/h and to give-way to pedestrians when the Lane is open to traffic.
 31. The Lane is currently closed to vehicular traffic between 11.00am and 11.00pm, Monday to Sunday, between Bourke Street and a point approximately 30 metres south of Lonsdale Street. A section of the Lane between Bourke Street and Little Bourke Street has been segregated, by means of a bollard arrangement on the east side, to provide full access to the multi-level car parking station exclusive of the closure.
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Attachments:

1. Plan 8P2194
2. Summary of Submissions
3. Copy of Submissions
4. Copy of VicRoads comments to proposal
5. Copy of "The Age" Advertisement
6. Copy of the "Letter sent to the residents and owners"



 PROPOSED EXTENSION TO TIMES OF
INTERMITTENT CLOSURE TO OPERATE BETWEEN
7:00AM AND 11:00PM MONDAY TO SUNDAY

PROJECT NO.	CG210121	DESIGNED BY	CF	SURVEY REF.		LIS COORDS.	
DOCS NUMBER		CONCEPT PLAN		DATUM		SCALE	NTS
	STATUS			ENGINEERING SERVICES			
	JOB LOCATION			APPROVED BY		DRAWING NUMBER	
	HARDWARE LANE MELBOURNE PROPOSED EXTENSION TO INTERMITTENT CLOSURE TIMES			Principal Engineer	Group Manager	NUMBER OF SHEETS	REVISION
				Date	Date	1	
					FORMER DRG. NO.		

SUMMARY OF SUBMISSION ON THE PROPOSED EXTENSION TO THE INTERMITTENT CLOSURE OF HARDWARE LANE, MELBOURNE

	NAME	ORGANISATION	NATURE OF SUBMISSION	COMMENTS
1	Mr David Yu Director	Ausvest Holdings Pty Ltd	Strongly Objects to the proposal	Will request for an opportunity to make a representation to the Submissions Committee on 1 March 2006 objecting to proposal
2	Mr Steve Drill Associate – CBD Commercial Property Manager	Kliger Wood Real Estate Pty Ltd	<p>Comments made in submission:</p> <ul style="list-style-type: none"> • It is the landlords and tenant's view that it is not reasonable to suggest that occupants receive their deliveries prior to 7:30am • Should the proposed change proceed, this would cause difficulty and inconvenience not only for restaurants, but also the various offices which require deliveries during normal business hours • There would appear not to be enough pedestrian traffic to warrant this change • Currently there are only a couple of businesses open for breakfast, who may get some benefit from the proposed change. 	<ul style="list-style-type: none"> • Deliveries could be made via other on-street parking areas located in Bourke Street, Little Bourke Street and Lonsdale Street. • As per above comments. • The aim of the extended closure is to increase Hardware Lane attractiveness to pedestrians in the period between 7:30am to 11:00pm. • The closure is designed to generate greater café activity. Current Observation indicates that there is on average 6 cafes open for breakfast.

3	Ms Anton Van Hoof	Gallophils Nominees Pty Ltd	<ul style="list-style-type: none">• No guarantee that a longer closure time will result in greater patronage for restaurants.• The delivery needs of other businesses cannot be delivered before 7:30am	<ul style="list-style-type: none">• No comment.• As per above.
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SD 75 HARDWARE 030206
SLD:cb



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contact@kligerwood.com.au
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LICENSED REAL ESTATE AGENTS
PROPERTY MANAGERS
AUCTIONEERS
VALUERS

7 February 2006

Mr Haig Poulson
Principal Engineer - Traffic Engineering
City of Melbourne
P O Box 1603M
MELBOURNE VIC 3001

Fax Transmission: 9654 4854

**Attachment 3
Agenda Item 5.3
Planning Committee
9 May 2006**

Dear Haig

Re: **75-77 Hardware Lane, Melbourne**

We are the managing agent of the above premises.

We refer to your letter dated 31 January 2006 advising of proposed extension of hours of the intermittent closure of Hardware Lane from the current 11:00 am - 11:00 pm to 7:30 am and re-opening 11:00 pm.

It is the landlord's and tenant's view that it is not reasonable to suggest that occupants receive their deliveries prior to 7:30 am.

Should the proposed change proceed, this would cause difficulty and inconvenience not only for the restaurateurs, but also the various offices which require deliveries during normal business hours.

There would appear not to be enough pedestrian traffic to warrant this change.

Currently there are only a couple of businesses open for breakfast, who may get some benefit from the proposed change.

We protest the proposed change and ask that the closure of Hardware Lane remain as existing. Your acknowledgment of receipt of this letter would be appreciated.

Yours faithfully
KLIGER WOOD REAL ESTATE PTY LTD


STEVE DRILL
Associate - CBD Commercial Property Manager

stevend@kligerwood.com.au

AUSVEST HOLDINGS PTY LTD

ABN 90 007 073 494

460 Malvern Road, Prahran, Vic. 3181
Ph (03) 9521 3166 Fax (03) 9521 3106
email: davidyu@ausvest.com

Thursday 16 February 2006

The Manager
Legal & Governance
City of Melbourne
PO Box 1603
Melbourne VIC 3001

By facsimile (9658 8084) and original by post

To Whom it May Concern,

**RE: PROPOSED EXTENSION TO THE INTERMITTENT CLOSURE HOURS OF
HARDWARE LANE, MELBOURNE TO VEHICULAR TRAFFIC**

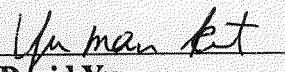
I am a director of Ausvest Holdings Pty Ltd, owner of the freehold interest in the land situated at 392-406 Bourke Street, Melbourne. Ausvest's land currently supports a multi-level car park building which also incorporates a number of retail outlets fronting Hardware Lane.

We wish to strongly object to the proposed extension to the intermittent closure of Hardware Lane, Melbourne to vehicular traffic from 7.30am – 11.00pm.

We request an opportunity for our representatives to make a presentation to the Submissions Committee on 1 March 2006 to further explain and substantiate our objections to the proposal.

Please advise of any deadline by which written submissions must be received by the Committee prior to this meeting.

Yours faithfully
AUSVEST HOLDINGS PTY LTD


David Yu
Director

28-02-06

The manager
Legal & governance
PO Box 1603
Melbourne


Attention : To whom it may concern,

Dear Sir, Re: the proposed extension to the hours that Hardware Lane would be closed to vehicular traffic.

I am writing to express my concern on the recent application for further closure of Hardware Lane by the Hardware Precinct Association. I feel that as a long time landlord in the area not enough consideration has been given to the repercussions of such an act. Hardware Lane has always been a vibrant "café set" with many and varied eateries. This has been true even when there where no restriction times on "through traffic" and there was very little outside seating. Having been the owner/operator of one of these eateries(Schwobs) I can tell you from first hand experience that after the first closures of Hardware Lane and the necessary increased hours we had to stay open there was very little increased revenue but much extra outlay(extra staff, work care cover,electricity etc. not to mention the increased difficulty in selling such a business as sustainability is measured by hours of operation against profit received. The percentage profits were considerably lower and no one in their right mind would buy a business where the hours were long and the profit margin small. The problem lies in the fickle nature of the restaurant clientele, with the opening of many new and trendy eating places surrounding Hardware lane(The Galleria, GPO) for instance, the lunch time trade is dispersed amongst all these new places. There is nothing to suggest that if the roads were closed for longer, the restaurants would make more profit.

This brings me to my second point, the integrity of Hardware Lane is not just its restaurant trade but particularly between "Bourke and little Bourke St" are many viable and profitable retail business centres that have nothing to do with food and I think would be seriously inconvenienced if they were restricted to loading and unloading before 7.30 or after 1 pm. And what about the suppliers bringing produce to the cafes(fruit drinks etc) It is not always possible to deliver to everybody so early and imagine the congestion when all those trucks arrive together to try and take advantage of that small window of opportunity. It will be utter bedlam.

I have not been privy to any submissions or market research which would show me the economic benefits of such an increase in non vehicular time or the viability of doing so in Hardware Lane and I think until such time that this can be shown we should tread very warily indeed.

Yours S

Had

Attachment 4
Agenda Item 5.1
Planning Committee
6 June 2006

vic roads

ABN 61 760 960 480
Metropolitan North West Region
499 Ballarat Road
Sunshine Victoria 3020
Postal Address Private Bag 4000
Sunshine Victoria 3020

Tel: (03) 9313 1333
Fax: (03) 9313 1175

www.vicroads.vic.gov.au

Mr Haig Poulson
Principal Engineer - Traffic Engineering
City of Melbourne
GPO Box 1603M
MELBOURNE VIC 3001

Attention: Mr Nick Petrovski

22 February 2006

Contact: Andrew Rusufo
Telephone: 9313 1173
File No: TM/MBN/050/08

Dear Mr Poulson

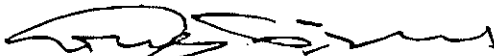
**HARDWARE LANE, MELBOURNE
PROPOSED EXTENSION TO THE INTERMITTENT CLOSURE HOURS**

I refer to your letter dated 31 January 2006 requesting a report from VicRoads under section 205 of the Local Government Act 1989 to extend the closing hours of Hardware Lane from the existing times of 11:00am - 11:00pm Monday to Sunday to 7:30am - 11:00pm Monday to Sunday, as per Council plan number 8P2194.

Having considered the proposal, including the issues related to commercial vehicles, emergency services, the arterial road network and public transport, VicRoads is of the opinion that the closure will have minimal impact and improve pedestrian safety and therefore has no objection.

This letter constitutes the report pursuant to section 205 of the Local Government Act 1989.

Yours sincerely



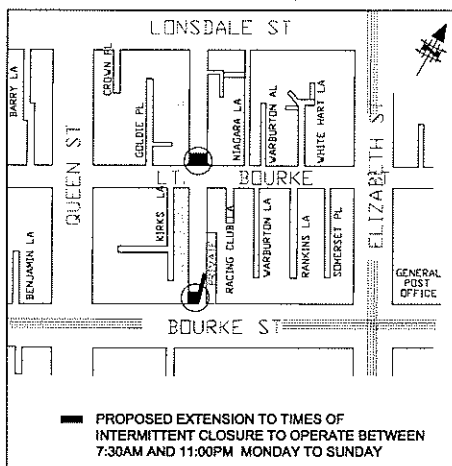
**TOM DABIC
TEAM LEADER - TRAFFIC AND TRANSPORT CENTRAL
METROPOLITAN NORTH WEST REGION**

Notice under the Local Government Act 1989

Proposed extension to the intermittent closure hours of Hardware Lane, Melbourne, to Vehicular Traffic



Notice is given that MELBOURNE CITY COUNCIL ('Council') proposes, in exercise of its powers under Section 207 and Clause 9 of Schedule 11 of the Local Government Act 1989 ('the Act'), to place and maintain obstructions or barriers to block or restrict the passage or access of vehicles to Hardware Lane, Melbourne for an extended time from 7:30am to 11:00pm, Monday to Sunday, at its intersections with Bourke Street and Little Bourke Street, as shown on the plan below.



Hardware Lane is currently closed to vehicular traffic between 11:00am and 11:00pm, Monday to Sunday. The proposed extension of the closure times to vehicular traffic will improve both pedestrian safety and amenity. The proposal will involve amending signage and rescheduling the installation of removable bollards at Little Bourke Street and Bourke Street during this period.

A Special Committee known as the Submissions Committee will consider any written submission on the proposal in accordance with Section 223 of the Act, received by the Council within 14 days after the publication of this notice. Any person who has made a written submission is entitled to appear in person, or by a person acting on his or her behalf, before a meeting of the Special Committee to be held at 3.30pm, Wednesday, 1 March 2006 in the Melbourne Town Hall, Administration Building, Swanston Street, Melbourne.

Written submissions should be addressed to the Manager Legal & Governance, City of Melbourne, PO Box 1603, Melbourne, 3001. Persons making written submissions should also state whether they wish to be heard in support of their written submission.

David Pitchford
Chief Executive
2 February 2006

31 January 2006

The Owner/Occupier
Hardware Lane
MELBOURNE VIC 3000

Dear Sir/ Madam

**HARDWARE LANE, MELBOURNE
PROPOSED EXTENSION TO THE INTERMITTENT CLOSURE HOURS**

Council has initiated legal procedures under the Local Government Act 1989 to extend the hours of operation of the intermittent closure of Hardware lane from 11:00 am – 11:00 pm Monday to Sunday to 7:30 am – 11:00 pm Monday to Sunday, as shown on the attached plan 8P2194.

The City of Melbourne recently received a petition from the Hardware Precinct Association requesting that Council extend the intermittent closure hours of the lane to 7:00 am - 11:00 pm Monday to Sunday, in order to improve pedestrian safety and amenity.

The proposal to have the intermittent closure commence at 7:00 am will create difficulties for Council's mechanical cleansing operations and collection of waste in the laneway. It will also create difficulties for the servicing of the properties abutting the laneway, particularly in regards to deliveries. However, it is considered that cleansing and servicing operations can be rescheduled to coordinate with a closure that commences at 7:30am.

The proposal for the extension of the intermittent closure hours for Hardware Lane involves the erection of signs to reflect the extended closure hours and installation of removable bollards to close off the street to vehicular traffic for the extended period of time.

As the proposal would prevent vehicles from travelling along Hardware Lane, Council is required to adhere to certain legal procedures as set out under the road closure provisions of the Local Government Act 1989 (the "Act").

These procedures include public advertising of the proposal in a metropolitan newspaper to bring the matter to the attention of the greater community, and the distribution of notices, such as this, to the owners and occupiers of properties deemed to be affected by the proposal, inviting submissions on the matter.

Arrangements for publication of the public notice in "The Age" newspaper have been made for Thursday 2 February 2006. In accordance with the Act, Council's Submissions Committee will consider all submissions lodged within 14 days after the date of publication of the above-mentioned notice.

The Committee is scheduled to meet at 3.30pm, Wednesday 1 March 2006, in the Melbourne Town Hall, Administration Building, Swanston Street, Melbourne. The Committee will hear those persons wishing to be heard in support of their written submission. No additional notification will be sent to persons who have not lodged a submission.

If you have any further queries regarding this matter, please contact Mr Nick Petrovski on telephone 9658 8582.

Yours sincerely

Haig Poulson

Principal Engineer - Traffic Engineering

CoM Ref: DM# 3530718
SR: 500029

Encl: Plan No. 8P2194

FINANCE ATTACHMENT

**HARDWARE LANE, MELBOURNE – PROPOSED EXTENSION TO THE
INTERMITTENT CLOSURE HOURS**

The overall project cost has been estimated at \$100 which is for the amendment to the times on the existing signage.

Joe Groher
Manager Financial Services

LEGAL ATTACHMENT

**HARDWARE LANE, MELBOURNE – PROPOSED EXTENSION TO THE
INTERMITTENT CLOSURE HOURS**

The proposed intermittent closure constitutes a road closure and necessitates the implementation of the road closure under clause 9 of Schedule 11 of the *Local Government Act* 1989.

Section 207A of the Act provides for submissions under Section 223 of the Act in relation to the exercise of Council's powers to block or restrict the passage or access of vehicles on a road by placing and maintaining any permanent barrier or other obstruction on the road.

The report details that the public notice and submissions procedures were complied with in accordance with the Act.

Kim Wood
Manager Legal Services