
This record is provided as a summary of the questions asked by members of the public during Public Question Time at a meeting of the Yarra City Council. This summary includes the original question, the response provided at the meeting and, where applicable, the response provided after the meeting to any question taken on notice (which is included in red text).

7.1 Ms Alice Maria Wong - Parking Permit

Question submitted by mail:

I am seeking Councillors special consideration to amend the December 2003 ruling in relation to parking permits. I have also provided Councillors with a written submission with supporting supplementary documents.

Can Council consider providing me with two parking permits?

Response:

The Mayor advised due to the detailed submission that the question would be taken on notice.

The Senior Governance Advisor had a subsequent discussion with Ms Wong and advised that the matter has been considered at length and that the submission at the Council meeting raised no new matters that alter Council's position. He advised that a car parking permit will not be provided. He assisted Ms Wong with understanding her rights to lodge a complaint with the Victorian Ombudsman.

7.2 Mr Alan Epstein - Gipps Street Steps Project

Question:

Has the Council made any progress in facilitating a "one place – one time" meeting of the stakeholders in the Gipps Street Steps project to reach consensus on a mutually acceptable design concept?

Response:

The Director Planning and Place Making advised that at the last Council meeting a resident raised a question regarding obtaining information from officers in relation to making a submission to Parks Victoria. A meeting was held last week with 3 local residents. Just to reiterate, it is a Parks Victoria project and the way the Yarra Planning Scheme is framed at the moment; if Parks Victoria were to precede with their proposal formally it would need a planning permit, and that would be advertised to the local community. People are encouraged to talk to Parks Victoria at the moment as they are seeking community comment but it's not a matter formally in front of Council at this point in time. I would be happy to meet with Mr Epstein to share what information was shared with the other residents.

Senior officers have indicated to Parks Victoria a number of matters including; the new Yarra River Controls, the Yarra River Strategy and that a planning permit would be required. Parks Victoria will need to hear from the community and determine what they propose to do; whether they wish to proceed with the project and therefore

to a planning permit application, abandon it or amend it. Council will need to be mindful that Council would be the responsible authority in this matter, so in terms of the one place one time meeting, Parks Victoria certainly have an obligation to take everyone's comments seriously and work out a process forward.

Parks Victoria are consulting with the local community, officers from this Council could be involved in that, but officers need to make certain objective judgements if and when an application is presented and Council officers and Council should not compromise themselves with that, so I think that raises some difficulties.

The Chief Executive Officers also advised that we have met with the Chief Executive Officer from Parks Victoria on a one on one basis, along with Councils Director Planning and Place Making and emphasised that they have to come to us with a planning permit and we advised that the community angst is quite high and we are expecting much more engagement. Beyond that we can speak to the Minister, but we are waiting on some good outcomes.

7.3 Ms Jenny Port, All Collingwood Group - Update on Brunswick Street to Wellington Street Strategy

Question:

Can I please have an update on the strategic planning work that is currently being undertaken for the area of Brunswick Street through to Wellington Street in Collingwood?

Can you please provide an estimate on when this will be completed?

Response:

The Director Planning and Place Making advised that there is no further update, officers are working as hard as they can and pushing the consultant as hard as they can, there has to be a piece of work that comes forward before officers can deal with it. Regrettably as I have said before it cannot be accelerated.

About two or four weeks ago the Manager City Strategy did advise that he thought that completion would be December. I am happy to meet with the submitter and residents and talk to them to give them some comfort on where we are at, but I don't have any further update.

7.4 Ms Sivy Orr - Yarra Planning Scheme

Question:

Does the Strategic Planning department maintain a list of anomalies of the Yarra Planning Scheme that may be brought to its attention either by internal departments or external sources and if it does why was this, list not mentioned when I made an enquiry regarding the zoning of No. 80 Gore Street Fitzroy on 9 August 2017?

What mechanisms does the Strategic Planning department use to monitor and review any ambiguities, clerical errors, mistakes, mapping faults etc. that ordinarily occur from time to time, in the Yarra Planning Scheme?

Response:

The Director Planning and Place Making took the questions on notice.

The Director Planning and Place Making subsequently advised that as said verbally at the Council meeting, possible errors or anomalies may be identified by staff, Councillors or the community when using the Planning Scheme.

The Planning and Environment Act 1987 sets out 3 ways to allow a 'fast track'

process to fix an anomaly or error. The fast track processes remove or limit notice of amendments.

- Section 20A “Prescribed amendments” relates to a list of the specific types of amendments allowed under this provision. This includes corrections of obvious or technical error such as: delete an expired clause; clarify or improve the style, format, language or grammatical form of a clause in the Victoria Planning Provisions or a planning scheme; or remove duplication.
- Section 20(2) “Fast tracked with limited notice amendments” allows for the Minister for Planning to give complete or partial exemptions from notice requirements. Examples include: correcting an error to the boundary of a zone; or plain English translation of an existing provision where the effect of the provision is unchanged.
- Section 20(4) “Fast tracked amendments” allows for the Minister for Planning to exempt amendments from notice requirements. An example includes Interim Heritage Amendment. Practice Note, Ministerial Powers of Intervention in Planning and Heritage Matters (November 2004), sets out the circumstances in which the Minister will consider exercising this power and the principles that will apply in considering a request for intervention, including:
 - whether the matter is of state and regional significance;
 - the outcomes of the amendment were reasonable considered and the impact on the affected parties known;
 - the matter introduces and interim version of a provision where the same permanent provision is under review (NB. Yarra submits Interim Heritage Amendments under this section);
 - the matter raises issue of fairness or public interest and the matter requires facilitation decision making by more than one agency.

Planning Advisory Note (March 2007) A protocol for fast tracking amendments sets out a ‘fast track’ protocol to reduce the time frame for amendments that remove redundant provisions. Below is a link to the document:

https://www.planning.vic.gov.au/_data/assets/pdf_file/0022/13864/AN12-A-Protocol-for-Fast-Tracking-Amendments.pdf

The Strategic Planning office keeps a list all possible errors and anomalies identified. For efficiencies reasons, Strategic Planning officers package errors and anomalies in an omnibus amendment. If however, an error or anomaly is critical Council officers will progress an amendment separately under one of the sections listed above, for quick resolution by the Minister.

If a possible error or anomaly is identified, officers make an assessment to determine if it is an error or an anomaly and which section of the Act applies, by considering the:

- Planning and Environment Act and Regulations;
- Planning Advisory Note and Practice Note;
- amendment which may have resulted in the error or an anomaly;
- extent that the change would have an actual impact;
- potential that the change would adversely affect any interested party, and
- relevant strategic documents