



Ordinary Meeting of Council Minutes

**held on Tuesday 8 March 2016 at 7.00pm
Fitzroy Town Hall**

www.yarracity.vic.gov.au

1. Statement of Recognition of Wurundjeri Land

"Welcome to the City of Yarra."

"Yarra City Council acknowledges the Wurundjeri as the Traditional Owners of this country, pays tribute to all Aboriginal and Torres Strait Islander people in Yarra and gives respect to the Elders past and present."

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

- Cr Roberto Colanzi (Mayor)
- Cr Geoff Barbour
- Cr Misha Coleman
- Cr Sam Gaylard
- Cr Simon Huggins
- Cr Stephen Jolly
- Cr Amanda Stone
- Cr Phillip Vlahogiannis

Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Ivan Gilbert (Group Manager - CEO's Office)
- Andrew Day (Director - Corporate, Business and Finance)
- Chris Leivers (Director - Community Wellbeing)
- Bruce Phillips (Director - Planning and Place Making)
- Guy Wilson-Browne (Director - City Works and Assets)
- Mel Nikou (Governance Officer)

Leave of absence

- Cr Jackie Fristacky

Request for leave of absence

Councillor Huggins requested leave of absence for the next Council Meeting on Tuesday 22 March 2016.

3. Declarations of conflict of interest (Councillors and staff)

Councillor Vlahogiannis declared a conflict of interest on item 4.7.

Councillor Huggins declared a conflict of interest on item 11.6.

4. Confidential business reports

Item

- 4.1 Proposed developments
- 4.2 Matters prejudicial to Council and/or any person
- 4.3 The personal hardship of a resident or ratepayer
- 4.4 Contractual matters
- 4.5 Matters relating to legal advice; AND Matters prejudicial to Council and/or any person
- 4.6 Matters prejudicial to Council and/or any person
- 4.7 Proposed developments

Confidential business reports

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 89 (2) of the *Local Government Act 1989*. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

COUNCIL RESOLUTION

Moved: Councillor Vlahogiannis

Seconded: Councillor Barbour

1. That the meeting be closed to members of the public, in accordance with section 89 (2) of the *Local Government Act 1989*, to allow consideration of:
 - (a) proposed developments;
 - (b) matters prejudicial to Council and/or any person;
 - (c) the personal hardship of a resident or ratepayer;
 - (d) contractual matters; and
 - (e) matters relating to legal advice.
2. That all information contained within the Confidential Business Reports section of this agenda and reproduced as Council Minutes be treated as being and remaining strictly confidential in accordance with the provisions of sections 77 and 89 of the *Local Government Act 1989* until Council resolves otherwise.

CARRIED

Confidential business was adjourned and the meeting resumed in open session.

5. Confirmation of minutes

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Jolly

That the minutes of the Ordinary Council Meeting held on Tuesday 16 February 2016 be confirmed.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Colanzi

Seconded: Councillor Vlahogiannis

That the Petitions and Joint Letters, General Business, Delegate's Reports and Questions without Notice be suspended until after the Council Business Reports.

CARRIED

6. Petitions and joint letters

Nil

7. Public question time

Item	Page
7.1 Dr Sharon Harrison - Victorian Building Authority	7
7.2 Mr Bill Ryan - Correspondence on Amendment C197	8
7.3 Ms Anita Jeffrey - Parking Issues at South Terrace	9
7.4 Mr Colin Mowbray - Woman's Mural on Smith Street, North Fitzroy	9
7.5 Mr Tony Campbell - Healthier Food at Leisure Centres	10
7.6 Mr Brad Marsh - Removal of Trees - AMCOR Development Site	10
7.7 Dr Audrey Grant - Application PLN15-0681 - 58 McKean Street, North Fitzroy	12
7.8 Mr Rod Cullen - Application PLN15-0861 - 58 McKean Street, North Fitzroy	12
7.9 Ms Danielle Hakim - Women's Art Register	13
7.10 Mr Ben Hart - Laneway Guidelines - Neighbourhood Garden Permit	13
7.11 Mr Michael Glynatsis - Blocked Laneway	14

8. General business

Nil

9. Delegates' reports

Item		Page	Res. Page
9.1	Active Ageing Advisory Group - Councillor Stone	15	18

10. Questions without notice

Item		Page
10.1	Councillor Colanzi - Rooftop Terraces on Residential Buildings	19

11. Council business reports

Item	Page	Res. Page
11.1 Cladding on High-rise Buildings in Yarra	20	20
11.2 Yarra Libraries Collection Development Policy 2015	21	21
11.3 Review of Neighbourhood House Funding Model 2015	22	23
11.4 Joining the Alliance for Gambling Reform	24	24
11.5 Amendment C173 (part 2) to the Yarra Planning Scheme, Doonside Industrial Precinct	25	26
11.6 1 and 1A South Terrace and 160 Gold Street, Clifton Hill VIC 3068 - Planning Permit Application No. PLN14/0678	27	32
11.7 Events in Public Spaces Policy	33	33
11.8 Assigning a name to the right of way between 4 Mary St and 318-328 Bridge Rd Richmond	34	34
11.9 Appointment of Council Delegate to Collingwood Children's Farm	35	35
11.10 Report on Assemblies of Councillors Held - December 2015 to March 2016	36	36
11.11 Chandler Highway - VicRoads Response	37	37
11.12 Rate Capping Variation 2016/2017	38	38

12. Notices of motion

Nil

13. Urgent business

Item	Page	Res. Page
13.1 Safe Schools Program	39	39
13.2 Pedestrian Crossings in the City of Yarra	40	40

6. Petitions and joint letters

Nil

7. Public question time

7.1 Dr Sharon Harrison - Victorian Building Authority

Question:

In relation to the Victorian Building Authority, in the words of the Auditor General in a report in 2015, the current registration and discipline system do not ensure that only practitioners that are registered are qualified, competent and are of good character are registered, so I would like to ask about Council's confidence in the Victorian Building Authorities ability to regulate the building industry. Manningham City Council last year moved a motion that the Municipal Association of Victoria bring forward a motion of vote no confidence in the Victorian Building Authority and their ability to regulate for a quality built environment amongst other things.

Do Council officers feel the Victorian Building Authority is actually regulating the building industry and protecting the members of the community both as home owner and as members of the public who might be using these buildings?

Response:

The Director City Works and Assets advised that:

- (a) *the evidence does clearly show that the VBA have failed somewhat in their duties;*
- (b) *it is an officer's role to form an opinion as to what extent;*
- (c) *clearly with the audit that has been done in the City of Melbourne and some 51 buildings having non-compliant products suggests that it is a significant problem and clearly created a risk to the community;*
- (d) *our concerns are with the City of Yarra and making sure that the problem doesn't exist;*
- (e) *our understanding is the VBA will be doing an audit in Yarra and we will have a better idea of that and my advice to Council is that there has clearly been some issues with the VBA in the past, but what we want to do is move forward and make sure that the best interests are with the community, to be protected and that all safeguards are in place now and moving forward to the future to ensure all risks are minimised in the City of Yarra;*
- (f) *we will be urging the VBA to take a more proactive approach;*
- (g) *the City of Melbourne have come up with a risk matrix approach which will help; and*
- (h) *clearly the VBA need to improve and the whole industry will be making sure they do.*

Council's Municipal Building Surveyor advised that:

- (a) *there is a regulatory framework that the building act and building regulations follow;*
- (b) *the building act does establish the principles which the Victorian Building Authority shall function;*

- (c) *there is currently before parliament amendments to that act which will strengthen and enable it to have greater powers and direction over building practitioners and think that is a recognition of the Auditor General's report, that there are deficiencies in the current act;*
- (d) *clearly recognised, there were deficiencies in administration and control in building surveyors that have not performed as well as one might expect;*
- (e) *as a Municipal Building Surveyor I clearly have a disappointment in what I see, and do have knowledge of some buildings that have been mentioned and do encounter matters of non-compliance, that when they involve safety matters, clearly I would address;*
- (f) *it is important that matters are reported so that the government can take action and rather than just be complacent and let the builders and building surveyors take over it is important that an owner does have a role to play with their building surveyor;*
- (g) *a property owner should appoint their own building surveyor so they have the independence that the person is working for them and not working for the builder, so you don't have that vested interest; and*
- (h) *this is one of the problems with privatisation.*

7.2 Mr Bill Ryan - Correspondence on Amendment C197

Question:

In relation to my correspondence to Council on Amendment C197 that relates to the Brotherhood of St Laurence site in Clifton Hill.

Will Council pass either alternative resolution at this meeting and if not what action does Council propose to take in relation to serious flaws in the amendment process that I have highlighted?

Is Council in the position tonight to give assurances that I seek in my letter dated 7 March or can Council confirm that a written response be provided before the next Council meeting on 22 March, and just to clarify, the assurances that there are no behind closed doors agreements or arrangements or understandings concerning the Brotherhood site that would or would intent proper planning processes in the redevelopment of the site and that there has been no improper pressure applied to Council or any of its officers or employees involved in the planning application or the amendment?

Response:

The Director Planning and Place Making advised that:

- (a) *planning application objections can be received and that certainly occurred so in that process planning applications objections can be received;*
- (b) *in the planning scheme amendments, submissions are what are received;*
- (c) *in relation to 1 South Terrace there were two submissions received for the proposed rezoning of that site to more restrictive control, those submissions were from the Brotherhood of St Laurence and the local school;*
- (d) *when the matter on the 16 February 2016 was considered by Council that was outlined, certainly outlined that a corresponding planning application which is separate but somewhat related but certainly a separate process in the statutory process;*

- (e) *the resident is suggesting that the process was flawed in terms of the planning scheme amendment not going out to neighbours to notify them;*
- (f) *if land abutting is believed to possibly materially affect a neighbouring property, the planning scheme amendment should be advertised to those properties;*
- (g) *the office made a view at the time that a more restrictive control was proposed in relation to the zone that is, going from a discretionary control to a mandatory control as proposed by Council resolution in September; this being more restrictive and no need for letters to be sent to owners and occupiers; and*
- (h) *the matter was out for public notification, that occurred and 1 South Terrace was certainly mentioned.*

The Chief Executive Officer advised that:

- (a) *whether there is a Victorian Ombudsman request for getting into Council business or not it is a matter that is occurring around all Council's in Victoria, but I can assure you that from an executive team, we do not appreciate or tolerate any kind of collusive behaviour between people who want to develop;*
- (b) *there may be reasons why you would wonder why there may seem like there is an understanding already achieved, but that is not the way we operate;*
- (c) *I can give my assurances to Council that there have been no deals made; and*
- (d) *it is the Councillors job to consider what is recommended; and executives would not allow something to be put forward to Councillors if there were any hint of any kind of collusive behaviour.*

7.3 Ms Anita Jeffrey - Parking Issues at South Terrace

Question:

When will Council take action to prevent the unsafe and illegal parking practice in South Terrace and how can Council be sure that the redevelopment on the Brotherhood of St Laurence site as proposed by the Brotherhood and the Clifton Hill Primary School will not already make a serious problem even worse?

Response:

The Director Corporate Business and Finance took the question on notice on the current parking issues.

The Director Planning and Place Making advised deferring the question to when the business item is discussed by the officer.

7.4 Mr Colin Mowbray - Woman's Mural on Smith Street, North Fitzroy

Question:

The mural was recently vandalised. Is Council willing to commit to support the Woman's mural on Smith Street to consult with the community and to explore different options as to how this can be reclaimed, restored or conserved?

How will consultation take place and in what time frame?

Response:

The Director Community Wellbeing advised that:

- (a) *Council officers have been working with the artist who originally worked on the mural;*
- (b) *the artist does not want to recreate or have a key role in the mural;*
- (c) *we are happy to talk to the community about it and what we can do in that location;*
- (d) *the building is not a Council owned building, it is owned by the state government;*
- (e) *officers can contact Mr Mowbray about how we go forward with consultation; and*
- (f) *we aim to bring a report back to Council in 4 to 6 weeks.*

7.5 Mr Tony Campbell - Healthier Food at Leisure Centres

Question:

In 2014, I raised the issue to Council on the Leisure centres selling sweets, lollies, soft drinks and junk food and since then there has been very little activity.

Will Council respond to me and does Council intend to do anything about it or am I wasting my time?

Response:

The Director Corporate Business and Finance took the question on notice.

Councillor Stone advised that Council received a report on 23 June 2015 that included Council's position and had also given a copy of that report to Mr Campbell.

7.6 Mr Brad Marsh - Removal of Trees - AMCOR Development Site

Question:

In relation to a letter received dated February 19 addressed to Alphington residents. The letter stated that every single tree at the AMCOR site will be removed except for three exotic palms that will be relocated.

Were Councillors aware of this decision?

Do we need to evacuate Alphington?

Will you be able to turn this around so all fifteen trees identified as significant on this part of the site are saved and send the developers the message that they will need to protect the 44 significant trees on the rest of the site as was required on the development plan?

Response:

The Director Planning and Place Making advised that:

- (a) *the area between LaTrobe Street and Parkview Road is the area that Mr Marsh is referring and letter refers to that area;*
- (b) *the depth of soil that will need to be removed is 0.5, not a metre but it is a significant amount that will need to be removed;*
- (c) *the resolution on the 2 December does request the retention of 44 trees by the developer. It is not a condition of the approval, but encouraged to do so;*

- (d) *a number of officers are very much endeavouring to achieve that however, unfortunately because of the style of housing proposed in that portion compared to other parts of the site, it's a townhouse style proposal as part of the development plan;*
- (e) *a townhouse style of development is different to an apartment style in the sense there would be front yards or back yards or court yards;*
- (f) *under the environmental laws in Victoria, effectively a child needs to be able to eat that dirt and not be harmed, so it is very unfortunate and regrettable that we have not been able to work out a way to keep those trees in the area that is in that particular part of the site;*
- (g) *there is no town planning control for that portion in relation to trees;*
- (h) *there is no environmental significant overlay in that portion of the site;*
- (i) *there is an Environmental Significant Overlay in the 30 meter strip of land along the river; also trees over a certain girth and a certain height have local law control (ones under these dimensions do not);*
- (j) *a local law permit was issued for those works;*
- (k) *the works have been occurring all of last week and I'm not sure if the works have finished;*
- (l) *regrettably, we are not able to keep trees that were encouraged, there are other trees on other parts of the site, the other parts of the site are substantially apartment buildings where predominately the area will be in the terms 'cap and cover', could be concrete if you like, so the environmental standard is different;*
- (m) *it is also important to add that under environmental decontamination aspects, it's very sensitive and critical and there is an environmental auditor and independent auditor under state guidance reporting to EPA and also a requirement for a hygienist;*
- (n) *the letter that Mr Marsh received was to be very open and transparent to people. It was a very substantial letter drop throughout the community to explain regrettably that circumstance. Councillors were also aware via E-Bulletin; and*
- (o) *in relation to whether Alphington needs to be evacuated, as I mentioned it is a state government matter with their hygienist and environmental auditor.*

Councillors Stone advised that the resolution was a request that they maximise the opportunity to retain those trees, it wasn't an instruction to retain them; it was a request that they do their best.

The Director further added that:

- (a) *the resolution was to encourage the applicant to retain the trees, not a must do to the development plan;*
- (b) *I have personally been involved in the project, talking to arborists and planning officers and my desire to keep trees where possible;*
- (c) *regrettably with the contamination now there, the houses in that former area were bulldozed (not used for industrial purposes as I understand);*
- (d) *there were fibro-sheeting in those homes, so there is crushed fibro-sheeting in the soil and also some lead aspects in the soil to a depth of about 0.5 of a meter, as the decontamination report stated;*

- (e) hence, it is not possible to decontaminate the land properly so that a child can eat the dirt without removing the trees;
- (f) we explored the topic where you may airbrush the tree roots by exposing them and it was deemed that it was not acceptable in terms of making the land fit for purpose for townhouse construction so that a child in theory could eat the dirt and not be harmed; and
- (g) a zoologist was on site prior to the works and also while the works were happening to relocate any wildlife; a birds nest and possum where relocated.

7.7 Dr Audrey Grant - Application PLN15-0681 - 58 McKean Street, North Fitzroy

Question:

How is it that the firm agreement and assurances reached at the planning consultation meeting on 9 February 2016 that the applicant would submit full and correct information, could be reversed by private consultation between the relevant planning officer and the consultant representing the applicant?

The outcome of that reversal is that the application now proceeds beyond planning consultation to an IDAC Meeting on 16 March 2016. The ten objectors were notified of this decision today, so the application will precede and void any corrected information whatsoever.

Response:

The Director Planning and Place Making advised that:

- (a) he had a briefing with one of the Planning Coordinators of Statutory Planning on Friday;
- (b) has spoken with Dr Grant today and arranged a meeting with Dr Grant and the Acting Manager Statutory Planning;
- (c) in general terms there are a number of matters, some that are relevant to planning that need to be looked into;
- (d) officers believe that to be appropriately conditioned, as Councillors are aware, planning permits have permit conditions and often some require amendments to be made before any planning permit becomes valid; and
- (e) some matters are relevant and can be conditioned in broad terms, some matters are more relevant to building surveying matters and that is always difficult for people to understand, that there is a difference between planning and building etc.

7.8 Mr Rod Cullen - Application PLN15-0861 - 58 McKean Street, North Fitzroy

Question:

Can you inform me how a senior planning officer at a consultation meeting, in public, can say that land titles are not required with applications?

Response:

The Acting Manager Statutory Planning advised that:

- (a) the advice he received was that advice was not given that you don't need to have a title. Council can't issue a planning permit if it would contravene a covenant on a title, so we would need it and we would need it before a decision

- is made;*
- (b) *if the title isn't submitted upfront that's not fatal to an application, it will form part of the assessment;*
 - (c) *the correct title has been received;*
 - (d) *in terms of the plan deficiencies, they are not deficiencies or errors that would be fatal to Councils consideration of the application; and*
 - (e) *the application is for a first floor deck and some of the inaccuracies on plans, whilst we appreciate they've been raised, officers are aware of those and they will be dealt with in the officers report with the recommendation to Council.*

COUNCIL MOTION

Moved: Councillor Coleman

That 'Public Question Time' be suspended due to the process having gone for an hour and past the 15 minute period and continue to 'General Business' items.

The motion lapsed due to no seconder.

7.9 Ms Danielle Hakim - Women's Art Register

Question:

The Women's art register is located in the City of Yarra and has been for over 38 years, a resource of national and international significance for Women's art including feminists murals.

As Council is aware there has been an overpainting today, what is the planned response to future overpainting and reoccurring graffiti at the Smith Street site on consultation and decision processes?

As we are a feminist arts organisation and are women and so far the only people that have spoken on this issue have been men, we would like to see that women are central on this issue and we would offer our consultation as well as we have slides in our collection of this mural that could help restoration?

Can Council, before going out for consultation, consider meeting with key organisations first?

Response:

The Director Community Wellbeing advised that officers would be happy to engage with Ms Hakim if she provided her details so officers can contact her but I cannot say that we would do that in preference to going out to the community at large for consultation.

7.10 Mr Ben Hart - Laneway Guidelines - Neighbourhood Garden Permit

Question:

When the guidelines were announced in May it stated that a review was to take place in 6 months, it is over 6 months and since I am the only one with a permit, no one has contacted me about my experience so I am wondering what is happening with the review?

I don't have an issue with the guidelines or the fee; however the process to obtain a permit needs to be looked into as the consultation with neighbours is very complex.

Response:

The Group Manager Chief Executive's Office advised that:

- (a) *he agreed that the review has been delayed due to other priorities and that the feedback he has received so far was that the \$300 permit fee was the main issue;*
- (b) *the fee will be considered when Council goes over the budget this year and as I understand the fee was already in the local law at the time the conditions were approved;*
- (c) *The purpose behind the guidelines, were for legal reasons, as anyone who lives on a laneway has the right of carriage over a laneway and Council has legal responsibilities on behalf of the wider rate payers to not take away that right;*
- (d) *Council can be sued over any injury that occurred as a result of any illegally placed objects on the roadway/laneway;*
- (e) *people are entitled to use a laneway as they are considered roads and if someone happens to injure themselves from an illegally placed object, the Council will be sued and the rate payers will foot the bill, not Council; and*
- (f) *in relation to Cr Jolly's questions on offering a concession fee and advertising, the fee would be for Council to consider when the Council draft budget is being discussed and further advertising can be arranged.*

7.11 Mr Michael Glynatsis - Blocked Laneway

Question:

In relation to a blocked laneway between 13 and 15 Brunswick Street, I have a business located at 17 Brunswick Street. The laneway was illegally blocked about 10 years ago, when the owners finished their renovations at the rear of 13. I have had tried on many occasion to speak to the owners of 13 but have not been successful.

Why can this laneway be used by the owners of 13 and 15 for their own private use when the laneway should be made available to the community to access?

I as a rate payer would like this laneway reopened.

Response:

The Group Manager Chief Executive's Office advised that:

- (a) *the laneway that Mr Glynatsis has mentioned was discovered as being illegally closed;*
- (b) *Council officers following the normal process served notices upon the property owners on both sides of the laneway;*
- (c) *the owners forced Council to pursue a legal process and denied that Council had the right to require the laneway to be opened;*
- (d) *the matter was initially taken to the Titles Office to establish the status of the laneway, the laneway was then advised by the Titles Office to be Council land so the Council proceeded with a compliance notice and were forced to take the matter to court because the property owners concerned had engaged legal advice and continued to dispute, so we had no alternative but to take the*

- matter to court;*
- (e) *during the process we had the site inspected by Council's Building Surveyors as to what would be required to be undertaken, in terms of if the lane was not to be re-opened;*
 - (f) *The court case continued and the owners have recently indicated through their lawyers that they would now like the laneway to be closed formally and to acquire it;*
 - (g) *As a result of this request, Council is then required to follow a statutory public process that includes giving public notice that it would proposing to discontinue the laneway and if that was to be approved, then a report would be provided to Council;*
 - (h) *Council makes a determination on whether it will or won't close it. If Council were to close it, it could be offered for sale to both property owners; and*
 - (i) *the matter is still before the court.*

8. General business

Nil

9. Delegates' reports

9.1 Active Ageing Advisory Group - Councillor Stone

Councillors Stone reported the following:

As reported in December, the current group has been very proactive in seeking information and providing input to council on the provision of services and information for older residents in Yarra.

As required by the group's Terms of Reference (attached), 3 members' terms have recently expired and an Expression of Interest process is underway to recruit new members.

The current Terms of Reference state the membership of the group to be "up to 6 older people". The group has found over the past 3 years that this small number limits its ability to function effectively - an absence of just two members reduces meaningful input and discussion at any one meeting. The group has recommended to council that the membership be increased to "up to 8 members", and council endorsement is being sought for this minor change to the Terms of Reference.

Active Ageing Advisory Group Terms of Reference

Purpose

The Active Ageing Advisory Group (AAAG) will provide advice and support to Council regarding the following matters:

- Development of policy and programs impacting on the lives of older people in Yarra, by Council and non-government organisations;

- The needs, interests and well-being of Yarra's older people;
- The integration of Age Friendly planning into the core planning including social, infrastructure, corporate, recreation, leisure, physical, open space, asset management and statutory planning activities of Council;
- Monitoring and guidance of the implementation of the River of Life Positive Ageing Action Plan;
- Promotion of positive portrayals of older people and Yarra as an inclusive community.

Guiding Principle

To collaborate with Council and the community in raising awareness of ageing issues and promoting a Yarra culture that responds to the needs and aspirations of all older people.

The AAAG will therefore be required to:

- (a) Provide information and advice to Council on matters affecting the needs, interests and well-being of Yarra's older adults.
- (b) Act as a conduit for the exchange of information and views between community, Council and other representative bodies on issues affecting the lives of older people; and
- (c) Represent the community broadly.

Membership and Composition

The AAAG will comprise a Councillor and up to 6 older people.

Members will not be appointed as representatives of particular interest groups, regardless of whether that interest group has nominated them as members, nor are members expected to represent the specific view or be accountable to any organisation.

There will be no age limit to membership. Members are chosen because of their individual knowledge, networks and abilities and their ability to represent a wide and diverse range of experience, expertise, networks and interests relevant to older people.

Selection Criteria

AAAG members are in general expected to:

- Have the capacity to consult and represent a wide range of views;
- Understand the needs of older people from diverse backgrounds;
- Work with Council to inform stakeholders of activities, outcomes and achievement of AAAG;
- Have the capacity to analyse information and advice on issues affecting older people;
- Have strong knowledge of issues facing older people now and into the future;

- Live, work or study in the City of Yarra.

Residents who represent the following backgrounds are encouraged to apply:

- Different cultural and linguistic background;
- Gay, Lesbian, Bisexual, Trans and Intersex (GLBTI) background.

Term of Appointment and Selection process

The term of appointment will be four years. Each 2 years, half of the group will retire. Retiring members will be eligible for renomination.

Community members will be appointed every 2 years, following a public advertising process. Members will be chosen by a selection subcommittee ("the panel") consisting of two community members, the Chair and Council's Coordinator Community Development.

The panel will assess applicants against the selection criteria; consider appointments and make a recommendation to the Chief Executive Officer for approval.

Casual Vacancies

Where vacancies occur, the Group may on the recommendation of the Chair, appoint additional members at any time.

Role of Observers

Community members are invited to attend the AAAG meeting in the capacity of observer. Should observers wish to raise agenda items at meetings, they are invited to do this through a current member.

Role of the Chairperson

The Councillor Representative shall be the Chairperson. The Chairperson may act as a spokesperson for AAAG, or delegate the responsibility to another member.

Role of Members

It is expected that where possible, all members attend AAAG meetings for the duration of each, and participate in AAAG Working Groups as agreed. This may include providing input into specified projects. Although not appointed as representatives of specific organisations, AAAG members are expected to provide feedback on the work of the AAAG within their networks.

Decision Making

AAAG is not a decision making body and does not require voting protocols or other decision making mechanisms. As such, a diversity of different views may be expressed by the Group from time to time. These views will be reflected in any reports, and statements issued by the group.

As far as possible, AAAG will provide advice based on the collective wisdom of the Committee and the best available information provided by Council Officers.

Public Representation of Views

The Chair will represent the views of the Group and may, as delegated by the Mayor, make public statements to the media if required. Members are entitled to make comment on matters in their capacity as a member of another organisation or as private citizens; however it should be clear that those views are not expressed on

behalf of AAAG or Council.

Secretariat Support

Secretariat and other executive support to the AAAG will be provided by Aged and Disability Services Branch, City of Yarra.

Council Officers will attend the AAAG meeting and provide advice and information in the area of their expertise, including the distribution of minutes to members after meetings.

General AAAG Meetings

Meetings are to be held bi-monthly.

Working Groups

Based on agreed work priorities, the AAAG may use working groups to progress its work. Working groups will appoint their own convenor. Working group business may be conducted using a variety of methods, including face-to-face meetings, conference, telephone link ups or email.

Working group convenors must be a member of the AAAG, however a community member may be co-opted onto a group and group members may use their discretion to seek input from other people with knowledge or with an interest in the group's specific interest or subject.

Community Forums

The AAAG may also initiate or be requested to hold community forums:

- to provide opportunities for older people in Yarra to contribute to the AAAG deliberations; and
- to provide information about topics of interest to them.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Vlahogiannis

That the Delegates' report be accepted and that council endorse changing the Active Ageing Advisory Group Terms of Reference to include, under **Membership and Composition** that "The AAAG will comprise a Councillor and up to 8 older people."

CARRIED UNANIMOUSLY

10. Questions without notice

- 10.1 Councillor Colanzi - Rooftop Terraces on Residential Buildings

Question:

There appears to be an increased frequency in building applications to Council to include in new residential buildings, and or to retrofit to existing residential dwellings, roof top terraces and similar.

Can officers advise what planning or other controls exist enabling Council to outright reject such design installations, or at least the controls or conditions that may mitigate design, noise and other amenity impacts on adjacent/neighbouring residents?

Response:

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

11.1 Cladding on High-rise Buildings in Yarra

Trim Record Number: D16/15127

Responsible Officer: Manager Construction Management

RECOMMENDATION

1. That Council:
 - (a) notes the report; and
 - (b) receive a further report following the Victorian Building Authority audit of multi-storey buildings in Yarra to identify those that have may have combustible cladding.

COUNCIL RESOLUTION

Moved: Councillor Gaylard

Seconded: Councillor Colanzi

1. That Council:
 - (a) notes the report; and
 - (b) receive a further report following the Victorian Building Authority audit of multi-storey buildings in Yarra to identify those that have may have combustible cladding; and
 - (c) write to the VBA and the responsible Minister and State Government requesting:
 - (i) an explanation on how combustible cladding was not detected earlier by the VBA;
and
 - (ii) what does the government propose to rectify this situation.

CARRIED UNANIMOUSLY

11.2 Yarra Libraries Collection Development Policy 2015

Trim Record Number: D16/213
Responsible Officer: Director Community Wellbeing

RECOMMENDATION

1. That Council approve the attached Yarra Libraries Collection Development Policy 2015.

COUNCIL RESOLUTION

Moved: Councillor Vlahogiannis **Seconded:** Councillor Jolly

1. That Council approve the attached Yarra Libraries Collection Development Policy 2015.

CARRIED

11.3 Review of Neighbourhood House Funding Model 2015

Trim Record Number: D16/19533

Responsible Officer: Community Partnerships Unit Manager

RECOMMENDATION

1. That Council:

- (a) note the *Review of Neighbourhood House Funding Model 2015*; and
- (b) endorse the following responses:
 - (i) *Recommendation 1* - Council expands the criteria for the “maintenance refund” to include capital works where the House has two or more years left on its lease subject to any relevant Council building approval processes;
 - (ii) *Recommendation 2* - Council explore the costs and benefits of incorporating a multi-site loading into the funding model;
 - (iii) *Recommendation 3* - Council investigate the cost of accommodating the Belgium Ave request for including the portable classroom and garden in Council’s maintenance schedule;
 - (iv) *Recommendations 4 and 9* - Council continue to support the peak body Neighbourhood Houses Victoria Inc (NHVic) to develop and implement an advocacy strategy for an increase in the Coordination Program funding from the State Government;
 - (v) *Recommendations 5, 6 and 8* - Council acknowledges the sharing of some resources would be advantageous for the long term sustainability of all Yarra Houses. Council supports a conversation to begin with the Yarra Neighbourhood House Network around developing centralised neighbourhood house support systems and building capacity through skill sharing with NHVic and the North East Neighbourhood House Network (NENHN);
 - (vi) *Recommendation 7* - Council continues to provide publicity and marketing support for Houses via Yarra News and other appropriate means in a way which recognises the expanding demographic and diverse needs;
 - (vii) *Recommendation 10* - Council does fund Occasional Care Centres (OCC) in Leisure Centres and the Connie Benn centre. Council has provided some ad-hoc funding for OCC in neighbourhood houses in the past but does not annually fund OCC services in neighbourhood houses;
 - (viii) *Recommendation 11* - Council currently provides training for community groups and individuals through the Skills Training for Community Organisations program; and
 - (ix) *Recommendation 12* - Council acknowledges the sharing of some resources would be advantageous for the long term sustainability and viability of all Yarra Houses. Council, therefore, supports a conversation to begin between the Houses, relevant Council branches and other possible venue providers around flexible and creative use of space to improve access for diverse user groups.

COUNCIL RESOLUTION

Moved: Councillor Vlahogiannis

Seconded: Councillor Jolly

1. That Council:

- (a) note the *Review of Neighbourhood House Funding Model 2015*; and
- (b) endorse the following responses:
 - (i) *Recommendation 1* - Council expands the criteria for the “maintenance refund” to include capital works where the House has two or more years left on its lease subject to any relevant Council building approval processes;
 - (ii) *Recommendation 2* - Council explore the costs and benefits of incorporating a multi-site loading into the funding model;
 - (iii) *Recommendation 3* - Council investigate the cost of accommodating the Belgium Ave request for including the portable classroom and garden in Council’s maintenance schedule;
 - (iv) *Recommendations 4 and 9* - Council continue to support the peak body Neighbourhood Houses Victoria Inc (NHVic) to develop and implement an advocacy strategy for an increase in the Coordination Program funding from the State Government;
 - (v) *Recommendations 5, 6 and 8* - Council acknowledges the sharing of some resources would be advantageous for the long term sustainability of all Yarra Houses. Council supports a conversation to begin with the Yarra Neighbourhood House Network around developing centralised neighbourhood house support systems and building capacity through skill sharing with NHVic and the North East Neighbourhood House Network (NENHN);
 - (vi) *Recommendation 7* - Council continues to provide publicity and marketing support for Houses via Yarra News and other appropriate means in a way which recognises the expanding demographic and diverse needs;
 - (vii) *Recommendation 10* - Council does fund Occasional Care Centres (OCC) in Leisure Centres and the Connie Benn centre. Council has provided some ad-hoc funding for OCC in neighbourhood houses in the past but does not annually fund OCC services in neighbourhood houses;
 - (viii) *Recommendation 11* - Council currently provides training for community groups and individuals through the Skills Training for Community Organisations program; and
 - (ix) *Recommendation 12* - Council acknowledges the sharing of some resources would be advantageous for the long term sustainability and viability of all Yarra Houses. Council, therefore, supports a conversation to begin between the Houses, relevant Council branches and other possible venue providers around flexible and creative use of space to improve access for diverse user groups.

CARRIED

11.4 Joining the Alliance for Gambling Reform

Trim Record Number: D16/9635

Responsible Officer: Director Planning and Place Making

RECOMMENDATION

1. That Council:
 - (a) notes the report of officers regarding the Alliance for Gambling Reform;
 - (b) joins the Alliance for Gambling Reform, publically supports the campaign, and promotes the campaign to existing networks;
 - (c) indicates to the Alliance for Gambling Reform that it reserves the right to withdraw membership of the Alliance should membership require financial contribution or pose any conflict of interest for Council business; and
 - (d) requests a further report or reports be bought to Council should any requests with financial or resource implications be received from the Alliance for Gambling Reform.

COUNCIL RESOLUTION

Moved: Councillor Vlahogiannis

Seconded: Councillor Jolly

1. That Council:
 - (a) notes the report of officers regarding the Alliance for Gambling Reform;
 - (b) joins the Alliance for Gambling Reform, publically supports the campaign, and promotes the campaign to existing networks;
 - (c) indicates to the Alliance for Gambling Reform that it reserves the right to withdraw membership of the Alliance should membership require financial contribution or pose any conflict of interest for Council business; and
 - (d) requests a further report or reports be bought to Council should any requests with financial or resource implications be received from the Alliance for Gambling Reform.

CARRIED

11.5 Amendment C173 (part 2) to the Yarra Planning Scheme, Doonside Industrial Precinct

Trim Record Number: D16/12769

Responsible Officer: Director Planning and Place Making

RECOMMENDATION

1. That Council:
 - (a) note the officer's report in relation to the progress of Amendment C173 to the Yarra Planning Scheme;
 - (b) resolve that it will not adopt any part of Amendment C173 (Part 2) insofar as it relates to the following properties:
 - (i) 61-63 Burnley Street, Richmond;
 - (ii) 65 Burnley Street, Richmond;
 - (iii) 67 Burnley Street, Richmond;
 - (iv) 77-79 Burnley Street, Richmond;
 - (v) 1-9 Doonside Street, Richmond; and
 - (vi) 81-95 Burnley Street, Richmond.
 - (c) resolve to seek authorisation from the Minister for Planning to prepare Amendment C214 to the Yarra Planning Scheme pursuant to section 8A of the *Planning and Environment Act 1987* (the Act) for a new heritage precinct including 77-79 Burnley Street, Richmond; 81-95 Burnley Street, Richmond; and 1-9 Doonside Street, Richmond;
 - (d) if authorisation is granted by the Minister for Planning, that officers prepare and exhibit Amendment C214 in accordance with the provisions of the Act;
 - (e) seek an interim Heritage Overlay to 1-9 Doonside Street, Richmond, and
 - (f) pursue a consent order at the tribunal regarding the dismissal of VCAT appeals P1442/2015 and P2661/2015 against Council.

COUNCIL RESOLUTION

Moved: Councillor Gaylard

Seconded: Councillor Stone

1. That Council:

- (a) note the officer's report in relation to the progress of Amendment C173 to the Yarra Planning Scheme;
- (b) resolve that it will not adopt any part of Amendment C173 (Part 2) insofar as it relates to the following properties:
 - (i) 61-63 Burnley Street, Richmond;
 - (ii) 65 Burnley Street, Richmond;
 - (iii) 67 Burnley Street, Richmond;
 - (iv) 77-79 Burnley Street, Richmond;
 - (v) 1-9 Doonside Street, Richmond; and
 - (vi) 81-95 Burnley Street, Richmond.
- (c) resolve to seek authorisation from the Minister for Planning to prepare Amendment C214 to the Yarra Planning Scheme pursuant to section 8A of the *Planning and Environment Act 1987* (the Act) for a new heritage precinct including 77-79 Burnley Street, Richmond; 81-95 Burnley Street, Richmond; and 1-9 Doonside Street, Richmond;
- (d) if authorisation is granted by the Minister for Planning, that officers prepare and exhibit Amendment C214 in accordance with the provisions of the Act;
- (e) seek an interim Heritage Overlay to 1-9 Doonside Street, Richmond, and
- (f) pursue a consent order at the tribunal regarding the dismissal of VCAT appeals P1442/2015 and P2661/2015 against Council.

CARRIED

Councillor Vlahogiannis abstained

**11.6 1 and 1A South Terrace and 160 Gold Street, Clifton Hill VIC 3068 - Planning
Permit Application No. PLN14/0678**

Trim Record Number: D16/10307

Responsible Officer: Director Planning and Place Making

RECOMMENDATION

1. That Council, having considered all relevant planning policies, resolves to issue a **Notice of Decision to Grant Planning Permit (PLN14/0678)** for the development of the land for demolition and construction of a four-storey residential aged care facility (no permit required for use) and removal of easements at 1 and 1A South Terrace and 160 Gold Street, Clifton Hill generally in accordance with the decision plans received by Council on 12 October 2015 and subject to the following conditions:

Amended plans

2. Before the development starts, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of the permit. The plans must be drawn to scale with dimensions and three copies must be provided. The plans must be generally in accordance with the decision plans but modified to show:
 - (a) at least 24 bike parking spaces on the site;
 - (b) signage in accordance with clause 52.34-5 of the Yarra Planning Scheme;
 - (c) the capacity (at least 28,000L) of the water tank noted on the plans;
 - (d) solar panels to off-set common area lighting and lifts as well as any associated with the gas boosted solar hot water system;
 - (e) external adjustable shading systems to all north, east and west facing windows;
 - (f) the elevation plans updated to clearly show the fourth storey including colours, windows and all other building elements;
 - (g) the vertical fins on the western façade (Gold Street) extended to the underside of the eaves and the bottom of the wall;
 - (h) the 'Black Diamond' brick on the western façade (Gold Street) altered to a lighter colour;
 - (i) all accommodation rooms and the casual lounge south of the dining room facing the eastern boundary screened in accordance with the Standard of clause 55.05-5 of the Yarra Planning Scheme;
 - (j) all first and second floor accommodation rooms facing east screened in accordance with the Standard of clause 55.05-5 of the Yarra Planning Scheme;
 - (k) the location of all external heating and cooling units adequately screened from streets and surrounding properties;
 - (l) at least 24 lockers for staff;
 - (m) the details of all screening to windows demonstrating they are no more than 25% transparent;
 - (n) the removal of the easement of support noted including its location;
 - (o) a 1 in 20 scale cross sectional drawing of the development's vehicular entrance, showing the actual reduced levels (not interpolated levels from the application drawings) of the South Terrace road profile, including the building line, lip, invert and top of kerb levels. The existing road profile of South Terrace (centre line to south side) and the driveway inside the property must be accurately drawn;

- (p) the width of the new vehicle crossover to South Terrace;
 - (q) swept path diagrams showing the B99 design vehicle can enter and exit the site;
 - (r) either a convex mirror at the ramp entry/exit or the eastern boundary fence at a height of less than 900mm for the first 1m inside the northern boundary;
 - (s) headroom clearances for the entry/exit ramp noted;
 - (t) the disabled car parking space shown in accordance with Australian/New Zealand Standard AS/NZS 2890.6:2009 and be provided with an associated shared area;
 - (u) the basement plan updated to show dimensions of:
 - (i) Car parking spaces (including typical bays and bay 18);
 - (ii) Access aisles;
 - (iii) Basement entry between spaces 7 and 8;
 - (iv) The headroom clearance for car space 34; and
 - (v) Column setbacks and blind aisle extension at the north end of the basement; and
 - (v) all crossovers to be removed noted as being reinstated by the Permit Holder and to Council's satisfaction; and
 - (w) details of all fencing along South Terrace and Gold Street including height and materials. Fencing must be an open style.
3. The development as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.
4. Before the development is occupied, or by such later date as approved in writing by the Responsible Authority, all screening and other measures to prevent overlooking as shown on the endorsed plans must be installed to the satisfaction of the Responsible Authority. Once installed the screening and other measures must be maintained to the satisfaction of the Responsible Authority.
- Environmentally Sustainable Design***
5. Before the development commences, an amended Sustainable Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Management Plan will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Management Plan prepared by Cundall and dated 20 October 2015 but modified to include or show:
- (a) solar panels to off-set common area lighting and lifts; and
 - (b) an external shading strategy for all north, east and west facing windows.
6. The provisions, recommendations and requirements of the endorsed Sustainable Design Assessment must be implemented and complied with to the satisfaction of the Responsible Authority.
- Waste Management***
7. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Cundall and dated October 2015, but modified to include:
- (a) swept path diagrams demonstrating that the rubbish/recycling vehicle can enter and exit the basement in forward direction; and

- (b) Section 5 updated to state that waste collection 'must' be undertaken by private collection rather than 'should'.
- 8. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Landscaping

- 9. Before the development commences, an amended Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Landscape Plan will be endorsed and will form part of this permit. The amended Landscape Plan must be generally in accordance with the Landscape Plan prepared by Ben Scott Garden Design and dated 29 September 2015, but modified to include (or show):
 - (a) tree protection zones for trees 13, 14, 15, 16, 17, 18, 19, 20 (tree numbers as noted in the Arboricultural Assessment report prepared by Tree Logic, dated 21 October 2015 (report ref: 14_5698)).
- 10. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the landscaping works shown on the endorsed Landscape Plan must be carried out and completed to the satisfaction of the Responsible Authority. The landscaping shown on the endorsed Landscape Plan must be maintained by:
 - (a) implementing and complying with the provisions, recommendations and requirements of the endorsed Landscape Plan;
 - (b) not using the areas set aside on the endorsed Landscape Plan for landscaping for any other purpose; and
 - (c) replacing any dead, diseased, dying or damaged plants,to the satisfaction of the Responsible Authority.
- 11. Before the development commences, a Tree Management Plan to the satisfaction of the Responsible Authority must be prepared by a suitably qualified Arborist and must be submitted to and approved by the Responsible Authority. When approved the Tree Management Plan will be endorsed and will form part of this permit. The Tree Management Plan must make recommendations for:
 - (a) the protection of trees 13, 14, 15, 16, 17, 18, 19, 20, 27, 36, 37 and 38 as noted in the Arboricultural Assessment report prepared by Tree Logic, dated 21 October 2015 (report ref: 14_5698):
 - (i) pre-construction;
 - (ii) during construction; and
 - (iii) post construction; and
 - (b) the provision of any barriers;
 - (c) any pruning necessary; and
 - (d) watering and maintenance regimes,to the satisfaction of the Responsible Authority.
- 12. The provisions, recommendations and requirements of the endorsed Tree Management Plan must be complied with and implemented to the satisfaction of the Responsible Authority.
- 13. Before the development commences, the permit holder must make a one off contribution of \$3,500 to the Responsible Authority to be used for replacement street tree plantings that are required as a result of the development.

Civil works

14. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any redundant vehicular crossing must be demolished and re-instated as standard footpath and kerb and channel:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
15. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated (including the side entry pit on the Gold Street frontage):
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
16. Within 2 months of the completion of the development, or by such later date as approved in writing by the Responsible Authority, the footpath along the site's South Terrace and Gold Street frontages must be must be reconstructed:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
17. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

Construction management and noise

18. Before the development commences, a Construction Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plan will be endorsed and will form part of this permit. The plan must provide for:
 - (a) a pre-conditions survey (dilapidation report) of the land and all adjacent Council roads frontages and nearby road infrastructure;
 - (b) works necessary to protect road and other infrastructure;
 - (c) remediation of any damage to road and other infrastructure;
 - (d) containment of dust, dirt and mud within the land and method and frequency of clean up procedures to prevent the accumulation of dust, dirt and mud outside the land;
 - (e) facilities for vehicle washing, which must be located on the land;
 - (f) the location of loading zones, site sheds, materials, cranes and crane/hoisting zones, gantries and any other construction related items or equipment to be located in any street;
 - (g) site security;
 - (h) management of any environmental hazards including, but not limited to:
 - (i) contaminated soil;
 - (ii) materials and waste;
 - (iii) dust;
 - (iv) stormwater contamination from run-off and wash-waters;
 - (v) sediment from the land on roads;
 - (vi) washing of concrete trucks and other vehicles and machinery; and
 - (vii) spillage from refuelling cranes and other vehicles and machinery; and
 - (i) the construction program;
 - (j) preferred arrangements for trucks delivering to the land, including delivery and unloading points and expected duration and frequency;

- (k) parking facilities for construction workers;
 - (l) measures to ensure that all work on the land will be carried out in accordance with the Construction Management Plan;
 - (m) an outline of requests to occupy public footpaths or roads, or anticipated disruptions to local services;
 - (n) an emergency contact that is available for 24 hours per day for residents and the Responsible Authority in the event of relevant queries or problems experienced; and
 - (o) the provision of a traffic management plan to comply with provisions of AS 1742.3-2002 Manual of uniform traffic control devices - Part 3: Traffic control devices for works on roads.
19. The development must comply at all times with the State Environment Protection Policy – Control of Noise from Commerce, Industry and Trade (SEPP N-1).
20. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday to Friday (excluding public holidays) before 7 am or after 6 pm;
 - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
 - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
21. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit; or
 - (b) the development is not completed within four years of the date of this permit.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

NOTES:

This site is subject to a Heritage Overlay. A planning permit may be required for any external works.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5095 for further information.

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5585 to confirm.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5585 to confirm.

The permit holder must obtain approval from the relevant authorities to remove and/or build over the easement(s).

All future property owners, residents, business owners and employees within the development approved under this permit will not be permitted to obtain resident, employee or visitor parking permits.

A local law permit may be required for tree removal. Please contact Council's Compliance Branch on 9205 5063.

A vehicle crossing permit is required for the construction of the vehicle crossing(s). Please contact Council's Construction Management Branch on 9205 5585 for further information.

Public Submissions:

The following people addressed Council on this matter:

1. Mr Tony Nicholson - Executive Director of Brotherhood of St Laurence;
2. Mr Jay Hollerich – Director of Hollerich Town Planning Pty Ltd;
3. Ms Megan Smith – Co-Principal of Clifton Hill Primary School;
4. Ms Rosemarine Speidel;
5. Mr Damien Bonnice - (tabled a submission);
6. Ms Tina Choong;
7. Associate Professor Stephen Leslie;
8. Mr Bill Ryan;
9. Ms Helen Farrall;
10. Ms Mary Kenneally - Women's Honour Roll;
11. Mr Rod Quantock (OAM);
12. Mr Chris Goodman;
13. Mr Michael Tan; and
14. Ms Anna Jankovic.

COUNCIL RESOLUTION

Moved: Councillor Gaylard

Seconded: Councillor Stone

1. That having considered all relevant planning policies, Council resolve to issue a Notice of Refusal to grant Planning Permit PLN14/0678 at the address 1 and 1A South Terrace and 160 Gold Street Clifton Hill for the development of the land for demolition and construction of a four storey residential aged care facility and removal of easements, on the following grounds:
 - (a) the height, design and setbacks of the development does not respect the character and context of the area;
 - (b) the height, design and setbacks of the development does not respect the heritage significance and character of the area and would have an unacceptable adverse impact on the heritage place/area;
 - (c) the demolition of the former church building on 160 Gold Street Clifton Hill would have an unacceptable adverse impact on the heritage significance of the site and surrounding heritage place/area;
 - (d) the development will result in an unacceptable visual bulk when viewed from the dwellings to the east and south; and
 - (e) the development would result in unacceptable overshadowing impacts on the dwellings to the south.

CARRIED

CALL FOR A DIVISION

For: Councillors Coleman, Gaylard, Jolly and Stone

Against: Councillors Barbour, Colanzi and Vlahogiannis

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Stone

Seconded: Councillor Gaylard

That the meeting be extended.

CARRIED

The Mayor called for a 5 minute break.

11.7 Events in Public Spaces Policy

Trim Record Number: D16/21374

Responsible Officer: Director Community Wellbeing

RECOMMENDATION

1. That Council adopt the Events in Public Spaces Policy for immediate implementation.

COUNCIL RESOLUTION

Moved: Councillor Vlahogiannis

Seconded: Councillor Jolly

1. That Council adopt the Events in Public Spaces Policy for immediate implementation.

CARRIED

11.8 Assigning a name to the right of way between 4 Mary St and 318-328 Bridge Rd Richmond

Trim Record Number: D16/19141

Responsible Officer: Group Manager Chief Executive's Office

RECOMMENDATION

1. That Council:

- (a) having noted naming submissions for the unnamed right of way between 4 Mary Street and 318 to 328 Bridge Road, Richmond resolves its intention to assign the name "Pandoleon Lane" to this right of way; and
- (b) requests the Chief Executive Officer to ensure that relevant officers:
 - (i) advertise Council's intention to name the unnamed right of way, "Pandoleon Lane" and invite submissions within 28 days of the notice appearing in the local papers;
 - (ii) inform all abutting property owners and residents of its intention;
 - (iii) arrange for the reception and hearing of any submissions and the presentation of a further report to Council (if necessary);
 - (iv) lodge the name "Pandoleon Lane" with the Registrar of the Office of Geographic Names, subject to there being no objections following the completion of 1(a) above; and
 - (v) advise the submitters of Council's decision.

COUNCIL RESOLUTION

Moved: Councillor Vlahogiannis

Seconded: Councillor Colanzi

1. That the item be deferred to the May meeting cycle for further information.

CARRIED UNANIMOUSLY

11.9 Appointment of Council Delegate to Collingwood Children's Farm

Trim Record Number: D16/18092

Responsible Officer: Group Manager Chief Executive's Office

RECOMMENDATION

That Council nominate a new delegate to represent it on the Collingwood Children's Farm Management Committee.

COUNCIL RESOLUTION

Moved: Councillor Vlahogiannis

Seconded: Councillor Barbour

That Council nominate Councillor Barbour as a new delegate, to represent on the Collingwood Children's Farm Management Committee.

CARRIED UNANIMOUSLY

11.10 Report on Assemblies of Councillors Held - December 2015 to March 2016

Trim Record Number: D16/19793

Responsible Officer: Group Manager Chief Executive's Office

RECOMMENDATION

1. That Council formally note and record the Assemblies of Councillors report as detailed in Attachment 1 hereto.

COUNCIL RESOLUTION

Moved: Councillor Vlahogiannis

Seconded: Councillor Jolly

1. That Council formally note and record the Assemblies of Councillors report as detailed in Attachment 1 hereto.

CARRIED

11.11 Chandler Highway - VicRoads Response

Trim Record Number: D16/22658
Responsible Officer: Chief Executive Officer

RECOMMENDATION

1. That Council note the response of VicRoads in relation to the Council letter dated 26 November, 2016.
2. That the VicRoads letter be posted on the Council website.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Jolly

1. That Council note the response of VicRoads in relation to the Council letter dated 26 November, 2016.
2. That the VicRoads letter be posted on the Council website.
3. That the letter on the website be accompanied by the following statement: "Council restates its opposition to a 6 additional lane expansion of the Chandler Hwy and Bridge as contrary to good integrated transport planning, having a negative impact on the Yarra River environs and on adjacent residents; and Council again requests the release of the business case for this project in the interests of transparency."

CARRIED UNANIMOUSLY

11.12 Rate Capping Variation 2016/2017

Trim Record Number: D16/24875
Responsible Officer: Chief Executive Officer

RECOMMENDATION

1. That Council:
 - (a) note the report and Officer advice in relation to rate capping for 2016/ 2017; and
 - (b) authorise the Chief Executive Officer to write to the Essential Services Commission and notify the Commission that Yarra City Council will not be seeking to vary from the rate cap announced by the Minister for Local Government for the 2016/2017 year.

COUNCIL RESOLUTION

Moved: Councillor Vlahogiannis **Seconded:** Councillor Jolly

1. That Council:
 - (a) note the report and Officer advice in relation to rate capping for 2016/ 2017; and
 - (b) authorise the Chief Executive Officer to write to the Essential Services Commission and notify the Commission that Yarra City Council will not be seeking to vary from the rate cap announced by the Minister for Local Government for the 2016/2017 year.

CARRIED

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Vlahogiannis **Seconded:** Councillor Stone

That the meeting time be further extended.

CARRIED

13. Urgent Business

13.1 Safe Schools Program

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Stone

"Yarra City Council:

- (a) calls on the Federal Government to cease its attacks on the Safe Schools Program and calls for its expansion into as many schools as possible;
- (b) notes that Yarra schools and the local LGBTI community have benefited from the program;
- (c) supports the countless teachers, students and parents who have worked hard to create this crucial program, and urge all levels of government to provide them with financial support to further develop and expand the program as necessary; and
- (d) supports the public rally tomorrow which aims to lobby for a policy reversal from the Federal government on this matter."

CARRIED UNANIMOUSLY

Background:

In the past few weeks we've seen the far-right of the Liberal party leading very public attacks on the Safe Schools program, an anti-bullying program that runs in roughly five hundred schools across the country. Far right politicians like Cory Bernardi have said the program 'indoctrinates kids with Marxist cultural relativism.' What the program actually says is something quite simple. Through educationally sound classroom activities devised by actual teachers and students, it says that it's ok to be lesbian, bisexual, gay, transgender, intersex or queer. Not only that, but it asks students who don't feel like they fit into those categories to put themselves in the shoes of those who do and to think what that might be like before they treat someone differently.

Liberal backbencher Andrew Hastie has said the Safe Schools program is 'ideological big government reaching into the lives of ordinary Australians.' In actual fact the safe schools program is the result of many teachers, students and parents coming together to try to put an end to the suicides, the violence and the general brutality facing countless LGBTIQ youth in the schoolyard today. Brutality, that doesn't remain in the schoolyard, but also often continues in the outside world. LGBTIQ youth face disproportionate levels of homelessness thanks to prejudice; homophobic abuse and violence is rife across the country, and many LGBTIQ people confront discrimination on a daily basis in the workplace. There is a massive fight ahead of us all to end these problems.

13.2 Pedestrian Crossings in the City of Yarra

13.2 - COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Colanzi

Yarra City Council makes an undertaking today, in principle, on International Women's Day 2016, that wherever we have the installation of new signalised pedestrian crossings in the City of Yarra, that a "green lady", after consultation on the design, be installed, subject to the approval of VicRoads and other authorities as necessary.

CARRIED

Councillor Vlahogiannis abstained

Background

On 7 March 2016, VicRoads and the City of Yarra announced plans for the installation of a female silhouette in place of the traditional "green man" at a signalised pedestrian crossing at Bridge Road and Bosisto Street Richmond.

The silhouette is to be installed in recognition of Cr Mary Rogers, who, upon her election to the former Richmond City Council in 1920, became Victoria's first female councillor and the second woman in Australia to be elected to local government.

Following that announcement, there has been enormous public support from Yarra residents and it is proposed that a "green lady" (design to be discussed further) to be installed at new signalised pedestrian crossings from this point forward.

As today is International Women's Day, this would be a fitting way to acknowledge the women of Yarra!

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Vlahogiannis

Seconded: Councillor Stone

That the meeting be resumed in confidential.

CARRIED

Conclusion

The meeting concluded at 12.04pm.

Confirmed Tuesday 22 March 2016

Mayor