



Minutes

Council Meeting

7.00pm, Tuesday 3 August 2021

MS Teams

1. Statement of recognition of Wurundjeri Woi-wurrung Land

“Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.

We acknowledge their creator spirit Bunjil, their ancestors and their Elders.

We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion.

We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra.

We pay our respects to Elders from all nations here today—and to their Elders past, present and future.”

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

- | | |
|--------------------------|--------------|
| • Cr Gabrielle de Vietri | Mayor |
| • Cr Claudia Nguyen | Deputy Mayor |
| • Cr Edward Crossland | Councillor |
| • Cr Herschel Landes | Councillor |
| • Cr Anab Mohamud | Councillor |
| • Cr Bridgid O’Brien | Councillor |
| • Cr Amanda Stone | Councillor |
| • Cr Sophie Wade | Councillor |

Council officers

- | | |
|---------------------|--|
| • Vijaya Vaidyanath | Chief Executive Officer |
| • Brooke Colbert | Group Manager Advocacy and Engagement |
| • Ivan Gilbert | Group Manager Chief Executive’s Office |
| • Lucas Gosling | Director Community Wellbeing |
| • Bruce Phillips | Director Planning and Place Making |
| • Rhys Thomas | Senior Governance Advisor |
| • Mel Nikou | Governance Officer |

Apology

- | | |
|--------------------|------------|
| • Cr Stephen Jolly | Councillor |
|--------------------|------------|

COUNCIL RESOLUTION

Moved: Councillor de Vietri

Seconded: Councillor Wade

1. That:
 - (a) in accordance with section 35(4) of the Local Government Act 2020, Council grant leave to Cr Anab Mohamud for all meetings held from Tuesday 3 August to Monday 8 November 2021 inclusive; and
 - (b) Council note that Cr Mohamud has requested under section 39(5)(c) of the Local Government Act 2020 to receive no Councillor allowance during this period of leave.

CARRIED UNANIMOUSLY

3. Announcements

No announcements were made.

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

No declarations were made.

5. Confidential business reports

Nil

6. Confirmation of minutes

COUNCIL RESOLUTION

Moved: Councillor Crossland

Seconded: Councillor Stone

That the minutes of the Council Meeting held on Tuesday 20 July 2021 be confirmed.

CARRIED

7. Public question time

Item	Page
Public Question	5

8. Council business reports

Item		Page	Res. Page
8.1	Community Partnership Grants 2021-25 Recommendations Report	6	6
8.2	Proposal for a Children, Youth and Families Advisory Committee - WITHDRAWN	7	-
8.3	Planning Scheme Amendment C280yara - 32-68 Mollison Street, Abbotsford	8	9
8.4	Amendment C269 consideration of submissions and referral to Planning Panel	10	15

9. Notices of motion

Item		Page	Res. Page
9.1	Notice of Motion No. 8 of 2021 - Ministerial Approval of Planning Scheme Amendment C270 (Fitzroy and Collingwood)	19	19
9.2	Notice of Motion No. 9 of 2021 - Thresholds for Heritage Protection and Forthcoming Thematic Study	20	20

10. Petitions and joint letters

Nil

11. Questions without notice

Nil

12. Delegates' reports

Nil

13. General business

Nil

14. Urgent business

Item		Page	Res. Page
14.1	Proposed discontinuance of road at Fitzroy North Primary School	22	23

7. Public question time

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. A recording of the Council Meeting (including Public Question Time) is available on Council's website for twelve months following the meeting. Where a question is taken on notice and unable to be answered at the meeting, the full response is also published on Council's website when it becomes available.

Questioner	Question	Officer
Mitchell Price	Councillor conduct process	The Group Manager Chief Executive's Office provided a response.

8.1 Community Partnership Grants 2021-25 Recommendations Report

Reference D21/66453
Author Michael Van Vliet - Team Leader Community Grants
Authoriser Manager Social Strategy and Community Development

RECOMMENDATION Start time: 7.10pm

1. That:
 - (a) Council approve the ten recommended grants for a four-year period from 2021/22 to 2024/25; and
 - (b) the unallocated funds of \$38,687 be redirected towards the Annual Grants 2022 program.

COUNCIL RESOLUTION

Moved: Councillor de Vietri **Seconded:** Councillor Wade

1. That:
 - (a) Council approve the ten recommended grants for a four-year period from 2021/22 to 2024/25; and
 - (b) the unallocated funds of \$38,687 be redirected towards the Annual Grants 2022 program.

CARRIED UNANIMOUSLY

8.2 Proposal for a Children, Youth and Families Advisory Committee

Reference	D21/62664
Author	Lisa Wilkins - Coordinator Service Planning and Development
Authoriser	Manager Family and Children's Services

ITEM WAS WITHDRAWN

8.3 Planning Scheme Amendment C280yara - 32-68 Mollison Street, Abbotsford

Reference D21/77734
Author Mir Faruque - Strategic Planner
Authoriser Director Planning and Place Making

RECOMMENDATION

Start time: 7.16pm

1. That Council:
 - (a) note and consider all submissions made on or before the last date of exhibition of Amendment C280yara to the Yarra Planning Scheme, in accordance with section 22(1) of the of the *Planning and Environment Act 1987* (Vic);
 - (b) note the officer report and Attachments 1-5 in relation to the Amendment;
 - (c) in relation to all submissions which were considered by Council, refer those submissions to an independent Planning Panel appointed by the Minister under Part 8 of the Act in accordance with section 23 of the Act;
 - (d) authorise officers to consider any further late or modified submissions received prior to a hearing by a Planning Panel appointed by the Minister under Part 8 of the Act and determine whether to refer any late submissions to the independent Planning Panel;
 - (e) authorise officers to present submissions to the Planning Panel, adopting a position of advocacy for the Amendment, including requesting recommendations from the Planning Panel for any proposed changes or revisions to the exhibited Amendment, generally in accordance with the officer report, officer recommendations and Attachments 1-5;
 - (f) authorises officers to write to all submitters to Amendment C280yara to advise of the Council resolution; and
 - (g) receive a further report after the Panel Report is received from Planning Panels Victoria to enable further consideration of the Amendment by Council.

Public Submissions

The following people addressed Council on the matter:

Vicky Grillakis, Urbis; and

Jack Skoblar.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Crossland

1. That Council:

- (a) note and consider all submissions made on or before the last date of exhibition of Amendment C280yara to the Yarra Planning Scheme, in accordance with section 22(1) of the of the *Planning and Environment Act 1987* (Vic);
- (b) note the officer report and Attachments 1-5 in relation to the Amendment;
- (c) in relation to all submissions which were considered by Council, refer those submissions to an independent Planning Panel appointed by the Minister under Part 8 of the Act in accordance with section 23 of the Act;
- (d) authorise officers to consider any further late or modified submissions received prior to a hearing by a Planning Panel appointed by the Minister under Part 8 of the Act and determine whether to refer any late submissions to the independent Planning Panel;
- (e) authorise officers to present submissions to the Planning Panel, adopting a position of advocacy for the Amendment, including requesting recommendations from the Planning Panel for any proposed changes or revisions to the exhibited Amendment, generally in accordance with the officer report, officer recommendations and Attachments 1-5;
- (f) authorises officers to write to all submitters to Amendment C280yara to advise of the Council resolution; and
- (g) receive a further report after the Panel Report is received from Planning Panels Victoria to enable further consideration of the Amendment by Council.

CARRIED

8.4 Amendment C269 consideration of submissions and referral to Planning Panel

Reference	D21/77586
Author	Fiona van der Hoeven - Practice Leader, Strategic Planning
Authoriser	Director Planning and Place Making

RECOMMENDATION

Start time: 7.28pm

1. That Council:
 - (a) receives, notes and formally considers all submissions received in response to the exhibition of Amendment C269;
 - (b) notes and endorses the officer response to the issues raised by the submissions as outlined in the report and Attachment 3;
 - (c) requests the Minister for Planning to appoint an independent Planning Panel to consider all submissions referred in relation to Amendment C269 in accordance with Section 23 of the Planning and Environment Act 1987;
 - (d) refers all submissions, including late submissions received up to the date of this report, to the Panel;
 - (e) endorses the recommended changes to Amendment C269, including the Preferred Version of Policies, background documents and incorporated document as outlined in this report and Attachments 3, 5, 6, and 7 for the purposes of Council's advocacy position before the Planning Panel;
 - (f) adopts as its submission to the Panel the position of support for Amendment C269 with changes as identified in (e) above;
 - (g) writes to all submitters to advise of Council's decision to proceed to Panel;
 - (h) endorses changes to the Guidelines – Managing Noise Impacts in Urban Development, June 2020 as identified in Attachment 6;
 - (i) delegates to the officers to update Noise Discussion Paper to address consequential changes consistent with the Guideline – Managing Noise Impacts in Urban Development, June 2020;
 - (j) delegates to the officers to make minor updates to the Preferred Policies identified in Attachment 5 generally consistent with the information in this Council Report and attachments for the purpose of Panel; and
 - (k) notes that officers will provide a further report to Council after the Planning Panel report is received from Planning Panels Victoria to enable consideration of the Panel's recommendations and Amendment C269 by Council.

Public Submissions

The following people addressed Council on the matter:

1. Michael Phillipson;
2. Carol Pelham-Thorman;
3. Sally Vivian;
4. Carol Jasen;
5. Glen McCallum, Protect Fitzroy North Inc.;
6. Chris Goodman, The 3068 Group;
7. David Balding;
8. Xavier Cooper;
9. Charmaine Dennis;
10. Carly Woods;
11. Anne Horrigan-Dixon, Queens Parade Heritage Planning and Traders;
12. Greg Johnson;
13. Justin Francis, East Clifton Hill Residents;
14. Sally Romanes;
15. Kenneth Gomez;
16. Margaret O'Brien;

The Mayor adjourned the meeting at 8.35pm

The meeting resumed at 8.41pm

17. Stephen McCulloch;
18. Mitchell Shaw;
19. Matthew Carabott;
20. Todd Perry, Alphington Fairfield Appropriate Development Association (AFADA);
21. Ian Wight, Royal Historical Society of Victoria;
22. Adam Promnitz, Yarra Residents Collective;
23. Theresa Saldanha;
24. Jeremy Lawrence, Streets Alive Yarra; and
25. Peter Kaylor.

Councillor Crossland left the meeting at 8.56pm

Councillor Crossland returned at 8.58pm

MOTION

Moved: Councillor Stone

Seconded: Councillor O'Brien

1. That Council:

- (a) receives, notes and formally considers all submissions received in response to the exhibition of Amendment C269;
- (b) notes and endorses the officer response to the issues raised by the submissions as outlined in the report and Attachment 3;
- (c) requests the Minister for Planning to appoint an independent Planning Panel to consider all submissions referred in relation to Amendment C269 in accordance with Section 23 of the Planning and Environment Act 1987;
- (d) refers all submissions, including late submissions received up to the date of this report, to the Panel;
- (e) endorses the recommended changes to Amendment C269, including the Preferred Version of Policies, background documents and incorporated document as outlined in this report and Attachments 3, 5, 6, and 7 for the purposes of Council's advocacy position before the Planning Panel, with the following further changes to Attachment 5:

- (i) in proposed Clause 02.01 Context, under the heading "Location", insert the following words after "Yarra stands on the traditional lands of the Wurundjeri people":

"Yarra acknowledges their creator spirit Bunjil, their ancestors and their Elders. Yarra acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion."

- (ii) in proposed Clause 02.01 Context, under the heading "Built Environment and Heritage", insert the word "high-rise", as bolded, so that the sentence reads:

*"The large public housing estates provide a contrasting built form character of **high-rise** apartment buildings set in landscaped grounds."*

- (iii) in proposed Clause 02.01 Context, under the heading "Transport", insert reference to separated bike routes, as bolded, so that the sentence reads:

*"Yarra benefits from an extensive transport system that includes public transport (train, tram and bus services); a network of arterial roads and local streets; **separated bike routes**; and a compact urban form and mix of land uses that facilitates walking and cycling."*

- (iv) in proposed Clause 02.01 Context, under the heading "Climate Change" make the following bolded change to the paragraph:

*"Yarra will need to continue to mitigate greenhouse gas contributions and act locally. To mitigate its contribution to climate change, **Council has reached zero net emissions from its operations and is seeking to achieve zero net emissions in our community by 2030.** In doing so, Council will contribute to global climate change commitments – as well as national and state targets."*

- (v) in proposed Clause 02.01 Context, under the heading "Built environment and heritage", delete "(above 14 storeys)" so that the sentence reads:

"The existing scale of development within the municipality is mostly characterised by low to mid-rise buildings, with some taller buildings which are anomalies to the mid-rise character."

- (vi) in proposed Clause 02.02 Vision replace:

The vision in the Yarra City Council Plan and Community Health and Wellbeing Plan 2017-2021 is for the municipality to be:

“A vibrant, liveable and sustainable inner-city that the community can be proud of”

The Yarra Planning Scheme forms the spatial response to the council’s vision.

With

“The Yarra 2036 Community Vision statement:

Yarra is a vibrant, safe and inclusive environment. We celebrate and embrace our diversity and connection to each other and the land. Our community is empowered to work together and support one another with respect and trust”.

(vii) in proposed Clause 15.01-1L under the heading Urban design – Strategies- Public Realm add the word “traders” to the phrase “ residents, workers, traders and visitors”

(viii) in proposed Clause 15.01-2L under the heading Building design – Strategies - Frontages add the words in bold:

Design ground level street frontage of new development to provide a high level of pedestrian amenity, visual interest, **and contribute to strong ground floor relationships and high quality outcomes.**

(ix) in proposed Clause 02.03 Strategic directions, under the heading “Natural Environment”, under the strategy “Protect and enhance Yarra’s natural environment”, make the following bolded change to the strategy:

“Improve pedestrian and cycle links across the Yarra River and Darebin and Merri Creeks to neighbouring municipalities **that enhance the natural environment.**”

(x) in proposed Clause 02.03 Strategic directions, under the heading “Climate change” under the strategy “Lead on sustainability and seek to manage the long-term effects of climate change” make the following bolded addition:

- Easier compliance with building requirements through passive design;
- Reduction of costs over the life of the building;
- Improved affordability over the longer term through reduced running costs;
- Improved amenity and liveability;
- **Reduced greenhouse gas emissions;**
- More environmentally sustainable urban form; and
- Integrated water management”

(xi) update the proposed Schedule to Clause 72.08 Background documents to include Yarra Climate Emergency Plan 2020-2024 as a background document.

(f) notes the large number of submissions focused on activity centres and shopping strips and Yarra’s heritage character and requests the Panel to consider all issues in submissions, but in particular the issues raised about:

(i) the term mid-rise and what mid-rise development will look like in our activity centres;

(ii) balancing tensions of introducing residential growth in and around activity centres versus the primary commercial and cultural roles of those activity centres;

(iii) the boundary of the Swan Street activity centre and the inclusion of the precinct bound by Tanner, Stewart and Wangaratta Sts;

(iv) the designation of Rathdowne Street, Carlton North as a Neighbourhood Activity Centre as identified in Clause 11.03-1L Activity Centres and its identification for incremental change;

- (v) the inclusion of significant banks, pubs and clubs in proposed Clause 02.03 “Strategic directions”, under the heading “Built environment and heritage” and sub-heading “Manage development and growth in Yarra to maintain and enhance the unique character and heritage of the city”,
 - (vi) in proposed Clause 02.03 “Strategic directions”, under the heading “Built environment and heritage” and sub-heading “Manage development and growth in Yarra to maintain and enhance the unique character and heritage of the city”, specific reference to historic street infrastructure such as bluestones laneways, bluestone kerbs & channel as well as the remnants of inner circle railway tracks and historic lampposts
 - (vii) the appropriateness of the use of the equinox when considering overshadowing of public open space, compared to the winter solstice.
 - (viii) the impact of slower population growth on housing projections for Yarra.
 - (g) progress further strategic work as soon as practicable (subject to officers capacity and resources to undertake such work) for the land identified as Land subject to future strategic work at proposed Clause 11.03-1L Swan Street Activity Centre Plan in the attached preferred version of policies based on the recommendations of the independent Planning Panel report in relation to C269, when received;
 - (h) adopts as its submission to the Panel the position of support for Amendment C269 with changes as identified in (f) above;
 - (i) writes to all submitters to advise of Council’s decision to proceed to Panel;
 - (j) endorses changes to the Guidelines – Managing Noise Impacts in Urban Development, June 2020 as identified in Attachment 6;
 - (k) delegates to the officers to update Noise Discussion Paper to address consequential changes consistent with the Guideline – Managing Noise Impacts in Urban Development, June 2020;
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 - (m) notes that officers will provide a further report to Council after the Planning Panel report is received from Planning Panels Victoria to enable consideration of the Panel’s recommendations and Amendment C269 by Council.
2. That Council acknowledges the high levels of community interest and engagement in the development of our new Planning Scheme and thanks all submitters for the time and effort put into submissions. Council acknowledges the passion and commitment many Yarra residents, businesses and visitors feel about the place they live, work study in and visit and the importance of our built form to their sense of place and community. Council acknowledges that the many issues raised through submissions will be examined through the Panel process and looks forward to the Planning Panel Report in due course.

Councillor Landes put forward the below amendments:

“Encourage land use and development opportunities that create diverse and sustainable centres by:

- Encouraging development that enhances a centre’s sense of place, identity and street activity.
- **Encouraging development which supports the character and role of various precincts within the centre.”**

In proposed Clause 15.01-1L under the heading Signs “ policy guidelines” remove the words “Avoiding window signs covering more than 30% of a ground floor commercial window (including decal signs, signs painted on a window or signs mounted behind a window ”

The amendments were not accepted by the mover.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor O'Brien

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- (iv) in proposed Clause 02.01 Context, under the heading “Climate Change” make the following bolded change to the paragraph:

“Yarra will need to continue to mitigate greenhouse gas contributions and act locally. To mitigate its contribution to climate change, **Council has reached zero net emissions from its operations and is seeking to achieve zero net emissions in our community by 2030.** In doing so, Council will contribute to global climate change commitments – as well as national and state targets.

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mid-rise character.”

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“The Yarra 2036 Community Vision statement:

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Design ground level street frontage of new development to provide a high level of pedestrian amenity, visual interest, **and contribute to strong ground floor relationships and high quality outcomes.**

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“Improve pedestrian and cycle links across the Yarra River and Darebin and Merri Creeks to neighbouring municipalities **that enhance the natural environment.**”

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- Easier compliance with building requirements through passive design;
- Reduction of costs over the life of the building;
- Improved affordability over the longer term through reduced running costs;
- Improved amenity and liveability;
- **Reduced greenhouse gas emissions;**
- More environmentally sustainable urban form; and
- Integrated water management”

- (xi) update the proposed Schedule to Clause 72.08 Background documents to include Yarra Climate Emergency Plan 2020-2024 as a background document.

- (f) notes the large number of submissions focused on activity centres and shopping strips and Yarra’s heritage character and requests the Panel to consider all issues in submissions, but in particular the issues raised about:

- (i) the term mid-rise and what mid-rise development will look like in our activity centres;

- (ii) balancing tensions of introducing residential growth in and around activity centres versus the primary commercial and cultural roles of those activity centres;

- (iii) the boundary of the Swan Street activity centre and the inclusion of the precinct bound by Tanner, Stewart and Wangaratta Sts;
 - (iv) the designation of Rathdowne Street, Carlton North as a Neighbourhood Activity Centre as identified in Clause 11.03-1L Activity Centres and its identification for incremental change;
 - (v) the inclusion of significant banks, pubs and clubs in proposed Clause 02.03 “Strategic directions”, under the heading “Built environment and heritage” and sub-heading “Manage development and growth in Yarra to maintain and enhance the unique character and heritage of the city”;
 - (vi) in proposed Clause 02.03 “Strategic directions”, under the heading “Built environment and heritage” and sub-heading “Manage development and growth in Yarra to maintain and enhance the unique character and heritage of the city”, specific reference to historic street infrastructure such as bluestones laneways, bluestone kerbs & channel as well as the remnants of inner circle railway tracks and historic lampposts
 - (vii) the appropriateness of the use of the equinox when considering overshadowing of public open space, compared to the winter solstice; and
 - (viii) the impact of slower population growth on housing projections for Yarra;
 - (g) progress further strategic work as soon as practicable (subject to officers capacity and resources to undertake such work) for the land identified as Land subject to future strategic work at proposed Clause 11.03-1L Swan Street Activity Centre Plan in the attached preferred version of policies based on the recommendations of the independent Planning Panel report in relation to C269, when received;
 - (h) adopts as its submission to the Panel the position of support for Amendment C269 with changes as identified in (f) above;
 - (i) writes to all submitters to advise of Council’s decision to proceed to Panel;
 - (j) endorses changes to the Guidelines – Managing Noise Impacts in Urban Development, June 2020 as identified in Attachment 6;
 - (k) delegates to the officers to update Noise Discussion Paper to address consequential changes consistent with the Guideline – Managing Noise Impacts in Urban Development, June 2020;
 - (l) delegates to the officers to make minor updates to the Preferred Policies identified in Attachment 5 generally consistent with the information in this Council Report and attachments for the purpose of Panel; and
 - (m) notes that officers will provide a further report to Council after the Planning Panel report is received from Planning Panels Victoria to enable consideration of the Panel’s recommendations and Amendment C269 by Council.
3. That Council acknowledges the high levels of community interest and engagement in the development of our new Planning Scheme and thanks all submitters for the time and effort put into submissions. Council acknowledges the passion and commitment many Yarra residents, businesses and visitors feel about the place they live, work study in and visit and the importance of our built form to their sense of place and community. Council acknowledges that the many issues raised through submissions will be examined through the Panel process and looks forward to the Planning Panel Report in due course.

CARRIED UNANIMOUSLY

The Mayor adjourned the meeting at 9.45pm

Councillor Landes left the meeting at 9.45pm, not returning.

The meeting resumed at 9.49pm

9.1 Notice of Motion No. 8 of 2021 - Ministerial Approval of Planning Scheme Amendment C270 (Fitzroy and Collingwood)

Reference D21/84200
Author Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION Start time: 9.49pm

That the Mayor write to the Minister for Planning, requesting him to conclude the important process of developing planning controls for Fitzroy and Collingwood, by approving Amendment C270 to the Yarra Planning Scheme.

Public Submissions

The following people addressed Council on the matter:

Glen McCallum, Protect Fitzroy North Inc.;

Anne Horrigan-Dixon, Queens Parade Heritage Planning and Traders; and

Greg Chenhall, Fitzroy Residents Association.

COUNCIL RESOLUTION

Moved: Councillor Wade **Seconded:** Councillor de Vietri

That the Mayor write to the Minister for Planning, requesting him to conclude the important process of developing planning controls for Fitzroy and Collingwood, by approving Amendment C270 to the Yarra Planning Scheme.

CARRIED UNANIMOUSLY

9.2 Notice of Motion No. 9 of 2021 - Thresholds for Heritage Protection and Forthcoming Thematic Study

Reference D21/84302
Author Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION

Start time: 10.04pm

1. That the Mayor write to the Minister for Planning:
 - (a) regarding the difficulty in meeting the current threshold to achieve internal heritage protection, the limitation of means of protection for places of social and cultural significance, and a desire for a review of such thresholds; and
 - (b) referencing the undertaking of a thematic study for places of significance to the LGBTIQ+ community in the City of Yarra and also including the opportunity to partner with Council, to establish possible mechanisms for their retention (in terms of use and function), protection, celebration and acknowledgement.

Public Submissions

The following people addressed Council on the matter:

Glen McCallum, Protect Fitzroy North Inc.;

Anne Horrigan-Dixon, Queens Parade Heritage Planning and Traders;

Matthew Carabott, Our Collingwood Community group; and

Greg Chenhall, Fitzroy Residents Association.

COUNCIL RESOLUTION

Moved: Councillor Crossland

Seconded: Councillor O'Brien

1. That the Mayor write to the Minister for Planning and the Minister for Equality:
 - (a) regarding the difficulty in meeting the current threshold to achieve internal heritage protection, the limitation of means of protection for places of social and cultural significance, and a desire for a review of such thresholds; and
 - (b) referencing the undertaking of a thematic study for places of significance to the LGBTIQ+ community in the City of Yarra and also including the opportunity to partner with Council, to establish possible mechanisms for their retention (in terms of use and function), protection, celebration and acknowledgement.

CARRIED UNANIMOUSLY

10. Petitions and joint letters

Nil

11. Questions without notice

Nil

12. Delegates' reports

Nil

13. General Business

Nil

14.1 Proposed discontinuance of road at Fitzroy North Primary School

Reference	D21/84840
Author	Bill Graham - Coordinator Valuations
Authoriser	Director Corporate, Business and Finance

RECOMMENDATION

Start time: 10.19pm

1. That Council, acting under clause 3 of schedule 10 of the Local Government Act 1989 (Act):
 - (a) resolves, having followed all the required statutory procedures pursuant to sections 207A and 233 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the road at Fitzroy North Primary School, Fitzroy North, being part of the land contained in certificate of title volume 772 folio 273 (shown marked lot 1 on the title plan attached as **Attachment One** to this report (Road)) is not reasonably required for public use for the reasons set out in this report, to discontinue the Road;
 - (b) directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the Victoria Government Gazette;
 - (c) directs that, once discontinued, the Road be transferred to the Minister administering the Education and Training Reform Act 2006 (Vic) (Minister) for \$1.00;
 - (d) directs that the CEO sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and their subsequent transfer to the Minister;
 - (e) directs that any easements, rights or interests required to be created or saved over the Road by any authority be done so and not be affected by the discontinuance and sale of the Road; and
 - (f) directs that the Minister be required to consolidate the title to the discontinued Road with the land contained in certificate of title volume 1555 folio 863, by no later than 6 months after the date of transfer of the discontinued Road.

COUNCIL RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor Crossland

1. That Council, acting under clause 3 of schedule 10 of the Local Government Act 1989 (Act):
 - (a) resolves, having followed all the required statutory procedures pursuant to sections 207A and 233 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the road at Fitzroy North Primary School, Fitzroy North, being part of the land contained in certificate of title volume 772 folio 273 (shown marked lot 1 on the title plan attached as **Attachment One** to this report (Road)) is not reasonably required for public use for the reasons set out in this report, to discontinue the Road;
 - (b) directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the Victoria Government Gazette;
 - (c) directs that, once discontinued, the Road be transferred to the Minister administering the Education and Training Reform Act 2006 (Vic) (Minister) for \$1.00;
 - (d) directs that the CEO sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and their subsequent transfer to the Minister;
 - (e) directs that any easements, rights or interests required to be created or saved over the Road by any authority be done so and not be affected by the discontinuance and sale of the Road; and
 - (f) directs that the Minister be required to consolidate the title to the discontinued Road with the land contained in certificate of title volume 1555 folio 863, by no later than 6 months after the date of transfer of the discontinued Road.

CARRIED

Conclusion

The meeting concluded at 10.22pm.

Confirmed Tuesday 17 August 2021

Mayor