



Minutes

Council Meeting

7.00pm, Tuesday 15 November 2022

Richmond Town Hall

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 Sophie Wade	Mayor
• Cr Edward Crossland	Deputy Mayor
• Cr Stephen Jolly	Councillor
• Cr Herschel Landes	Councillor
• Cr Anab Mohamud	Councillor
• Cr Claudia Nguyen	Councillor
• Cr Bridgid O’Brien	Councillor
• Cr Amanda Stone	Councillor

Council officers

• Sue Wilkinson	Chief Executive Officer
• Brooke Colbert	Group Manager Advocacy and Engagement
• Malcolm Foard	Director Community Wellbeing
• Ivan Gilbert	Group Manager Chief Executive’s Office
• Gracie Karabinis	Group Manager People and Culture
• Chris Leivers	Director City Works and Assets
• Wei Chen	Director Corporate, Business and Finance
• Mary Osman	Director Planning and Place Making
• Rhys Thomas	Senior Governance Advisor

Leave of absence

• Cr Gabrielle de Vietri	Councillor
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3. Announcements

No announcements were made

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

Cr O’Brien declared a general conflict of interest in relation to Item 8.5 – Annual Grants 2023 Recommendations Report. She left the meeting while the matter was considered.

Cr Mohamud declared a general conflict of interest in relation to Item 8.5 – Annual Grants 2023 Recommendations Report. She left the meeting while the matter was considered.

Cr Wade declared a general conflict of interest in relation to Item 8.1 – Mayors Park Tennis and Netball Centre Management. She left the meeting while the matter was considered.

Cr Jolly declared a general conflict of interest in relation to Item 8.3 – PPE22/0228 - Development Facilitation Program Referral - 31-35 Victoria Parade Fitzroy (also 41 Victoria Parade, Fitzroy) - St Vincent's Hospital site. He left the meeting while the matter was considered.

5. Confidential business reports

Nil

6. Confirmation of minutes

COUNCIL RESOLUTION

Moved: Councillor Mohamud

Seconded: Councillor Crossland

That the minutes of the Council Meeting held on Tuesday 25 October 2022 be confirmed.

CARRIED UNANIMOUSLY

7. Question time

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8. Council business reports

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13. General business

Nil

14. Urgent business

Nil

7. Question time

This record is provided as a summary of the questions asked by members of the public during Question Time. A recording of the Council Meeting 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.

The following questions were asked:

1. Victoria Chipperfield asked a question about Council's budgeted expenditure on consultants. The Director Corporate, Business and Finance provided a response.
2. Dorothy James asked a question about road construction in Burnley. The Director Planning and Place Making provided a response.
3. Shane Delphine asked a question about the provision of financial forecast data. The Director Corporate, Business and Finance provided a response.

8.1 Mayors Park Tennis and Netball Centre Management

Reference	D22/285102
Author	Sally Jones - Manager Recreation and Leisure Services
Authoriser	Director City Works and Assets

The Mayor left the meeting due to a conflict of interest at 7.18pm

The Deputy Mayor assumed the Chair.

RECOMMENDATION

1. That Council:
 - (a) acknowledge the significant contribution of volunteers towards the continued success of community sport in Yarra, including through the efforts of the CHTC committee;
 - (b) endorse the proposed hybrid model of management for Mayors Park Tennis and Netball Centre (Option 3 in this report), to be managed by the Recreation and Leisure Services Branch; and
 - (c) supports the development of new agreements with key stakeholders, Clifton Hill Tennis Club, Racquet Lab Pty Ltd and CitySide Sports, which reflect these arrangements.

MOTION

Moved: Councillor Jolly

Seconded: Councillor O'Brien

1. That Council:
 - (a) acknowledge the significant contribution of volunteers towards the continued success of community sport in Yarra, including through the efforts of the CHTC committee;
 - (b) endorse the Club/Coach model of management for Mayors Park Tennis and Netball Centre (being Option 1 in this report), to be managed by the Clifton Hill Tennis Club; and
 - (c) enter into an agreement with Clifton Hill Tennis Club which reflect these arrangements.

LOST

CALL FOR A DIVISION

For: Councillors Jolly and O'Brien

Against: Councillors Crossland, Landes, Mohamud, Nguyen and Stone

LOST

COUNCIL RESOLUTION

Moved: Councillor Landes

Seconded: Councillor Mohamud

1. That Council:
 - (a) acknowledge the significant contribution of volunteers towards the continued success of community sport in Yarra, including through the efforts of the CHTC committee;
 - (b) endorse the proposed hybrid model of management for Mayors Park Tennis and Netball Centre (Option 3 in this report), to be managed by the Recreation and Leisure Services Branch, with a review of these arrangements to be undertaken after a period of 3 years, and a report presented to Council on the outcomes of that review;

- (c) supports the development of new agreements with key stakeholders, Clifton Hill Tennis Club, Racquet Lab Pty Ltd and CitySide Sports, which reflect these arrangements; and
- (d) in preparing these new agreements:
 - (i) negotiate with Clifton Hill Tennis Club around options for conducting minor repairs, with council permission;
 - (ii) include reasonable timeline expectations for council managed repairs and upgrades; and
 - (iii) negotiate with Racquet Lab the provision of information to CHTC on forthcoming event and activities.

CARRIED

CALL FOR A DIVISION

For: Councillors Crossland, Landes, Mohamud, Nguyen and Stone

Against: Councillors Jolly and O'Brien

CARRIED

8.2 Hearing of submissions in relation to two road discontinuances in Collingwood

Reference	D22/293601
Author	Bill Graham - Coordinator Valuations
Authoriser	Director Corporate, Business and Finance

The Mayor returned to the meeting at 7.44pm.

RECOMMENDATION

1. That Council note:
 - (a) the written submissions at **Attachment Two** in relation to the proposed partial discontinuance of Otter Street Collingwood;
 - (b) the oral submissions made by submitters at this meeting in relation to the proposed partial discontinuance of Otter Street Collingwood;
 - (c) the written submissions at **Attachment Four** in relation to the proposed partial discontinuance of Cambridge Street Collingwood; and
 - (d) the oral submissions made by submitters at this meeting in relation to the proposed partial discontinuance of Cambridge Street Collingwood.
2. That in accordance with Chapter Two, Rule 10 of the Yarra City Council Governance Rules, Council schedule an Extraordinary Council Meeting for 6.00pm on Tuesday 22 November 2022 to further consider the proposed discontinuance of parts of Otter Street and Cambridge Street Collingwood.

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Stone

1. That Council note:
 - (a) the written submissions at **Attachment Two** in relation to the proposed partial discontinuance of Otter Street Collingwood;
 - (b) the oral submissions made by submitters at this meeting in relation to the proposed partial discontinuance of Otter Street Collingwood;
 - (c) the written submissions at **Attachment Four** in relation to the proposed partial discontinuance of Cambridge Street Collingwood; and
 - (d) the oral submissions made by submitters at this meeting in relation to the proposed partial discontinuance of Cambridge Street Collingwood.
2. That in accordance with Chapter Two, Rule 10 of the Yarra City Council Governance Rules, Council schedule an Extraordinary Council Meeting for 6.00pm on Tuesday 22 November 2022 to further consider the proposed discontinuance of parts of Otter Street and Cambridge Street Collingwood.

CARRIED UNANIMOUSLY

8.3 PPE22/0228 - Development Facilitation Program Referral - 31 - 35 Victoria Parade Fitzroy (also 41 Victoria Parade, Fitzroy) - St Vincent's Hospital site

Reference	D22/272180
Author	John Theodosakis - Principal Planner
Authoriser	Director Planning and Place Making

Councillor Jolly left the meeting due to a conflict of interest at 7.59pm.

RECOMMENDATION

1. That Council note:
 - (a) The officer report and the application material;
 - (b) The ongoing need for the preparation of a master plan in accordance with the *Implementation of strategies* at Clause 21.08-7 (Fitzroy) of the Yarra Planning Scheme;
 - (c) The need for the Department of Environment, Land, Water and Planning to enquire into the end occupiers of the building; and
 - (d) That Council write to the Department of Environment, Land, Water and Planning outlining the following conditions be included on any planning permit:

Conditions to be included in any planning permit

1. Before the development commences, 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 this 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 prepared by Bates Smart Architects and dated 15 August 2022 but modified to show:
 - Demolition*
 - (a) Demolition plans showing extent of demolition proposed to Brenan Hall;
 - Design Detail*
 - (b) Details of the proposed canopy to Victoria Parade including height and setback from the kerb;
 - (c) Modified setback of the building as it presents above the retained portion of Brenan Hall as required by the Conservation Management Plan;
 - Bicycles*
 - (d) A minimum of 116 employee spaces provided in compliance with Clause 52.34-3 of the Yarra Planning Scheme and Australian Standard AS2890.3;
 - (e) A minimum of 30 visitor bicycle parking spaces in total provided in compliance with Clause 52.34-3 of the Yarra Planning Scheme and Australian Standard AS2890.3;
 - (f) Dimensions of bicycle storage spaces, lifts and relevant access ways noted to demonstrate compliance with Australian Standard AS2890.3 or to the satisfaction of the Responsible Authority;
 - (g) All visitor bicycle parking spaces must be provided at a horizontal bicycle rail, in compliance with Clause 52.34-3 and Australian Standard AS2890.3;

- (h) At least 40% of employee bicycle parking must be provided as horizontal (on ground) parking;
- (i) Clarification on the number of lifts to be provided for access to the Basement bicycle parking area. If only one (1) then at least one (1) additional lift must be provided;
- (j) All access arrangement to the EOT lifts to be shown on plans;
- (k) Provision of at least 12 showers / change rooms;
- (l) An assessment of the estimated trip generation of the employee bicycle parking;
- (m) At least 5% of the total number of bicycle parking spaces must include electric bicycle charging points immediately adjacent to spaces suitable for electric bicycles to use, i.e. horizontal on-ground spaces with sufficient widths to accommodate a larger electric bicycle, as per AS2890.3 Appendix A – ‘cargo bicycle’ and Section 2.2.8;

Loading bay

- (n) The dimensions of the loading bay annotated on the ground floor plan;

Reports and Plans

- (o) Any requirement of the endorsed Façade Strategy and Materials and Finishes Plan (Condition 3) (where relevant to show on plans);
 - (p) Any requirement of the endorsed Conservation Management Plan (Condition 4)(where relevant to show on plans);
 - (q) Any requirement of the endorsed Landscape Plan (condition 6) (where relevant to show on plans);
 - (r) Any requirement of the endorsed Sustainable Management Plan (condition 8) (where relevant to show on plans);
 - (s) Any requirement of the endorsed Wind Impact Assessment Report (condition 11) (where relevant to show on plans);
 - (t) Any relevant requirement of the endorsed Acoustic Report (condition 13) (where relevant to show on plans);
 - (u) Any requirement of the endorsed Green Travel Plan (condition 15) (where relevant to show on plans);
 - (v) Any requirement of the endorsed Waste Management Plan (condition 17) (where relevant to show on plans); and
 - (w) Any requirement of the endorsed Public Realm Plan(s) / Works / Road Infrastructure / Street trees (condition 24) (where relevant to show on plans).
2. The use and 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.

Façade Strategy and Materials and Finishes Plan

3. In conjunction with the submission of development plans under condition 1, a Façade Strategy and Materials and Finishes 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 document. This must detail:
- (a) Elevations at a scale of 1:20 or 1:50 illustrating typical entries and doors;
 - (b) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - (c) Information about how the heritage façade will be maintained; and

- (d) A materials schedule and coloured drawings and renders outlining colours, materials and finishes and measures to limit (to the extent possible) graffiti adhesion on walls to the street, including doors, perforations and upper levels (where necessary).

Conservation Management Plan

- 4. In conjunction with the submission of development plans under Condition 1, a Conservation Management Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Conservation Management Plan will be endorsed and will then form part of this permit. The plan must relate to the valve house and must include:
 - (a) Elevations at a scale of 1:20 or 1:50 detailing all conservation and reconstruction works to the retained external fabric of the Brenan Hall building;
 - (b) details of all façade works to be prepared by suitably qualified heritage architect in association with a structural engineer;
 - (c) A materials schedule and coloured drawings and renders outlining colours, materials and finishes;
 - (d) Modify the interface of the new section of building above Brenan Hall to:
 - (i) *Reduce the extent to which the new DSD building cantilevers to the south by between 1m and 1.5m for the full extent on the south side of the building. Or:*
 - (ii) *Increase the space above Brenan Hall to where the cantilever starts, as in increase the separation between the top of the heritage building and the cantilever, by two levels; meaning the cantilever would commence at level 5 instead of level 3. Or:*
 - (iii) *Increase the space above Brenan Hall by reducing the extent of the cantilever between levels 3 and 5, so that it is on angle between 0m and 2m. Or:*
 - (iv) *A combination or variation of the above.*

Ongoing architect involvement

- 5. As part of the ongoing progress and development of the site, Bates Smart Architects or another architectural firm to the satisfaction of the Responsible Authority must be engaged to:
 - (a) oversee design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Landscape Plan

- 6. In conjunction with the submission of development plans under Condition 1, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
 - (a) Make appropriate recommendations to “green” the building;
 - (b) Full details of all plant species and their botanical names with re-assurance that selected plants are able to withstand and cope with shade;
 - (c) Incorporation of Green Walls where possible;
 - (d) Details of all paving, surface materials furniture and planters – showing dimensions, drainage, lining, materials and growing media including details of irrigation;

- (e) A maintenance schedule that includes task details and frequency reassuring the planting, maintenance and survival of all plants; and
- (f) Details of all landscaping including those combined with the public realm works proposed across the Victoria Parade interface, to the satisfaction of the Responsible Authority.

Ongoing Landscape Plan Requirement

7. 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.

Amended Sustainable Management Plan

8. In conjunction with the submission of development plans under Condition 1, 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 Management Plan must be generally in accordance with the *Sustainability Management Plan* (SMP) prepared and authored by Norman Disney Young dated 5 September 2022 but modified to show:
- (a) Stormwater management in accordance with Clause 22.16 (Stormwater Management – Water Sensitive Urban Design);
 - (b) Provision of a rooftop solar PV array above the plant room to contribute to onsite electricity consumption demands;
 - (c) Provision of 116 employee spaces and minimum 30 visitor space in secure bike parking spaces with at least 12 shower / change rooms;
 - (d) Provision of landscaping to enhance the ecological value of the site;
 - (e) JV3 energy model or similar demonstrating 20% improvement in energy efficiency over reference building;
 - (f) 100% renewable electricity has been procured for the whole site;
 - (g) Detail as to how a 10% reduction in embodied carbon will be calculated;
 - (h) Remove reference to car-share and electric vehicles as no car parking is provided;
 - (i) Details of the 75% of site area that comprises one or more strategies that reduce the heat island effect;
 - (j) Provision of exterior shading, box window frames or glass spandrel panels to improve thermal comfort;
 - (k) Provision of recycled materials incorporated into the material pallet;
 - (l) Use of certified FSC timber;
 - (m) A small materials pallet with simple construction techniques and products that meet Green Star guidelines; and

- (n) Where possible, introduce green infrastructure to enhance the ecological value of the site with landscaping treatments.

Prior to occupation Sustainable Management Plan Requirement

9. Prior to the occupation of the development approved under this permit, a report from the author of the sustainable management plan, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the sustainable management plan have been implemented in accordance with the approved plan.

Ongoing Sustainable Management Plan Requirement

10. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Amended Wind Impact Assessment Required

11. In conjunction with the submission of development plans under Condition 1, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Impact Assessment will be endorsed and will form part of this permit. The amended Wind Impact Assessment must be generally in accordance with the Wind Impact Assessment prepared and authored by MEL Consultants titled Environmental Wind Speed Measurements dated August 2022, but modified to:
- (a) Assess the proposal as amended pursuant to Condition 1.

Ongoing Wind Assessment Requirement

12. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic Report

13. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared and submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess and include the following:
- (a) Guidance for managing any impact noise to surrounding hospital buildings that contain patient beds; and
- (b) Recommendations to limit the noise impacts in accordance with the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement to the satisfaction of the Responsible Authority.

Ongoing Acoustic Report Requirement

14. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Green Travel Plan

15. In conjunction with the submission of development plans under Condition 1, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel Plan will be endorsed and will form part of this permit. The Green Travel Plan must reference and contain:
- (a) The proposal as amended pursuant to Condition 1;

- (b) A description of the location in the context of alternative modes of transport;
- (c) Employee welcome packs (e.g. provision of Myki/transport ticketing);
- (d) Sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
- (e) A designated 'manager' or 'champion' responsible for co-ordination and implementation;
- (f) Details of bicycle parking and bicycle routes;
- (g) Details of Green Travel funding and management responsibilities;
- (h) The types of bicycle storage devices proposed to be used for employee and visitor spaces (i.e. hanging or floor mounted spaces);
- (i) Security arrangements to access the employee bicycle storage spaces;
- (j) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3; and
- (k) Provisions for the GTP to be updated not less than every five years.

Ongoing Green Travel Plan Requirement

16. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

17. In conjunction with the submission of development plans under Condition 1, 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 One Mile Grid and dated September 2022 but modified to:
- (a) Assess the proposal as amended under Condition 1 and its requirements.

Ongoing Waste Management Plan Requirement

18. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Use - Food and drink premises

19. Except with the prior written consent of the Responsible Authority, the food and drink premises authorised by this permit may only operate between the following hours:
- (a) ...TO BE CONFIRMED BY DELWP...

Use – Education centre

20. Except with the prior written consent of the Responsible Authority, the education centre authorised by this permit may only operate between the following hours:
- (a) ... TO BE CONFIRMED BY DELWP
21. Except with the prior written consent of the Responsible Authority, the education centre authorised by this document may only operate with the following student numbers:
- (a) Education Centre - TO BE CONFIRMED BY DELWP...

Use – Research and Development

22. Except with the prior written consent of the Responsible Authority, the research and development centre authorised by this permit may only operate between the following hours:

(b) ... TO BE CONFIRMED BY DELWP

Transport for Victoria's conditions (## - ##) – TO BE CONFIRMED BY DELWP AS COUNCIL IS NOT THE RA

23.

Public Realm Plan(s) / Works / Road Infrastructure / Street trees

24. Within six months of commencement of the development or by such later date as is approved by the Responsible Authority and the City of Yarra, Detailed Design plans (Civil and Landscape) for Victoria Parade frontage outside the site's property frontage must be prepared, submitted and approved by the Responsible Authority and the City of Yarra. When approved, the plan will be endorsed and will then form part of the permit. The Detailed Design plans must include, but not be limited to, the following:
- (a) Detailed layout plan indicating all existing and proposed features and surface levels;
 - (b) The reinstatement of the Victoria Parade footpath (outside the property's frontage) with asphalt with dressed bluestone kerb and channel and reinstatement of any portion of damaged road outside the property's frontage;
 - (c) Longitudinal sections along the property boundary, back of kerb and invert of the channel;
 - (d) Cross sections from property boundary to property boundary at 5 metre intervals indicating existing and proposed levels at changes in grade;
 - (e) Stormwater drainage in accordance with the Council approved Stormwater Management plan, including design computations, longitudinal sections, pit schedule and details;
 - (f) Detailed layout (size, depth, location) of existing and proposed service utilities, including private property connections to each type;
 - (g) Public lighting plan;
 - (h) Signage & line marking plan;
 - (i) All streetscape details in accordance with the Urban Design and Open Space departments within Council;
 - (j) All surfaces must be designed in accordance with DDA requirements;
 - (k) The maximisation of greenery through the provision of six street trees outside the property's frontage;
 - (l) Distinct delineation between public and private land along all interfaces;
 - (m) All private aspects / infrastructure must be located within the private property boundary and not protrude into the public road reserve; and
 - (n) Existing surface levels must not be altered unless approved by the Responsible Authority. To obtain DDA compliant surface grades the finished surface levels within the private property must be adjusted.
25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the works shown on the endorsed Public Realm Plan(s) / Works / Road Infrastructure / Street trees Plan required by Condition 24 must be carried out at the permit holders cost and completed to the satisfaction of the Responsible Authority.

26. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority and the City of Yarra, any damage to public infrastructure (footpath, kerb and channel, etc) caused by connection works for underground utility services, must be reconstructed:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
27. Before the building is occupied, 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:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
28. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:
 - (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
29. Before the building is occupied, 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.
30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.

General

31. The amenity of the area must not be detrimentally affected by the use or development, including through:
 - (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
 - (d) the presence of vermin,to the satisfaction of the Responsible Authority.
32. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.
33. The development must comply at all times with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021).
34. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.

35. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
36. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
37. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
38. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
 - (a) Located;
 - (b) Directed;
 - (c) Shielded;
 - (d) Of appropriate intensity; and
 - (e) to the satisfaction of the Responsible Authority.

Construction Management Plan

40. 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;

- (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;
- (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;
- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations; and
- (q) any site-specific requirements;

During the construction:

- (r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (s) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- (t) vehicle borne material must not accumulate on the roads abutting the land;
- (u) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

Ongoing Construction Management Plan Requirement

41. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction Times

42. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday-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.

Time expiry

43. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit;
- (b) the development is not completed within four years of the date of this permit; and
- (c) the use is not commenced within five 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.

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5555 to confirm.

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.

Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

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 5555 to confirm.

The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the Building Regulations 2018 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the Local Government Act 1989 and Regulation 133.

Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch. Any on-street parking reinstated (signs and line markings) as a result of development works must be approved by Council's Parking Management unit.

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

These premises will be required to comply with the Food Act 1984. The use must not commence until registration, or other approval, has been granted by Council's Health Protection Unit.

COUNCIL RESOLUTION

Moved: Councillor Crossland

Seconded: Councillor Landes

1. That Council note:
 - (a) The officer report and the application material;
 - (b) The ongoing need for the preparation of a master plan in accordance with the *Implementation of strategies* at Clause 21.08-7 (Fitzroy) of the Yarra Planning Scheme;
 - (c) The need for the Department of Environment, Land, Water and Planning to enquire into the end occupiers of the building; and
 - (d) That Council write to the Department of Environment, Land, Water and Planning outlining:
 - (i) that the height of the building provides an inadequate transition, failing to respond to the objectives of Clause 43.01 (Heritage (Overlay) and within Schedule 2 to Clause 43.02 (Design and Development Overlay) of the Yarra Planning Scheme, and the intent of the World Heritage Environs Area buffer zone; and
 - (ii) that should a permit issue, the following conditions be included on any planning permit:

Conditions to be included in any planning permit

1. Before the development commences, 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 this 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 prepared by Bates Smart Architects and dated 15 August 2022 but modified to show:

Demolition

- (a) Demolition plans showing extent of demolition proposed to Brenan Hall;

Design Detail

- (b) Details of the proposed canopy to Victoria Parade including height and setback from the kerb;
- (c) Modified setback of the building as it presents above the retained portion of Brenan Hall as required by the Conservation Management Plan;
- (d) An increased solid ratio at levels 1, 2, 3 and 4 with more use of masonry cladding to the Victoria Parade and Daly Drive interfaces;
- (e) The building setback a minimum 3m from Victoria Parade and Daly Drive from Level 5 and above (with the latter reducing the cantilever to no greater than 983mm to the east);
- (f) Stairwells to be accommodated in an unenclosed manner to common areas. If this is not possible, stairwell walls and doors to common areas to be glazed, if possible;

Bicycles

- (g) A minimum of 116 employee spaces provided in compliance with Clause 52.34-3 of the Yarra Planning Scheme and Australian Standard AS2890.3;
- (h) A minimum of 30 visitor bicycle parking spaces in total provided in compliance with Clause 52.34-3 of the Yarra Planning Scheme and Australian Standard AS2890.3;

- (i) Spaces for cargo bicycles and trailers:
- (j) Dimensions of bicycle storage spaces, lifts and relevant access ways noted to demonstrate compliance with Australian Standard AS2890.3 or to the satisfaction of the Responsible Authority;
- (k) The 'end of trip' entrance to be accessed from Daly Drive, in compliance with Australian Standard AS2890.3 (inclusive of a ramp access).
- (l) All visitor bicycle parking spaces must be provided at a horizontal bicycle rail, in compliance with Clause 52.34-3 and Australian Standard AS2890.3;
- (m) At least 40% of employee bicycle parking must be provided as horizontal (on ground) parking;
- (n) Clarification on the number of lifts to be provided for access to the Basement bicycle parking area. If only one (1) then at least one (1) additional lift must be provided;
- (o) All access arrangement to the EOT lifts to be shown on plans;
- (p) Provision of at least 12 showers / change rooms;
- (q) An assessment of the estimated trip generation of the employee bicycle parking;
- (q) At least 5% of the total number of bicycle parking spaces must include electric bicycle charging points immediately adjacent to spaces suitable for electric bicycles to use, i.e. horizontal on-ground spaces with sufficient widths to accommodate a larger electric bicycle, as per AS2890.3 Appendix A – 'cargo bicycle' and Section 2.2.8;

Loading bay

- (s) The dimensions of the loading bay annotated on the ground floor plan;

Reports and Plans

- (t) Any requirement of the endorsed Façade Strategy and Materials and Finishes Plan (Condition 3) (where relevant to show on plans);
 - (u) Any requirement of the endorsed Conservation Management Plan (Condition 4)(where relevant to show on plans);
 - (v) Any requirement of the endorsed Landscape Plan (condition 6) (where relevant to show on plans);
 - (w) Any requirement of the endorsed Sustainable Management Plan (condition 8) (where relevant to show on plans);
 - (x) Any requirement of the endorsed Wind Impact Assessment Report (condition 11) (where relevant to show on plans);
 - (y) Any relevant requirement of the endorsed Acoustic Report (condition 13) (where relevant to show on plans);
 - (z) Any requirement of the endorsed Green Travel Plan (condition 15) (where relevant to show on plans);
 - (aa) Any requirement of the endorsed Waste Management Plan (condition 17) (where relevant to show on plans); and
 - (bb) Any requirement of the endorsed Public Realm Plan(s) / Works / Road Infrastructure / Street trees (condition 24) (where relevant to show on plans).
2. The use and 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.

Façade Strategy and Materials and Finishes Plan

3. In conjunction with the submission of development plans under condition 1, a Façade Strategy and Materials and Finishes 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 document. This must detail:
- (a) Elevations at a scale of 1:20 or 1:50 illustrating typical entries and doors;
 - (b) Section drawings to demonstrate façade systems, including fixing details and joints between materials or changes in form;
 - (c) Information about how the heritage façade will be maintained; and
 - (d) A materials schedule and coloured drawings and renders outlining colours, materials and finishes and measures to limit (to the extent possible) graffiti adhesion on walls to the street, including doors, perforations and upper levels (where necessary).

Conservation Management Plan

4. In conjunction with the submission of development plans under Condition 1, a Conservation Management Plan to the satisfaction of the Responsible Authority must be submitted to and be approved by the Responsible Authority. When approved, the Conservation Management Plan will be endorsed and will then form part of this permit. The plan must relate to the valve house and must include:
- (a) Elevations at a scale of 1:20 or 1:50 detailing all conservation and reconstruction works to the retained external fabric of the Brenan Hall building;
 - (b) details of all façade works to be prepared by suitably qualified heritage architect in associated with a structural engineer;
 - (c) A materials schedule and coloured drawings and renders outlining colours, materials and finishes;
 - (d) Modify the interface of the new section of building above Brenan Hall to:
 - (i) *Reduce the extent to which the new DSD building cantilevers to the south by between 1m and 1.5m for the full extent on the south side of the building. Or:*
 - (ii) *Increase the space above Brenan Hall to where the cantilever starts, as in increase the separation between the top of the heritage building and the cantilever, by two levels; meaning the cantilever would commence at level 5 instead of level 3. Or:*
 - (iii) *Increase the space above Brenan Hall by reducing the extent of the cantilever between levels 3 and 5, so that it is on angle between 0m and 2m. Or:*
 - (iv) *A combination or variation of the above.*

Ongoing architect involvement

5. As part of the ongoing progress and development of the site, Bates Smart Architects or another architectural firm to the satisfaction of the Responsible Authority must be engaged to:
- (a) oversee design and construction of the development; and
 - (b) ensure the design quality and appearance of the development is realised as shown in the endorsed plans or otherwise to the satisfaction of the Responsible Authority.

Landscape Plan

6. In conjunction with the submission of development plans under Condition 1, a Landscape Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Landscape Plan will be endorsed and will form part of this permit. The Landscape Plan must:
- (a) Make appropriate recommendations to “green” the building;
 - (b) Full details of all plant species and their botanical names with re-assurance that selected plants are able to withstand and cope with shade;
 - (c) Incorporation of Green Walls were possible;
 - (d) Details of all paving, surface materials furniture and planters – showing dimensions, drainage, lining, materials and growing media including details of irrigation;
 - (e) A maintenance schedule that includes task details and frequency reassuring the planting, maintenance and survival of all plants; and
 - (f) Details of all landscaping including those combined with the public realm works proposed across the Victoria Parade interface,
to the satisfaction of the Responsible Authority.

Ongoing Landscape Plan Requirement

7. 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.

Amended Sustainable Management Plan

8. In conjunction with the submission of development plans under Condition 1, 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 Management Plan must be generally in accordance with the *Sustainability* Management Plan (SMP) prepared and authored by Norman Disney Young dated 5 September 2022 but modified to show:
- (a) Stormwater management in accordance with Clause 22.16 (Stormwater Management – Water Sensitive Urban Design);
 - (b) Provision of a rooftop solar PV array above the plant room to contribute to onsite electricity consumption demands;
 - (c) Provision of 116 employee spaces and minimum 30 visitor space in secure bike parking spaces with at least 12 shower / change rooms;
 - (d) Provision of landscaping to enhance the ecological value of the site;
 - (e) JV3 energy model or similar demonstrating 20% improvement in energy efficiency over reference building;
 - (f) 100% renewable electricity has been procured for the whole site;

- (g) Detail as to how a 10% reduction in embodied carbon will be calculated;
- (h) Remove reference to car-share and electric vehicles as no car parking is provided;
- (i) Details of the 75% of site area that comprises one or more strategies that reduce the heat island effect;
- (j) Provision of exterior shading, box window frames or glass spandrel panels to improve thermal comfort;
- (k) Provision of recycled materials incorporated into the material pallet;
- (l) Use of certified FSC timber;
- (m) A small materials pallet with simple construction techniques and products that meet Green Star guidelines; and
- (n) Where possible, introduce green infrastructure to enhance the ecological value of the site with landscaping treatments.

Prior to occupation Sustainable Management Plan Requirement

9. Prior to the occupation of the development approved under this permit, a report from the author of the sustainable management plan, approved pursuant to this permit, or similarly qualified person or company, must be submitted to the Responsible Authority. The report must be to the satisfaction of the Responsible Authority and must confirm that all measures specified in the sustainable management plan have been implemented in accordance with the approved plan.

Ongoing Sustainable Management Plan Requirement

10. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Amended Wind Impact Assessment Required

11. In conjunction with the submission of development plans under Condition 1, an amended Wind Assessment Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Wind Impact Assessment will be endorsed and will form part of this permit. The amended Wind Impact Assessment must be generally in accordance with the Wind Impact Assessment prepared and authored by MEL Consultants titled Environmental Wind Speed Measurements dated August 2022, but modified to:
- (a) Assess the proposal as amended pursuant to Condition 1.

Ongoing Wind Assessment Requirement

12. The provisions, recommendations and requirements of the endorsed Wind Assessment Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Acoustic Report

13. Before the development commences, an Acoustic Report to the satisfaction of the Responsible Authority must be prepared and submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess and include the following:
- (a) Guidance for managing any impact noise to surrounding hospital buildings that contain patient beds; and
 - (b) Recommendations to limit the noise impacts in accordance with the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement to the satisfaction of the

Responsible Authority.

Ongoing Acoustic Report Requirement

14. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

Green Travel Plan

15. In conjunction with the submission of development plans under Condition 1, a Green Travel Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the Green Travel Plan will be endorsed and will form part of this permit. The Green Travel Plan must reference and contain:
- (a) The proposal as amended pursuant to Condition 1;
 - (b) A description of the location in the context of alternative modes of transport;
 - (c) Employee welcome packs (e.g. provision of Myki/transport ticketing);
 - (d) Sustainable transport goals linked to measurable targets, performance indicators and monitoring timeframes;
 - (e) A designated 'manager' or 'champion' responsible for co-ordination and implementation;
 - (f) Details of bicycle parking and bicycle routes;
 - (g) Details of Green Travel funding and management responsibilities;
 - (h) The types of bicycle storage devices proposed to be used for employee and visitor spaces (i.e. hanging or floor mounted spaces);
 - (i) Security arrangements to access the employee bicycle storage spaces;
 - (j) Signage and wayfinding information for bicycle facilities and pedestrians pursuant to Australian Standard AS2890.3; and
 - (k) Provisions for the GTP to be updated not less than every five years.

Ongoing Green Travel Plan Requirement

16. The provisions, recommendations and requirements of the endorsed Green Travel Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Waste Management Plan

17. In conjunction with the submission of development plans under Condition 1, 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 One Mile Grid and dated September 2022 but modified to:
- (a) Assess the proposal as amended under Condition 1 and its requirements.

Ongoing Waste Management Plan Requirement

18. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Use - Food and drink premises

19. Except with the prior written consent of the Responsible Authority, the food and drink premises authorised by this permit may only operate between the following hours:
- (a) ...TO BE CONFIRMED BY DELWP...

Use – Education centre

20. Except with the prior written consent of the Responsible Authority, the education centre authorised by this permit may only operate between the following hours:
- (a) ... TO BE CONFIRMED BY DELWP
21. Except with the prior written consent of the Responsible Authority, the education centre authorised by this document may only operate with the following student numbers:
- (a) Education Centre - TO BE CONFIRMED BY DELWP...

Use – Research and Development

22. Except with the prior written consent of the Responsible Authority, the research and development centre authorised by this permit may only operate between the following hours:
- (b) ... TO BE CONFIRMED BY DELWP

Transport for Victoria's conditions (## - ##) – TO BE CONFIRMED BY DELWP AS COUNCIL IS NOT THE RA

23.

Public Realm Plan(s) / Works / Road Infrastructure / Street trees

24. Within six months of commencement of the development or by such later date as is approved by the Responsible Authority and the City of Yarra, Detailed Design plans (Civil and Landscape) for Victoria Parade frontage outside the site's property frontage must be prepared, submitted and approved by the Responsible Authority and the City of Yarra. When approved, the plan will be endorsed and will then form part of the permit. The Detailed Design plans must include, but not be limited to, the following:
- (a) Detailed layout plan indicating all existing and proposed features and surface levels;
 - (b) The reinstatement of the Victoria Parade footpath (outside the property's frontage) with asphalt with dressed bluestone kerb and channel and reinstatement of any portion of damaged road outside the property's frontage;
 - (c) Longitudinal sections along the property boundary, back of kerb and invert of the channel;
 - (d) Cross sections from property boundary to property boundary at 5 metre intervals indicating existing and proposed levels at changes in grade;
 - (e) Stormwater drainage in accordance with the Council approved Stormwater Management plan, including design computations, longitudinal sections, pit schedule and details;
 - (f) Detailed layout (size, depth, location) of existing and proposed service utilities, including private property connections to each type;
 - (g) Public lighting plan;
 - (h) Signage & line marking plan;
 - (i) All streetscape details in accordance with the Urban Design and Open Space departments within Council;
 - (j) All surfaces must be designed in accordance with DDA requirements;

- (k) The maximisation of greenery through the provision of six street trees outside the property's frontage;
 - (l) Distinct delineation between public and private land along all interfaces;
 - (m) All private aspects / infrastructure must be located within the private property boundary and not protrude into the public road reserve; and
 - (n) Existing surface levels must not be altered unless approved by the Responsible Authority. To obtain DDA compliant surface grades the finished surface levels within the private property must be adjusted.
25. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the works shown on the endorsed Public Realm Plan(s) / Works / Road Infrastructure / Street trees Plan required by Condition 24 must be carried out at the permit holders cost and completed to the satisfaction of the Responsible Authority.
26. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority and the City of Yarra, any damage to public infrastructure (footpath, kerb and channel, etc) caused by connection works for underground utility services, must be reconstructed:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
27. Before the building is occupied, 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:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
28. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority the relocation of any service poles, structures or pits necessary to facilitate the development must be undertaken:
- (a) at the permit holder's cost; and
 - (b) to the satisfaction of the Responsible Authority.
29. Before the building is occupied, 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.
30. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, the removal of any kerbside parking sensors and any reinstatement of parking sensors will require the Permit Holder to pay Council the cost of each parking sensor taken out from the kerb/footpath/roadway. Any costs associated with the reinstatement of road infrastructure due to the removal of the parking sensors must also be borne by the Permit Holder.

General

31. The amenity of the area must not be detrimentally affected by the use or development, including through:
- (a) the transport of materials, goods or commodities to or from land;
 - (b) the appearance of any buildings, works or materials;
 - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or

- (d) the presence of vermin,
to the satisfaction of the Responsible Authority.
- 32. Except with the prior written consent of the Responsible Authority, delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.
- 33. The development must comply at all times with the noise limits specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021).
- 34. Finished floor levels shown on the endorsed plans must not be altered or modified without the prior written consent of the Responsible Authority.
- 35. Before the building is occupied, any wall located on a boundary facing public property must be treated with a graffiti proof finish to the satisfaction of the Responsible Authority.
- 36. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, all new on-boundary walls must be cleaned and finished to the satisfaction of the Responsible Authority.
- 37. All buildings and works must be maintained in good order and appearance to the satisfaction of the Responsible Authority.
- 38. All pipes, fixtures, fittings and vents servicing any building on the land must be concealed in service ducts or otherwise hidden from view to the satisfaction of the Responsible Authority.
- 39. Before the building is occupied, or by such later date as approved in writing by the Responsible Authority, external lighting capable of illuminating access to the pedestrian and vehicular entrances must be provided on the subject site. Lighting must be:
 - (a) Located;
 - (b) Directed;
 - (c) Shielded;
 - (d) Of appropriate intensity; and
 - (e) to the satisfaction of the Responsible Authority.

Construction Management Plan

- 40. 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;
- (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;
- (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;
- (p) a Noise and Vibration Management Plan showing methods to minimise noise and vibration impacts on nearby properties and to demonstrate compliance with Noise Control Guideline 12 for Construction (Publication 1254) as issued by the Environment Protection Authority in October 2008. The Noise and Vibration Management Plan must be prepared to the satisfaction of the Responsible Authority. In preparing the Noise and Vibration Management Plan, consideration must be given to:
 - (i) using lower noise work practice and equipment;
 - (ii) the suitability of the land for the use of an electric crane;
 - (iii) silencing all mechanical plant by the best practical means using current technology;
 - (iv) fitting pneumatic tools with an effective silencer;
 - (v) other relevant considerations; and
- (q) any site-specific requirements;

During the construction:

- (r) any stormwater discharged into the stormwater drainage system must be in compliance with Environment Protection Authority guidelines;
- (s) stormwater drainage system protection measures must be installed as required to ensure that no solid waste, sediment, sand, soil, clay or stones from the land enters the stormwater drainage system;
- (t) vehicle borne material must not accumulate on the roads abutting the land;

- (u) the cleaning of machinery and equipment must take place on the land and not on adjacent footpaths or roads; and
- (v) all litter (including items such as cement bags, food packaging and plastic strapping) must be disposed of responsibly.

Ongoing Construction Management Plan Requirement

41. The provisions, recommendations and requirements of the endorsed Construction Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

Construction Times

42. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday-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.

Time expiry

43. This permit will expire if:
- (a) the development is not commenced within two years of the date of this permit;
 - (b) the development is not completed within four years of the date of this permit; and
 - (c) the use is not commenced within five 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.

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5555 to confirm.

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.

Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

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 5555 to confirm.

The applicant must apply for a Legal Point of Discharge under Regulation 133 – Stormwater Drainage of the Building Regulations 2018 from Yarra Building Services unit. Any storm water drainage within the property must be provided and be connected to the nearest Council pit of adequate depth and capacity (legal point of discharge), or to Council's satisfaction under Section 200 of the Local Government Act 1989 and Regulation 133.

Areas must be provided inside the property line and adjacent to the footpath to accommodate pits and meters. No private pits, valves or meters on Council property will be accepted.

Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.

No parking restriction signs or line-marked on-street parking bays are to be removed, adjusted, changed or relocated without approval or authorisation from Council's Parking Management unit and Construction Management branch. Any on-street parking reinstated (signs and line markings) as a result of development works must be approved by Council's Parking Management unit.

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

These premises will be required to comply with the Food Act 1984. The use must not commence until registration, or other approval, has been granted by Council's Health Protection Unit.

CARRIED

Councillor Jolly returned to the meeting at 8.13pm.

8.4 Proposal to Declare Land Abutting Sandeman Place Fitzroy as Public Highway

Reference	D22/286472
Author	Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser	Group Manager Chief Executive's Office

RECOMMENDATION

1. That Council, having given public notice of its proposal to declare the road shown hatched on the plan in the relevant public notice (**Subject Land**) as a public highway under section 204(1) of the *Local Government Act 1989* (**Act**), and having considered all submissions in response to that notice (including what has been said in support of written submissions):
 - (a) resolves to declare the Subject Land to be a public highway pursuant to section 204(1) of the Act, for the reason that the whole of the Subject Land is required for public use;
 - (b) authorises the publishing of a notice in the *Victoria Government Gazette* declaring the Subject Land to be a public highway pursuant to section 204(1) of the Act; and
 - (c) authorises the Group Manager Chief Executive's Office to notify submitters in writing of its decision and the reasons for the decision, being the reasons set out in paragraphs 5.2 and 5.3 of the Officer Report.

REVISED RECOMMENDATION

1. That in the matter of the proposal to declare land abutting Sandeman Place, Fitzroy as Public Highway, Council:
 - (a) note the Report;
 - (b) note the correspondence from Best Hooper, dated 14 November 2022, and made available to Councillors today;
 - (c) resolve that Officers be directed to prepare a Supplementary Report for the consideration of Council, addressing the merits of the issues raised in the referenced Best Hooper correspondence;
 - (d) request the Supplementary Report be presented to Council's meeting on 6 December 2022; and
 - (e) request that consideration of Agenda Item 8.4 be otherwise deferred, until Council's meeting on 6 December 2022.

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Nguyen

1. That in the matter of the proposal to declare land abutting Sandeman Place, Fitzroy as Public Highway, Council:
 - (a) note the Report;
 - (b) note the correspondence from Best Hooper, dated 14 November 2022, and made available to Councillors today;
 - (c) resolve that Officers be directed to prepare a Supplementary Report for the consideration of Council, addressing the merits of the issues raised in the referenced Best Hooper correspondence;
 - (d) request the Supplementary Report be presented to Council's meeting on 6 December 2022; and
 - (e) request that consideration of Agenda Item 8.4 be otherwise deferred, until Council's meeting on 6 December 2022.

CARRIED

8.5 Annual Grants 2023 Recommendations Report

Reference	D22/271058
Author	Michael Van Vliet - Team Leader Community Grants
Authoriser	Director Community Wellbeing

Councillor Mohamud left the meeting due to a conflict of interest at 8.18pm

Councillor O'Brien also left the meeting due to a conflict of interest at 8.18pm

RECOMMENDATION

1. That:
 - (a) Council endorse the Annual Grants 2023 Community Grants panel's recommendations as listed in Attachment One to award 109 grants totalling \$832,876; and
 - (b) Council thank the members of the Community Grants Panels for their time, deliberation and commitment to Yarra's Community Grants program.

COUNCIL RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor Stone

1. That:
 - (a) Council endorse the Annual Grants 2023 Community Grants panel's recommendations as listed in Attachment One to award 109 grants totalling \$832,876; and
 - (b) Council thank the members of the Community Grants Panels for their time, deliberation and commitment to Yarra's Community Grants program.

CARRIED

Councillor Mohamud returned at 8.22pm

Councillor O'Brien also returned at 8.22pm

8.6 Quarterly Annual Plan Progress and Financial Report (to 30 September 2022)

Reference D22/289571
Author Dennis Bastas - Chief Financial Officer
Authoriser Director Corporate, Business and Finance

RECOMMENDATION

1. That:
 - (a) Council note the results of the Quarterly Annual Plan Progress, Financial Report and Capital Works Progress to 30 September 2022.

COUNCIL RESOLUTION

Moved: Councillor Landes **Seconded:** Councillor Nguyen

1. That:
 - (a) Council note the results of the Quarterly Annual Plan Progress, Financial Report and Capital Works Progress to 30 September 2022.

CARRIED UNANIMOUSLY

8.7 Yarra Energy Foundation - Appointment of Chairperson and Directors

Reference	D22/287530
Author	Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser	Group Manager Chief Executive's Office

RECOMMENDATION

1. That in the matter of the Yarra Energy Foundation (YEF) Annual General Meeting and Council's obligations (*as the sole shareholder under the YEF Constitution*) to appoint Directors for a two year term and the incoming Chair at the Annual General Meeting, Council:
 - (a) note the report;
 - (b) note that Councillors Stone and Nguyen will continue as its Councillor Director Members until the AGM 2023;
 - (c) approves the re-appointment of David Anstee and Melinda Scaringi for a further two-year term;
 - (d) approves the appointment of David Anstee as Board Chair; and
 - (e) authorises the Chief Executive Officer to sign such nomination documents on behalf of Council, as is required under the Constitution of the YEF and the *Corporation Act 2001*, to bring about the nomination of the Directors.

Councillor Nguyen left the meeting at 8:28pm, not returning.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Mohamud

1. That in the matter of the Yarra Energy Foundation (YEF) Annual General Meeting and Council's obligations (*as the sole shareholder under the YEF Constitution*) to appoint Directors for a two year term and the incoming Chair at the Annual General Meeting, Council:
 - (a) note the report;
 - (b) note that Councillors Stone and Nguyen will continue as its Councillor Director Members until the AGM 2023;
 - (c) approves the re-appointment of David Anstee and Melinda Scaringi for a further two-year term;
 - (d) approves the appointment of David Anstee as Board Chair; and
 - (e) authorises the Chief Executive Officer to sign such nomination documents on behalf of Council, as is required under the Constitution of the YEF and the *Corporation Act 2001*, to bring about the nomination of the Directors.

CARRIED

9. Notices of motion

9.1 Notice of Motion No. 8 of 2022 - Yarra Leisure fees and charges off peak rate trial

Reference D22/293643
Author Rhys Thomas - Senior Governance Advisor
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION

1. That a report be presented to Council in February 2023, which;
 - (a) presents options for the introduction of an additional fee category for casual swim or gym use at Yarra Leisure Centres, as a trial, to be offered during off peak periods, and which is available to the over 60 age group;
 - (b) presents options for a fee which is less than full fee but more than a concession fee, and defines off peak periods; and
 - (c) also reports on the programs and services offered by Yarra Leisure to support and encourage Yarra's older residents to remain physically active into older age, and the opportunities and plans to communicate these more widely.

MOTION

Moved: Councillor Stone **Seconded:** Councillor Mohamud

1. That a report be presented to Council in February 2023, which;
 - (a) presents options for the introduction of an additional fee category for casual swim or gym use at Yarra Leisure Centres, as a trial, to be offered during off peak periods, and which is available to the over 60 age group;
 - (b) presents options for a fee which is less than full fee but more than a concession fee, and defines off peak periods; and
 - (c) also reports on the programs and services offered by Yarra Leisure to support and encourage Yarra's older residents to remain physically active into older age, and the opportunities and plans to communicate these more widely.

AMENDMENT

Moved: Councillor O'Brien

Seconded: Councillor Jolly

1. That a report be presented to Council in February 2023, which;
 - (a) presents options for the introduction of an additional fee category for casual swim, ~~or~~ gym and group fitness use at Yarra Leisure Centres, as a trial, to be offered during off peak periods, and which is available to the over ~~60~~ 50 age group;
 - (b) presents options for a fee which is less than full fee but more than a concession fee, and defines off peak periods; and
 - (c) also reports on the programs and services offered by Yarra Leisure to support and encourage Yarra's older residents to remain physically active into older age, and the opportunities and plans to communicate these more widely.

LOST

CALL FOR A DIVISION

For: Councillors Jolly and O'Brien

Against: Councillors Crossland, Landes, Mohamud and Stone

LOST

AMENDMENT

Moved: Councillor O'Brien

Seconded: Councillor Jolly

1. That a report be presented to Council in February 2023, which;
 - (a) presents options for the introduction of an additional fee category for casual swim or gym use at Yarra Leisure Centres, as a trial, to be offered during off peak periods, and which is available to the over 60 age group;
 - (b) presents options for a fee which is less than full fee but more than a concession fee, and defines off peak periods; ~~and~~
 - (c) presents options for the retention of the over 50 off-peak membership and casual fee structure with a CPI increase, available prior to the fee restructure; and
 - (d) also reports on the programs and services offered by Yarra Leisure to support and encourage Yarra's older residents to remain physically active into older age, and the opportunities and plans to communicate these more widely.

LOST

CALL FOR A DIVISION

For: Councillors Jolly and O'Brien

Against: Councillors Crossland, Landes, Mohamud and Stone

LOST

AMENDMENT

Moved: Councillor Jolly

Seconded: Councillor O'Brien

1. That a report be presented to Council in February 2023, which;
 - (a) presents options for the introduction of an additional fee category for casual swim or gym use at Yarra Leisure Centres, as a trial, to be offered during off peak periods, and which is available to the over 60 age group;
 - (b) presents options for a fee which is less than full fee but more than a concession fee, and defines off peak periods; and
 - (c) also reports on the programs and services offered by Yarra Leisure prior to the fee restructure and currently, that includes group fitness attendance figures to support and encourage Yarra's older residents to remain physically active into older age, and the opportunities and plans to communicate these more widely.

LOST

CALL FOR A DIVISION

For: Councillors Jolly and O'Brien

Against: Councillors Crossland, Landes, Mohamud and Stone

LOST

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Mohamud

1. That a report be presented to Council in February 2023, which;
 - (a) presents options for the introduction of an additional fee category for casual swim or gym use at Yarra Leisure Centres, as a trial, to be offered during off peak periods, and which is available to the over 60 age group;
 - (b) presents options for a fee which is less than full fee but more than a concession fee, and defines off peak periods; and
 - (c) also reports on the programs and services offered by Yarra Leisure to support and encourage Yarra's older residents to remain physically active into older age, and the opportunities and plans to communicate these more widely.

CARRIED

Councillor O'Brien left the meeting at 9:04pm, not returning.

10. Petitions and joint letters

10.1 Petition - Fig tree in Hilton Street Clifton Hill

Reference: D22/315212

A petition from residents of Clifton Hill containing 70 signatures are seeking:

"We the undersigned residents of Clifton Hill request that the fig tree located on the boundary of 27 Hilton Street, Clifton Hill be retained and oppose its removal or destruction."

COUNCIL RESOLUTION

Moved: Councillor Wade

Seconded: Councillor Jolly

That the petition be received and referred to the appropriate officer for consideration.

CARRIED

11. Questions without notice

11.1 Councillor Landes - Disability Compliant Toilets

Question:

Councillors have been alerted to the use by businesses with disability compliant toilets of those facilities being as storage rooms. Do officers have a response in relation the management or communication of businesses' obligations in that regard?

The Chief Executive Officer provided a response.

11.2 Councillor Jolly - Parking Supervisor at Melbourne Girls College

Question:

Melbourne Girls College have sought Council's support for the provision of a school crossing supervisor. Can officers respond as to the status of the request, and communicate directly with the school on the matter?

The Director Corporate, Business and Finance provided a response.

11.3 Councillor Jolly - Meeting with Alphington Residents

Question:

A number of residents in Alphington wrote to the Minister for Local Government and to the Member for Northcote requesting that the suburb of Alphington be transferred to the City of Darebin. Is the CEO aware of the campaign and can she provide a response to the development?

The Chief Executive Officer provided a response.

12. Delegates' reports

12.1 Councillor Stone - Yarra Energy Foundation

Committee	Yarra Energy Foundation
Appointed Councillors	Cr Amanda Stone, Cr Claudia Nguyen
Date of Council Meeting	Tuesday 15 November 2022
Date of Report	Sunday 13 November 2022
Report Author	Cr Amanda Stone

DELEGATES REPORT

Yarra Energy Foundation was established in 2010 with the following purpose:

The objects of the Company are to promote, preserve, protect and enhance the natural environment by acting to radically reduce greenhouse gas emissions and seek to achieve sustainable carbon neutrality in the Territory. (Yarra Energy Foundation Constitution 2017).

YEF is a company limited by guarantee and Yarra Council appoints 2 councillor representatives to its governing board each year.

YEF and Yarra Council have recently signed a new funding agreement which accounts for respective roles in Yarra's Climate Emergency Plan.

YEF has continued to deliver strong value for the Yarra community through its ongoing programs and activities supporting the Yarra community to reduce greenhouse emissions

- Yarra Solar Program – facilitating the installation of solar arrays and home batteries
- Advice on renewable energy providers and energy savings
- Advice on home and business audits and retrofits
- Business energy audits

while also strengthening its business activities across the energy industry.

Key highlights from the past 6 months include:

Community Emissions Reductions

- Completion of the Melbourne Metropolitan Community Power Hub, which provided free advice and solar quotes to Yarra residents
- Launched the first inner-urban community battery in Fitzroy North community battery with Cr Sophie Wade, Mayor, City of Yarra on World Environment Day
- Won \$750,000 grant from DELWP's *Neighbourhood Battery Initiative* to install a community battery and EV charger at the Burnley Backyard community centre in Richmond
- Launched the [Guide to Solar for Apartments](#) – filling a market need for a comprehensive, accessible Guide to assist residents in apartments and multi-unit dwellings on their pathway to solar

Commercial Emissions Reductions

- Completion of the Small Business Energy Saver program, which included funding for a 6-month officer position at Yarra Council to support small businesses reduce emissions from energy

Sector Leadership and Recognition

- Finalist for the Premier's Sustainability Awards and finalist for the national Customer Service Industry Awards
- Featured in national, regional, local, online, TV and print media – both mainstream and industry – for the ground-breaking achievements with community batteries
- Published the Fitzroy North community battery [Final Report](#), sharing lessons learned to help industry, community and proponents with replication and scalability
- Won a partnership agreement with Yarra Trams to have an entire tram wrapped in YEF's community battery-themed campaign materials for 16 weeks (to commence from October 2023); this includes a tram that will run through the Yarra municipality – valued at \$150,000
- Won scholarships from the IAP2 to allow 3 x staff to complete the community engagement best practice certification; building YEF staff skills to better engage with the Yarra community
- Won a contract to deliver an energy efficiency upgrades program for Banyule Council, supporting residents to transition to all-electric homes
- Won a contract to conduct research to assist AusNet define and describe customers with specialised support needs and develop solutions and/or engagement programs to better meet their needs

Yarra Energy Foundation's governance structure comprises a volunteer Board of Directors, highly qualified energy, finance, human resources and communication professionals who support the work of a small but growing staff.

The Annual General Meeting will be held on 28th November with an Annual Report and financial statements available shortly after that time.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Mohamud

That Council note this Delegates' Report.

CARRIED UNANIMOUSLY

12.2 Councillor Stone - Northern Alliance for Greenhouse Action (NAGA)

Committee	Northern Alliance for Greenhouse Action (NAGA)
Appointed Councillors	Cr Amanda Stone
Date of Council Meeting	Tuesday 15 November 2022
Date of Report	Tuesday 15 November 2022
Report Author	Cr Amanda Stone

The City of Yarra is a member of NAGA.

NAGA formed in 2002 as a network that shares information, coordinates emission reduction and adaptation activities and cooperates on the research and development of innovative projects. NAGA's goal is to substantially contribute to the transition to a low-carbon future by delivering effective programs and leveraging local government, community and business action.

The NAGA Executive comprises a councillor from each of the 9 NAGA councils and relevant officers. The project work in the [NAGA Strategic Plan](#) is undertaken by officers within and across their councils.

In this first quarter, NAGA said farewell to David Meiklejohn, who left the role of Executive Officer after eight years, and Project Officer Sally MacAdams following the end of the funding for her role. Karen Gardham took on the role of Executive Officer, and Steve Turnock was recruited as the NAGA Project Manager.

Projects

- NAGA secured funding for three member councils for electric vehicle charging infrastructure for their own fleet. NAGA is also project managing the delivery of zero emission fleet transition plans for five member councils and the development of a regional report for the region that will identify areas for collaboration across NAGA to reduce fleet emissions to zero by 2030.
- NAGA is involved in a number of cross-Greenhouse Alliance projects:
 - An All Electric Councils Working Group is identifying collaboration opportunities to help councils move off gas in their own operations. This follows NAGA work on producing [case studies of getting off gas](#)
 - NAGA is on the Project Advisory Group for the WAGA-led Victorian Climate Resilient Councils program (VCRC) program, which will ultimately guide councils through a clear step-by-step process to reduce and manage climate risks and embed climate change adaptation across Local Government systems. The program is at the start of development
 - Following the NAGA-managed delivery of a [cost-benefit analysis framework](#) for councils to make decisions about future upgrading of assets in a changing climate, part two of this project will carry out a hazard assessment for all councils across Metro Melbourne. The final report will be available by the end of the year.
 - NAGA continues to support the local government renewable energy PPA – [VECO](#). In its first year of operation VECO saved 172,000 tonnes of emissions and made substantial costs savings on

electricity bills for the 46 councils on the contract

- NAGA is supporting three cross-council projects:
 - City of Yarra is facilitating a renewable energy power purchase agreement amongst a number of businesses in the NAGA and EAGA regions.
 - City of Melbourne has led a group investigating how councils can support smaller energy users to access renewable energy through an electricity retailer. Following market research, City of Melbourne will link in a retail product with their Power Melbourne community battery program
 - City of Darebin is leading on a project with four NAGA councils to develop a tool for businesses in the region to self-assess sustainability performance, in order to celebrate the work they have done and progress further with sustainability actions.
- NAGA is working with Women's Environmental Leadership Australia to deliver a leadership course for women in local government working in climate change. The short course will run in May 2023.

Advocacy

Planning for a Safe Climate

NAGA is leading cross-Greenhouse Alliance and CASBE advocacy for improvements to the Victorian planning system to deliver climate change mitigation and adaptation outcomes.

Alliances and councils have met with a number of Parliamentarians, and have had proactive support from the crossbench on our [four key asks](#).

Joint advocacy with the MAV

A joint letter on climate change priorities was sent by the MAV and Greenhouse Alliances to Ministers highlighting four of our priorities for the Victorian Government:

- Support communities at risk through support for the VCRC program
- Capture the economic benefits of urban and regional cooling through greening and canopy cover targets and investment
- Update the planning system to help ensure zero net emissions and climate resilient communities
- Ensure the State's emissions reductions targets are aligned with keeping within 1.5oC of warming

The Alliances and the MAV have met with MPs on these issues and started regular meetings with senior DELWP officers so that we are across their early plans and we can discuss these kind of changes.

Building code changes

NAGA was a signatory to a joint statement calling for Building Ministers to approve the first increase in energy efficiency standards for new homes in over 12 years. The advocacy was successful, and following a transition period, all new homes will have minimum thermal performance standard of 7 stars (NatHERS equivalent) and a 'whole-of-home' energy budget for fixed appliances (heating and cooling, hot water, lighting, and pool and spa pumps).

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Crossland

That Council note this Delegates' Report.

CARRIED UNANIMOUSLY

13. General Business

Nil

Conclusion

The meeting concluded at 9.13pm.

Confirmed Tuesday 6 December 2022

Mayor