



Minutes

Council Meeting

7.02pm, Tuesday 19 April 2022

Ms Teams

1. Statement of recognition of Wurundjeri Woi-wurrung Land

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

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

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

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

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

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

- | | |
|-----------------------|--------------|
| • Cr Sophie Wade | Mayor |
| • Cr Edward Crossland | Deputy Mayor |
| • Cr Stephen Jolly | Councillor |
| • Cr Herschel Landes | Councillor |
| • Cr Bridgid O’Brien | Councillor |
| • Cr Amanda Stone | Councillor |

Council officers

- | | |
|--------------------|--|
| • Chris Leivers | Interim Chief Executive Officer |
| • Brooke Colbert | Group Manager Advocacy and Engagement |
| • Malcolm Foard | Acting Director Community Wellbeing |
| • Ivan Gilbert | Group Manager Chief Executive’s Office |
| • Geoff Glynn | Director City Works and Assets |
| • Gracie Karabinis | Group Manager People and Culture |
| • Diarmuid McAlary | Director Corporate, Business and Finance |
| • Bruce Phillips | Director Planning and Place Making |
| • Rhys Thomas | Senior Governance Advisor |
| • Mel Nikou | Governance Officer |

Municipal Monitor

- | | |
|------------------|-------------------|
| • Yehudi Blacher | Municipal Monitor |
|------------------|-------------------|

Leave of absence

- | | |
|--------------------------|------------|
| • Cr Gabrielle de Vietri | Councillor |
|--------------------------|------------|

Apology

- | | |
|---------------------|------------|
| • Cr Claudia Nguyen | Councillor |
|---------------------|------------|

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor O'Brien **Seconded:** Councillor Mohamud

1. That in accordance with section 35(4) of the Local Government Act 2020, Council grant leave of absence to:
 - (a) Cr Amanda Stone for the meeting held on Tuesday 10 May 2022 inclusive; and
 - (b) Cr Stephen Jolly for all meetings held from Monday 27 June to Thursday 7 July 2022 inclusive.

CARRIED UNANIMOUSLY

3. Announcements

No announcements were made.

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

No declarations were made.

5. Confidential business reports

COUNCIL RESOLUTION

Moved: Councillor Crossland **Seconded:** Councillor Jolly

That the meeting be closed to members of the public, in accordance with section 66(2) (a) of the Local Government Act 2020, to allow consideration of confidential information.

CARRIED

Item

8.6 Disability Advisory Committee - Membership and Terms of Reference

This item is to be considered in closed session to allow consideration of personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs. These grounds are applicable because the report contains private information about the personal affairs of an individual.

Following consideration of Confidential business, the meeting resumed in open session.

6. Confirmation of minutes

COUNCIL RESOLUTION

Moved: Councillor Mohamud **Seconded:** Councillor Jolly

That the minutes of the Council Meeting held on Tuesday 29 March 2022 be confirmed.

CARRIED UNANIMOUSLY

7. Public question time

Nil

8. Council business reports

Item		Page	Res. Page
8.1	Draft Budget 2022/23 and Draft Long Term Financial Plan 2022/23 to 2031/32	7	7
8.2	Amendment C269yara - Rewrite of Local Policies (Panel Report)	8	12
8.3	Proposed declaration and consent to closure of the roads abutting 592-600 Smith Street, Clifton Hill	15	15
8.4	Sportsgrounds and Facilities Allocation Policy	16	16
8.5	Guidelines and budget for the 2023 Annual Grants, 2022-23 Small Project Grants and 2022-23 Room to Create Grants	17	17
8.6	Disability Advisory Committee - Membership and Terms of Reference	19	20
8.7	Victorian Heritage Restoration Fund: Heritage Facade Conservation Grants for Yarra's Activity Centres	21	21
8.8	LGBTIQA+ Strategy 2021-2024: Report on Year One Actions; Proposal for Year Two	22	22

9. Notices of motion

Item		Page	Res. Page
9.1	Notice of Motion No. 5 of 2022 - Fossil Fuel Advertising on Council Property	23	23
9.2	Notice of Motion No. 6 of 2022 - Major Tram Works and Provision of Level-Access Stops	24	26

10. Petitions and joint letters

Nil

11. Questions without notice

Nil

12. Delegates' reports

Nil

13. General business

Nil

14. Urgent business

Nil

7. Public question time

Nil

8.1 Draft Budget 2022/23 and Draft Long Term Financial Plan 2022/23 to 2031/32

Reference D22/81955
Author Wei Chen - Chief Financial Officer
Authoriser Director Corporate, Business and Finance

RECOMMENDATION **Start time: 7.06pm**

1. That Council:
 - (a) adopts, for the purpose of public exhibition, the Draft Budget 2022/23 at Attachment One as a draft of the budget prepared for the purpose of section 94 of the *Local Government Act 2020*;
 - (b) adopts, for the purpose of public exhibition, the Draft Long Term Financial Plan 2022/23 to 2031/32 at Attachment Two;
 - (c) notes that a meeting of Council will be held on Tuesday 31 May 2022 to hear feedback in relation to the Draft Budget 2022/23 and the Draft Long Term Financial Plan 2022/23 to 2031/32; and
 - (d) notes that a final decision on the Draft Budget 2022/23 and Draft Long Term Financial Plan 2022/23 to 2031/32 will be made at a Council meeting on Tuesday 21 June 2022.

COUNCIL RESOLUTION

Moved: Councillor Landes **Seconded:** Councillor Wade

1. That Council:
 - (a) adopts, for the purpose of public exhibition, the Draft Budget 2022/23 at Attachment One as a draft of the budget prepared for the purpose of section 94 of the *Local Government Act 2020*;
 - (b) adopts, for the purpose of public exhibition, the Draft Long Term Financial Plan 2022/23 to 2031/32 at Attachment Two;
 - (c) notes that a meeting of Council will be held on Tuesday 31 May 2022 to hear feedback in relation to the Draft Budget 2022/23 and the Draft Long Term Financial Plan 2022/23 to 2031/32;
 - (d) notes that a final decision on the Draft Budget 2022/23 and Draft Long Term Financial Plan 2022/23 to 2031/32 will be made at a Council meeting on Tuesday 21 June 2022; and
 - (e) request Officers to continue considering and noting the significant risks that continue to confront the municipality in preparing the final budget that include but are not limited to:
 - (i) Inflation and the impact on Council's expenditure budgets, such as energy costs, materials and services and waste management;
 - (ii) continuing uncertainties around the impact of Covid; and
 - (iii) the assumptions around the return of economic vitality of Yarra's activity centres.

CARRIED UNANIMOUSLY

8.2 Amendment C269yara - Rewrite of Local Policies (Panel Report)

Reference	D22/26953
Author	Casey Lord - Senior Strategic Planner
Authoriser	Director Planning and Place Making

RECOMMENDATION

Start time: 7.18pm

1. That Council:
 - (a) notes the officer report regarding Amendment C269yara (Amendment), officer recommendations and Attachments 2-10;
 - (b) notes the public release of the Panel Report for the Amendment under Section 26 of the Planning and Environment Act 1987 (Vic) (Act);
 - (c) having considered the Panel report under section 27 of the Act, adopts the Amendment in accordance with section 29(1) of the Act with the changes as set out in Attachments 5, 6 and 7 to this report and in clean form the documents attached as Attachment 8 and 9 to this report;
 - (d) endorse the changes to the background documents shown in Attachment 7 to this report;
 - (e) adopt the background documents shown in clean form in Attachment 9 to this report;
 - (f) delegates to the Interim CEO the power to finalise the Amendment in accordance with Council's resolution and to make any administrative or formatting changes to the Amendment documentation and maps required to give effect to Council's resolution;
 - (g) authorises officers to submit the adopted Amendment as set out in Attachment 8 and 9 to this report to the Minister for Planning for approval, in accordance with section 31(1) of the Act; and
 - (h) authorises officers to submit the information prescribed under section 31(1) of the Act with the adopted Amendment, including (but not limited to) a description of and reasons for the changes made to the Amendment between exhibition and adoption as outlined in Attachments 2, 3, 4, 5, 6 and 7 to this report, and the report on late submissions not referred to the Planning Panel in Attachment 10.
2. That Council authorises officers to notify all submitters to the Amendment to advise them of this Council resolution.

REVISED OFFICER RECOMMENDATION

1. That Council:
 - (a) notes the officer report regarding Amendment C269yara (Amendment), officer recommendations and Attachments 2-10;
 - (b) notes the public release of the Panel Report for the Amendment under Section 26 of the Planning and Environment Act 1987 (Vic) (Act);
 - (c) having considered the Panel report under section 27 of the Act, adopts the Amendment in accordance with section 29(1) of the Act with the changes as set out in Attachments 5, 6 and 7 to this report and in clean form the documents attached as Attachment 8 and 9 to this report, with the following further changes;
 - (i) In proposed Clause 11.03-1L, Activity Centres, replace dot point 3 which currently reads:

“Support high quality mid-rise buildings in major and neighbourhood activity centres where specified in a Design and Development Overlay”

to read:

“Support high quality mid-rise buildings in major and neighbourhood activity centres as specified in a Design and Development Overlay”

- (ii) In proposed Clause 15.01-2L, Building Design, under the sub-heading “Building heights”, replace the second strategy which currently reads:

“Ensure that development reflects the predominant low-rise character of the area, except in the areas below where building heights should respond to the physical and strategic context of the site:

- *Major and neighbourhood activity centres (as shown on the Strategic Framework Plan in clause 02.04 and clause 11.03-1L).*
- *Employment areas (as defined in clause 02.01).*
- *Major regeneration areas (as shown on the Strategic Framework Plan in clause 02.04-1)*
- *Boulevards (as defined in clause 02.03).”*

to read:

“Ensure that development reflects the predominant low-rise character of the area, except in the areas below:

- *Major and neighbourhood activity centres (as shown on the Strategic Framework Plan in clause 02.04 and clause 11.03-1L).*
- *Employment areas (as defined in clause 02.01).*
- *Major regeneration areas (as shown on the Strategic Framework Plan in clause 02.04-1)*
- *Boulevards (as defined in clause 02.03),*

where building heights should be in accordance with any building height requirements set out in the relevant zone or overlay, or, where there are no building height requirements specified, having regard to the physical and strategic context of the site.”

- (iii) The changes in Resolution 1 (c) (i) to 1 (c) (ii) are made for the following reasons:

- The Panel’s recommended changes to clause 11.03-1L and clause 15.01-2L will have the unintended effect of limiting mid-rise development to activity centres only where there is a DDO in place. This is not consistent with clause 02.03 and the Council’s policy direction for mid-rise development.
- The strategic directions in clause 02.03 do not limit mid-rise development to MACs and NACs only where a DDO applies. Rather, clause 02.03 identifies locations where mid-rise development is to be directed, and seeks to ensure that mid-rise buildings are in accordance with any building height requirements set out in the relevant zone or overlay, or, where there are no building height requirements specified, having regard to the physical and strategic context of the site.
- The Panel’s proposed changes to clause 11.03-1L and clause 15.01-2L will confuse Council’s policy direction and result in inconsistencies with clause 02.03.
- In order to minimise confusion, avoid misinterpretation and ensure consistency with the strategic directions in clause 02.03, clause 11.03-1L and clause 15.01-2L should be amended as set out in the above changes.

- (d) endorse the changes to the background documents shown in Attachment 7 to this report;
- (e) adopt the background documents shown in clean form in Attachment 9 to this report;
- (f) Instructs the Interim CEO to include in the correspondence to the DELWP and Minister for Planning the matter of what is the Panels specific intention with its wording regarding Clause 15.01-2L, Building Design – and specifically, whether the Panel were intending that development of mid-rise can only occur in a neighbourhood or local activity centre when a Design and Development is in the Planning Scheme for that location
or
was the Panels words intending to say that development in a neighbourhood or local activity centre should have regard to the physical and strategic context of the site but does not adequately articulate that approach
- (g) delegates to the Interim CEO the power to finalise the Amendment in accordance with Council’s resolution and to make any administrative or formatting changes to the Amendment documentation and maps required to give effect to Council’s resolution;
- (h) authorises officers to submit the adopted Amendment as set out in Attachment 8 and 9 to this report to the Minister for Planning for approval, in accordance with section 31(1) of the Act; and
- (i) authorises officers to submit the information prescribed under section 31(1) of the Act with the adopted Amendment, including (but not limited to) a description of and reasons for the changes made to the Amendment between exhibition and adoption as outlined in Attachments 2, 3, 4, 5, 6 and 7 to this report, and the report on late submissions not referred to the Planning Panel in Attachment 10.

Public Submissions

The following people addressed Council on the matter:

James Burton, Human Habitats;

Virginia Noonan;

Nick Sutton, Norton Rose Fulbright Australia on behalf of Riseheath Pty Ltd;

Mitchell Shaw;

Kenneth Gomez;

Carol Pelham-Thorman;

Michael Phillipson;

Glen McCallum, Protect Fitzroy North Inc.;

Anne Coveny, Protect Fitzroy North Inc.;

Stephen McCulloch;

David Young; and

Theresa Saldanha.

Councillor O'Brien left the meeting at 8.28pm, not returning.

The Mayor adjourned the meeting at 9.35pm

The meeting resumed at 9.47pm

MOTION

Moved: Councillor O'Brien

Seconded: Councillor Jolly

1. That Council:

- (a) notes the officer report regarding Amendment C269yara (Amendment), officer recommendations and Attachments 2-10;
- (b) notes the public release of the Panel Report for the Amendment under Section 26 of the Planning and Environment Act 1987 (Vic) (Act);
- (c) having considered the Panel report under section 27 of the Act, adopts the Amendment in accordance with section 29(1) of the Act with the changes as set out in Attachments 5, 6 and 7 to this report and in clean form the documents attached as Attachment 8 and 9 to this report, with the following further changes;
 - (i) Accept the Panel's recommendation 12a which amends Clause 15.01-2L (Building design) to revise the second strategy under the heading 'Building heights' to state:

"Ensure that development reflects the predominant low-rise character of the area, except in the areas below where building heights should respond to the physical and strategic context of the site:

..."
 - (ii) Accept the Panel's recommendation 12b which amends Clause 15.01-2L (Building design) to revise the first dot point in the second strategy under the heading 'Building heights' to state:
 - "Major and neighbourhood activity centres (as shown on the Strategic Framework Plan in Clause 02.04-1 and Clause 11.03-1L) where a Design and Development Overlay applies.
 - ..."
 - (iii) Accept the Panel's recommendation 12c which amends Clause 15.01-2L (Building design) to revise the first strategy under the heading 'Mid-rise development' to state:

"Direct mid-rise development to the following locations:

 - Appropriate locations within major and neighbourhood activity centres where a Design and Development Overlay applies, major employment precincts, commercial and industrial land (as defined in Clauses 02.01 and 11.03-1L).
 - ..."
 - (iv) Accept the Panel's recommendation 17a which amends Clause 16.01-2L (Location of residential development) to revise the first objective to state:
 - "To direct the majority of new housing development to high and moderate change locations within a major or neighbourhood activity centre or major regeneration area (as shown on the Strategic Framework Plan in Clause 02.04)."
- (d) adopt the background documents shown in clean form in Attachment 9 to this report;
- (e) Instructs the Interim CEO to include in the correspondence to the DELWP and Minister for Planning the matter of what is the Panels specific intention with its wording regarding Clause 15.01-2L, Building Design – and specifically, whether the Panel were intending that development of mid-rise can only occur in a neighbourhood or local activity centre when a Design and Development is in the Planning Scheme for that location

or

was the Panels words intending to say that development in a neighbourhood or local activity centre should have regard to the physical and strategic context of the site but does not adequately articulate that approach;

- (f) delegates to the Interim CEO the power to finalise the Amendment in accordance with Council’s resolution and to make any administrative or formatting changes to the Amendment documentation and maps required to give effect to Council’s resolution;
- (g) authorises officers to submit the adopted Amendment as set out in Attachment 8 and 9 to this report to the Minister for Planning for approval, in accordance with section 31(1) of the Act; and
- (h) authorises officers to submit the information prescribed under section 31(1) of the Act with the adopted Amendment, including (but not limited to) a description of and reasons for the changes made to the Amendment between exhibition and adoption as outlined in Attachments 2, 3, 4, 5, 6 and 7 to this report, and the report on late submissions not referred to the Planning Panel in Attachment 10.

LOST

CALL FOR A DIVISION

For: Councillors Jolly and O'Brien

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

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Crossland

1. That Council:

- (a) notes the officer report regarding Amendment C269yara (Amendment), officer recommendations and Attachments 2-10;
- (b) notes the public release of the Panel Report for the Amendment under Section 26 of the Planning and Environment Act 1987 (Vic) (Act);
- (c) having considered the Panel report under section 27 of the Act, adopts the Amendment in accordance with section 29(1) of the Act with the changes as set out in Attachments 5, 6 and 7 to this report and in clean form the documents attached as Attachment 8 and 9 to this report, with the following further changes:
 - (i) In proposed Clause 11.03-1L, Activity Centres, replace dot point 3 which currently reads:

“Support high quality mid-rise buildings in major and neighbourhood activity centres where specified in a Design and Development Overlay”

to read:

“Support high quality mid-rise buildings in major and neighbourhood activity centres as specified in a Design and Development Overlay”
 - (ii) In proposed Clause 15.01-2L, Building Design, under the sub-heading “Building heights”, replace the second strategy which currently reads:

“Ensure that development reflects the predominant low-rise character of the area, except in the areas below where building heights should respond to the physical and strategic context of the site:

- *Major and neighbourhood activity centres (as shown on the Strategic Framework Plan in clause 02.04 and clause 11.03-1L).*
- *Employment areas (as defined in clause 02.01).*
- *Major regeneration areas (as shown on the Strategic Framework Plan in clause 02.04-1)*
- *Boulevards (as defined in clause 02.03)."*

to read:

"Ensure that development reflects the predominant low-rise character of the area, except in the areas below:

- *Major and neighbourhood activity centres (as shown on the Strategic Framework Plan in clause 02.04 and clause 11.03-1L).*
- *Employment areas (as defined in clause 02.01).*
- *Major regeneration areas (as shown on the Strategic Framework Plan in clause 02.04-1)*
- *Boulevards (as defined in clause 02.03),*

where building heights should be in accordance with any building height requirements set out in the relevant zone or overlay (including Design and Development Overlays), or, where there are no building height requirements specified, having regard to the physical and strategic context of the site."

- (iii) Amend clause 11.03-1L and clause 15.01-2L as set out in the above changes to reflect the intent in (ii) above and to ensure consistency with the strategic directions in clause 02.03 in Clause 15.01-2L (Building design):

b) revise the first strategy under the heading 'Mid-rise development' to state: "Direct mid-rise development to the following locations:

- Appropriate locations within major and neighbourhood activity centres, major employment precincts, commercial and industrial land (as defined in Clauses 02.01 and 11.03-1L). where building heights should be in accordance with any building height requirements set out in the relevant zone or overlay (including Design and Development Overlays), or, where there are no building height requirements specified, having regard to the physical and strategic context of the site."

- (iv) The changes in Resolution 1 c) i to 1 c) iii are made for the following reasons:

- The Panel's recommended changes to clause 11.03-1L and clause 15.01-2L will have the unintended effect of limiting mid-rise development to activity centres only where there is a DDO in place. This is not consistent with clause 02.03 and the Council's policy direction for mid-rise development.
- The strategic directions in clause 02.03 do not limit mid-rise development to MACs and NACs only where a DDO applies. Rather, clause 02.03 identifies locations where mid-rise development is to be directed, and seeks to ensure that mid-rise buildings are in accordance with any building height requirements set out in the relevant zone or overlay, or, where there are no building height requirements specified, having regard to the physical and strategic context of the site.
- The Panel's proposed changes to clause 11.03-1L and clause 15.01-2L will confuse Council's policy direction and result in inconsistencies with clause 02.03.

- In order to minimise confusion, avoid misinterpretation and ensure consistency with the strategic directions in clause 02.03, clause 11.03-1L and clause 15.01-2L should be amended as set out in the above changes.

(v) Accept the Panel's recommendation 13 d), dot-point 4, on Clause 15.01-2L (Landmarks) on the third view to Fitzroy Town Hall.

- (d) endorse the changes to the background documents shown in Attachment 7 to this report;
- (e) adopt the background documents shown in clean form in Attachment 9 to this report;
- (f) delegates to the Interim CEO the power to finalise the Amendment in accordance with Council's resolution and to make any administrative or formatting changes to the Amendment documentation and maps required to give effect to Council's resolution;
- (g) authorises officers to submit the adopted Amendment as set out in Attachment 8 and 9 to this report to the Minister for Planning for approval, in accordance with section 31(1) of the Act; and
- (h) authorises officers to submit the information prescribed under section 31(1) of the Act with the adopted Amendment, including (but not limited to) a description of and reasons for the changes made to the Amendment between exhibition and adoption as outlined in Attachments 2, 3, 4, 5, 6 and 7 to this report, and the report on late submissions not referred to the Planning Panel in Attachment 10.

2. That Council acknowledge the future work signalled through this Amendment process for built form controls for the remaining Neighbourhood Activity Centres (Rathdowne St, Nicholson St and St. Georges Rd), in Cremorne and for possible additional Landmarks and views.

3. That Council acknowledge the considerable work and input by individuals and groups in the Yarra community over 7 years and thanks them for their contribution to this important process of setting the future of Yarra's Built Form and Environment.

4. That Council instructs the Interim CEO to include in the correspondence to the DELWP and Minister for Planning the matter of what is the Panels specific intention with its wording regarding Clause 15.01-2L, Building Design – and specifically, whether the Panel were intending that development of mid-rise can only occur in a neighbourhood or local activity centre when a Design and Development Overlay is in the Planning Scheme for that location
or

was the Panels words intending to say that development in a neighbourhood or local activity centre should have regard to the physical and strategic context of the site but does not adequately articulate that approach.

CARRIED

CALL FOR A DIVISION

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

Against: Councillors Jolly and O'Brien

8.3 Proposed declaration and consent to closure of the roads abutting 592-600 Smith Street, Clifton Hill

Reference D22/57641
Author Bill Graham - Coordinator Valuations
Authoriser Director Corporate, Business and Finance

RECOMMENDATION

Start time: 10.21pm

1. That Council, acting under section 17(4) of the Road Management Act 2004, resolves that the roads abutting 592-600 Smith Street, Clifton Hill (**Roads**), being Crown land known to title as 'government roads', be removed from Council's Register of Public Roads on the basis that the Roads are no longer required for general public use for the reasons set out in the body of this report:
2. That Council:
 - (a) declares that the Roads are not required for public traffic and therefore are 'unused roads' pursuant to section 400(1) of the *Land Act 1958* (**Land Act**) for the reasons set out in this report;
 - (b) consents, pursuant to section 349(1) of Land Act, to the closure of the Roads by the Department of Environment, Land, Water and Planning; and
 - (c) authorises Bill Graham Valuations Coordinator to undertake the administrative procedures necessary to enable Council to carry out its functions in relation to this matter.

Public Submission

Jordan Winada, Fortis Development Group addressed Council on the matter.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Mohamud

1. That Council, acting under section 17(4) of the Road Management Act 2004, resolves that the roads abutting 592-600 Smith Street, Clifton Hill (**Roads**), being Crown land known to title as 'government roads', be removed from Council's Register of Public Roads on the basis that the Roads are no longer required for general public use for the reasons set out in the body of this report:
2. That Council:
 - (a) declares that the Roads are not required for public traffic and therefore are 'unused roads' pursuant to section 400(1) of the *Land Act 1958* (**Land Act**) for the reasons set out in this report;
 - (b) consents, pursuant to section 349(1) of Land Act, to the closure of the Roads by the Department of Environment, Land, Water and Planning; and
 - (c) authorises Bill Graham Valuations Coordinator to undertake the administrative procedures necessary to enable Council to carry out its functions in relation to this matter.

CARRIED

8.4 Sportsgrounds and Facilities Allocation Policy

Reference D22/60600
Author Trent Carpenter - Recreation Project Officer
Authoriser Manager Recreation and Leisure Services

RECOMMENDATION

Start time: 10.28pm

1. That Council:
 - (a) Council endorse the Draft Sportsgrounds and Facilities Allocation Policy (2022).

Public Submission

Gabrielle Murphy, Edinburgh Gardens Sporting Community addressed Council on the matter.

COUNCIL RESOLUTION

Moved: Councillor Wade

Seconded: Councillor Landes

1. That Council defer the Draft Sportsgrounds and Facilities Allocation Policy (2022) to the next Council meeting.

CARRIED UNANIMOUSLY

8.5 Guidelines and budget for the 2023 Annual Grants, 2022-23 Small Project Grants and 2022-23 Room to Create Grants

Reference D22/63653
Author Michael Van Vliet - Team Leader Community Grants
Authoriser Manager Social Strategy and Community Development

RECOMMENDATION

Start time: 10.55pm

1. That Council:

- (a) Endorse the Community Grant Program Guidelines for the following grant programs as per the report Attachments:
 - (i) 2023 Annual Grants (Attachment 1);
 - (ii) 2022/23 Room to Create Responsive Grants (Attachment 2);
 - (iii) 2022/23 Small Project Grants (Attachment 3); and,
- (b) endorse the following proposed allocations of funds for each program:
 - (i) \$1,062,786 to the 2023 Annual Grants Program;
 - (ii) \$76,124 to the 2022/23 Small Project Grants; and
 - (iii) \$25,375 to 2022/23 Room to Create Responsive Grants.
- (c) notes that the allocations of these funds are subject to the final approval of the 2022/23 Council budget; and
- (d) delegates authority to the CEO to make any necessary minor adjustments within the overall budget for these grant programs.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Landes

1. That Council:

- (a) Endorse the Community Grant Program Guidelines for the following grant programs as per the report Attachments:
 - (i) 2023 Annual Grants (Attachment 1);
 - (ii) 2022/23 Room to Create Responsive Grants (Attachment 2);
 - (iii) 2022/23 Small Project Grants (Attachment 3); and,
- (b) endorse the following proposed allocations of funds for each program:
 - (i) \$1,062,786 to the 2023 Annual Grants Program;
 - (ii) \$76,124 to the 2022/23 Small Project Grants; and
 - (iii) \$25,375 to 2022/23 Room to Create Responsive Grants.
- (c) notes that the allocations of these funds are subject to the final approval of the 2022/23 Council budget; and
- (d) delegates authority to the CEO to make any necessary minor adjustments within the overall budget for these grant programs.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Wade **Seconded:** Councillor Mohamud

That Council extend the meeting a further 30 minutes.

CARRIED UNANIMOUSLY

The Mayor adjourned the meeting at 11.01pm

The meeting resumed at 11.06pm

8.6 Disability Advisory Committee - Membership and Terms of Reference

Reference D22/74825
Author Adrian Murphy - Manager Aged and Disability Services
Authoriser Acting Director Community Wellbeing

RECOMMENDATION

Start time: 11.06pm

1. That Council appoint the following persons to the fourteen (14) vacant positions on the Disability Advisory Committee until 30 June following the next Council election:
 - (a) _____;
 - (b) _____;
 - (c) _____;
 - (d) _____;
 - (e) _____;
 - (f) _____;
 - (g) _____;
 - (h) _____;
 - (i) _____;
 - (j) _____;
 - (k) _____;
 - (l) _____;
 - (m) _____; and
 - (n) _____
2. That Council thank all applicants who expressed interest in membership of the Disability Advisory Committee and advise of this decision.
3. That Council endorse the proposed changes to the Disability Advisory Committee Terms of Reference as outlined in **Attachment 2**.

Councillor Jolly returned to the meeting at 11.09pm

COUNCIL RESOLUTION

Moved: Councillor Crossland

Seconded: Councillor Mohamud

1. That Council appoint the following persons to the fourteen (14) vacant positions on the Disability Advisory Committee until 30 June following the next Council election:
 - (a) Alan Chung;
 - (b) Lisa Brumtis;
 - (c) Grant Guppy;
 - (d) Frank Hall-Bentick;
 - (e) Anne Holloway;
 - (f) Shane Hryhorec;
 - (g) Martin Leckey;
 - (h) Rebecca Maxwell;
 - (i) Grant Maynard;
 - (j) Ricki Spencer;
 - (k) Keren Stephens;
 - (l) Concetta Tahir;
 - (m) Andrew McDowell and
 - (n) David Brant.
2. That Council thank all applicants who expressed interest in membership of the Disability Advisory Committee and advise of this decision.
3. That Council endorse the proposed changes to the Disability Advisory Committee Terms of Reference as outlined in **Attachment 2**.

CARRIED

8.7 Victorian Heritage Restoration Fund: Heritage Facade Conservation Grants for Yarra's Activity Centres

Reference D22/62293
Author Richa Swarup - Senior Advisor City Heritage
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION

Start time: 11.15pm

1. That:
 - (a) Council approves revision of the YHRF funding model to facilitate testing of ACHFCG (Attachment 3) for the next two years as in the option 2;
 - (b) Council approves payment of additional \$5,000 towards the grant administration and management charges starting from the current financial year; and
 - (c) Officers present a report to Council on the performance of ACHFCG after two years; outlining any changes needed to Council's contributions to VHRF.

COUNCIL RESOLUTION

Moved: Councillor Wade

Seconded: Councillor Crossland

1. That:
 - (a) Council approves revision of the YHRF funding model to facilitate testing of ACHFCG (Attachment 3) for the next two years as in the option 2;
 - (b) Council approves payment of additional \$5,000 towards the grant administration and management charges starting from the current financial year; and
 - (c) Officers present a report to Council on the performance of ACHFCG and the YHRF more generally after two years, including a review on the use of funds from an equity perspective; outlining any changes needed to Council's contributions to VHRF.

CARRIED UNANIMOUSLY

8.8 LGBTIQA+ Strategy 2021-2024: Report on Year One Actions; Proposal for Year Two

Reference D22/14784
Author Cristina Del Frate - Senior Coordinator Community Development
Authoriser Acting Director Community Wellbeing

RECOMMENDATION

Start time: 11.22pm

1. That:

- (a) Council note the progress of the year one actions and proposed second Year Action Plan for the LGBTIQA+ Strategy 2021- 2024.

COUNCIL RESOLUTION

Moved: Councillor Crossland

Seconded: Councillor Jolly

1. That:

- (a) Council note the progress of the year one actions and proposed second Year Action Plan for the LGBTIQA+ Strategy 2021- 2024; and
- (b) officers redraft item 3.2.1 of the second year action plan to read: “complete a thematic heritage study for places and objects of social and cultural significance to the LGBTIQA+ community in the City of Yarra and explore possible mechanisms for their retention (in terms of use and function), protection, celebration and acknowledgement”.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Wade

Seconded: Councillor Mohamud

That Council extend the meeting a further 15 minutes.

CARRIED UNANIMOUSLY

9. Notices of motion

9.1 Notice of Motion No. 5 of 2022 - Fossil Fuel Advertising on Council Property

Reference D22/83216
Author Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION

Start time: 11.30pm

1. That:
 - (a) Yarra Council, not support the advertising of companies involved in the production or supply of fossil fuels on Council property, consistent with its Climate Emergency Plan;
 - (b) Council call for an officer report on the implications of not permitting advertising for companies involved in the production or supply of fossil fuels on Council property, and a process for phasing this in; and
 - (c) This report be presented to Council no later than the 12 July Council Meeting.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Wade

1. That:
 - (a) Yarra Council, not support the advertising of companies involved in the production or supply of fossil fuels on Council property, consistent with its Climate Emergency Plan;
 - (b) Council call for an officer report on the implications of not permitting advertising for companies involved in the production or supply of fossil fuels on Council property, and a process for phasing this in; and
 - (c) This report be presented to Council no later than the 12 July Council Meeting.

CARRIED UNANIMOUSLY

9.2 Notice of Motion No. 6 of 2022 - Major Tram Works and Provision of Level-Access Stops

Reference D22/85284
Author Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION

Start time: 11.36pm

1. That Council resolve to:
 - (a) support the recommendations of the Victorian Auditor General's Office's (VAGO) October 2020 report on Accessibility of Tram Services;
 - (b) write to the Premier of Victoria, Treasurer, Minister for Public Transport, Minister for Roads and Road Safety, and the Minister for Disability, Ageing and Carers, seeking address of the below outlined matters, and to seek a meeting of the Mayor and the CEO with relevant Ministers:
 - (i) that the State Government meet the *Disability Discrimination Act 1992* (DDA) requirement that all tram stops must be fully compliant with the *Disability Standards for Accessible Public Transport 2002* (DSAPT) by 31 December 2022, and bring forward the delivery of the requirement that all trams must be DSAPT compliant by 31 December 2032;
 - (ii) noting the 2022 and 2032 deadlines for compliance, seek advice from the relevant Minister/s as to how these timeframes are proposed to be met, if not exceeded;
 - (iii) that major tram works be coordinated with the delivery of level-access stops where these are yet to be implemented;
 - (iv) to minimise disruption to the transport network, business activity, and residents, that the State Government work closely with Council, to coordinate road network disruptions due to the delivery of infrastructure projects, including major tram works and the delivery of level-access stops, with broader streetscape upgrades, where possible;
 - (v) to coordinate the design and delivery of level-access stops with adjacent major development sites and areas undergoing significant change; to facilitate superior tram stop solutions and enhanced public realm outcomes; such as the former Fitzroy Gasworks site, North Richmond, and Cremorne;
 - (vi) that all tram stops accommodate adequate shelter, seating, and service information;
 - (vii) in recognition of the highly valued heritage buildings and streetscapes on many of Yarra's tram routes, and the need to revitalise high street precincts and improve public realm outcomes, that in association with major tram works, preference that tram and other overhead services be undergrounded where possible; particularly along key commercial streets, in activity centres, and where overhead services may obscure sightlines to landmarks including the Royal Exhibition Building and Carlton Gardens UNESCO World Heritage Precinct; and
 - (viii) that the delivery of level-access stops either be coordinated with the delivery of bicycle lanes or does not preclude the provision of a bicycle lane, especially on the Principal Bicycle Network (PBN) and Strategic Cycling Corridors (SCC), unless an alternative route has been established; and

- (c) write to the Leader of the Victorian Opposition and relevant Shadow Ministers seeking a commitment to the above outlined matters; and
- (d) request that State and Federal MPs that are representatives for electorates that include the City of Yarra area, be provided a copy of these letters.

MOTION

Moved: Councillor Crossland

Seconded: Councillor Jolly

1. That Council resolve to:

- (a) support the recommendations of the Victorian Auditor General's Office's (VAGO) October 2020 report on Accessibility of Tram Services;
- (b) write to the Premier of Victoria, Treasurer, Minister for Public Transport, Minister for Roads and Road Safety, and the Minister for Disability, Ageing and Carers, seeking address of the below outlined matters, and to seek a meeting of the Mayor and the CEO with relevant Ministers:
 - (i) that the State Government meet the *Disability Discrimination Act 1992* (DDA) requirement that all tram stops must be fully compliant with the *Disability Standards for Accessible Public Transport 2002* (DSAPT) by 31 December 2022, and bring forward the delivery of the requirement that all trams must be DSAPT compliant by 31 December 2032;
 - (ii) noting the 2022 and 2032 deadlines for compliance, seek advice from the relevant Minister/s as to how these timeframes are proposed to be met, if not exceeded;
 - (iii) that major tram works be coordinated with the delivery of level-access stops where these are yet to be implemented;
 - (iv) to minimise disruption to the transport network, business activity, and residents, that the State Government work closely with Council, to coordinate road network disruptions due to the delivery of infrastructure projects, including major tram works and the delivery of level-access stops, with broader streetscape upgrades, where possible;
 - (v) to coordinate the design and delivery of level-access stops with adjacent major development sites and areas undergoing significant change; to facilitate superior tram stop solutions and enhanced public realm outcomes; such as the former Fitzroy Gasworks site, North Richmond, and Cremorne;
 - (vi) that all tram stops accommodate adequate shelter, seating, and service information;
 - (vii) in recognition of the highly valued heritage buildings and streetscapes on many of Yarra's tram routes, and the need to revitalise high street precincts and improve public realm outcomes, that in association with major tram works, preference that tram and other overhead services be undergrounded where possible; particularly along key commercial streets, in activity centres, and where overhead services may obscure sightlines to landmarks including the Royal Exhibition Building and Carlton Gardens UNESCO World Heritage Precinct; and
 - (viii) that the delivery of level-access stops either be coordinated with the delivery of bicycle lanes or does not preclude the provision of a bicycle lane, especially on the Principal Bicycle Network (PBN) and Strategic Cycling Corridors (SCC), unless an alternative route has been established; and
- (c) write to the Leader of the Victorian Opposition and relevant Shadow Ministers seeking a commitment to the above outlined matters; and
- (d) request that State and Federal MPs that are representatives for electorates that include the City of Yarra area, be provided a copy of these letters.

Councillor Landes suggested adding in the below amendment:

to reflect on the design response to tram stops #15 and #17 on Bridge Rd, Richmond, and utilise a different design and strategic approach for level-access stops in activity centres that facilitate greater integration and public realm outcomes in future;

The amendment was accepted by the mover and seconder and incorporated into the motion.

COUNCIL RESOLUTION

Moved: Councillor Crossland

Seconded: Councillor Jolly

1. That Council resolve to:

- (a) support the recommendations of the Victorian Auditor General's Office's (VAGO) October 2020 report on Accessibility of Tram Services;
- (b) write to the Premier of Victoria, Treasurer, Minister for Public Transport, Minister for Roads and Road Safety, and the Minister for Disability, Ageing and Carers, seeking address of the below outlined matters, and to seek a meeting of the Mayor and the CEO with relevant Ministers:
 - (i) that the State Government meet the *Disability Discrimination Act 1992* (DDA) requirement that all tram stops must be fully compliant with the *Disability Standards for Accessible Public Transport 2002* (DSAPT) by 31 December 2022, and bring forward the delivery of the requirement that all trams must be DSAPT compliant by 31 December 2032;
 - (ii) noting the 2022 and 2032 deadlines for compliance, seek advice from the relevant Minister/s as to how these timeframes are proposed to be met, if not exceeded;
 - (iii) that major tram works be coordinated with the delivery of level-access stops where these are yet to be implemented;
 - (iv) to minimise disruption to the transport network, business activity, and residents, that the State Government work closely with Council, to coordinate road network disruptions due to the delivery of infrastructure projects, including major tram works and the delivery of level-access stops, with broader streetscape upgrades, where possible;
 - (v) to coordinate the design and delivery of level-access stops with adjacent major development sites and areas undergoing significant change; to facilitate superior tram stop solutions and enhanced public realm outcomes; such as the former Fitzroy Gasworks site, North Richmond, and Cremorne;
 - (vii) to reflect on the design response to tram stops #15 and #17 on Bridge Rd, Richmond, and utilise a different design and strategic approach for level-access stops in activity centres that facilitate greater integration and public realm outcomes in future;
 - (vi) that all tram stops accommodate adequate shelter, seating, and service information;
 - (viii) in recognition of the highly valued heritage buildings and streetscapes on many of Yarra's tram routes, and the need to revitalise high street precincts and improve public realm outcomes, that in association with major tram works, preference that tram and other overhead services be undergrounded where possible; particularly along key commercial streets, in activity centres, and where overhead services may obscure sightlines to landmarks including the Royal Exhibition Building and Carlton Gardens UNESCO World Heritage Precinct; and

- (viii) that the delivery of level-access stops either be coordinated with the delivery of bicycle lanes or does not preclude the provision of a bicycle lane, especially on the Principal Bicycle Network (PBN) and Strategic Cycling Corridors (SCC), unless an alternative route has been established; and
- (c) write to the Leader of the Victorian Opposition and relevant Shadow Ministers seeking a commitment to the above outlined matters; and
- (d) request that State and Federal MPs that are representatives for electorates that include the City of Yarra area, be provided a copy of these letters.

CARRIED UNANIMOUSLY

10. Petitions and joint letters

Nil

11. Questions without notice

Nil

12. Delegates' reports

Nil

13. General Business

Nil

Conclusion

The meeting concluded at 11.41pm.

Confirmed Tuesday 10 May 2022

Mayor

