



Minutes

Council Meeting

7.00pm, Thursday 23 June 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 Herschel Landes Councillor
- Cr Anab Mohamud Councillor
- Cr Claudia Nguyen Councillor
- Cr Bridgid O’Brien Councillor

Council officers

- Chris Leivers Interim Chief Executive Officer
- Brooke Colbert Group Manager Advocacy and Engagement
- Malcolm Foard Director Community Wellbeing
- Gracie Karabinis Group Manager People and Culture
- Geoff Glynn Director City Works and Assets
- Diarmuid McAlary Director Corporate, Business and Finance
- Bruce Phillips Director Planning and Place Making
- Mel Nikou Governance Officer

Municipal Monitor

- Yehudi Blacher Municipal Monitor

Apologies

- Cr Gabrielle de Vietri Councillor
- Cr Stephen Jolly Councillor
- Cr Amanda Stone Councillor

3. Announcements

I have two announcements this evening. The first is to acknowledge that we have received the monitors report recently and Mr Yehudi Blacher will be staying with Yarra for another three months.

Secondly, this will be the last meeting Chris Leviers will be in the position of Interim Chief Executive Officer, so I wanted to take this opportunity to thank Chris on behalf of the Councillors and the Council more generally. Chris has been brilliant in the job of Interim Chief Executive Officer and I think he has had a really difficult period to oversee and has done it with aplomb. In Yehudi's report he described Chris's leadership as excellent, which I would have to wholly agree with, so a round of applause for Chris!

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

No declarations were made.

5. Confidential business reports

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 66(2)(a) of the Local Government Act 2020. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

COUNCIL RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor Crossland

1. 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 UNANIMOUSLY

Item

5.1 **C1613 Provision of Structural Relining of Stormwater Drains and Associated Works**

This item is to be considered in closed session to allow consideration of private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

These grounds are applicable because the report contains information that has been submitted on a commercial in confidence basis as part of a tender process.

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

6. Confirmation of minutes

COUNCIL RESOLUTION

Moved: Councillor Landes

Seconded: Councillor Mohamud

That the minutes of the Council Meeting held on Tuesday 31 May 2022 be confirmed.

CARRIED UNANIMOUSLY

7. Public question time

Item	Page
Public Questions	6

8. Council business reports

Item	Page	Res. Page
8.1 Adoption of Annual Budget 2022/23 and Long Term Financial Plan 2022/23 to 2031/32	9	10
8.2 2022/23 Annual Plan	12	12
8.3 Asset Plan 2022-2032 and Asset Management Policy (2022)	13	13
8.4 Victorian Election Advocacy Priorities	14	14
8.5 Yarra Planning Scheme Amendment C293yara - Collingwood South	15	15
8.6 PPE22/0085 - 9-13 Stewart Street, Richmond	17	18
8.7 Fairlea Netball Precinct, Yarra Bend	19	19
8.8 Yarra Libraries Strategic Plan 2022-2026	20	20
8.9 Environment Advisory Committee Membership	21	21
8.10 Appointment of Authorised Officers under the Planning and Environment Act 1987	22	22

9. Notices of motion

Nil

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

This record is provided as a summary of the questions asked by members of the public during Public Question Time at a meeting of the Yarra City Council. A recording of the Council Meeting (including Public Question Time) is available on Council's website for twelve months following the meeting. Where a question is taken on notice and unable to be answered at the meeting, the full response is also published on Council's website when it becomes available.

Questioner	Question	Refer to
Danielle Permezel	I refer to Agenda item 8.5 of the Council's meeting on 5 October 2021 regarding Old Heidelberg Road Alphington and ask: Why did the Council accept Mr Gilbert's report that opening the road was strongly favoured, when only approximately 300 submissions were in favour and dismissed the importance of the school's submissions and the concerns representing 2,000 + stakeholders, when the general submissions acknowledged there is no connection to the trail or other public land? The Agenda 4 August 2020 reference D20/126206 and 5 October 2021 Reference D21/111629 states that the process would include the land owner the GOCMV being; "advised in writing of Council's intention to commence a public consultation process in early 2021; and inform the GOCMV formally that its occupancy of the eastern part of OHR under the 1953 Licence will end in June 2021". How was this communicated to the GOCMV given the first meeting with any member of GOCMV did not occur until 10 December 2021 well after the decision had been made?	The Mayor provided a response
Voula Allimonos	The letter by Yarra City Council to Alphington Grammar School dated 17 May 2022 states "Whilst council appreciates that matters of student and community safety are paramount from both the school and council's perspective, council is under significant community pressure to re-open Old Heidelberg Road to the public". Can the council please explain how they weighed the safety of school students vs local pressure, when the Principal's and PFA submission clearly represent 2,000 plus people? Given Mr Gilbert's reference D21/111629, 5 October 2021 under point 3 indicates "impositions of COVID restrictions "limited effective community consultation" and the Principal's requests at that meeting including her subsequent correspondence relating to COVID restrictions impacting Council's ability to be informed of all matters to OHR, why was the extension of time rejected so that genuine community consultation of all stakeholders could take place not granted?	The Mayor provided a response

<p>Lukas Silver</p>	<p>Under 9C of the Agenda 5 October 2021 Reference D21/111629. The review of 2020 was to help Council understand "the reliance (if any) on the eastern portion of OHR by Parade College and later by AGS. Where are the findings of that review tabled for genuine consideration before the decision was made to open up the redundant and dangerous road for public access? It is clear that having a safe, publicly accessible and direct route to the Darebin-Yarra trail is important for Alphington residents and to the Alphington Grammar community. It is something that local members of parliament, the school along with the community have been actively trying to achieve. The Victorian Government is building a new footbridge for pedestrians and cyclists at Farm Road, just south of the school. Given the matter of public access to the redundant part of Old Heidelberg Road and the Farm Road link are inexplicably connected. Why was this information dismissed as part of the decision making process?</p>	<p>The Mayor provided a response</p>
<p>Brandon Stafford</p>	<p>Can the Mayor please explain how opening a route on the redundant part of Old Heidelberg Road through the school and how removing the school gate will enable safe access to the trail, the creek or any public land? Prior to making the decision to reinstate public access to Old Heidelberg Road, when was the last time the Council inspected the road and made any improvements to the upkeep of the road and footpaths? To clarify further, Section 4 of your Road Management Plan includes proactive and reactive inspections. Proactive inspections for this road must occur at a maximum of 26 months. Has this been occurring on both sides of the gate?</p>	<p>The Mayor provided a response</p>
<p>Phillip Papas</p>	<p>All schools (state and private, primary and secondary) have fencing and gates around their entire perimeter and the schools themselves are in control of the gates that are always managed under the control of the school to ensure the safety of children. Why does the council make light of the removal of a gate and encourage random strangers who cannot be identified to enter the school grounds whenever they like in contravention of established safety protocols for all school children in all schools? The Commission for Children and Young People and the Victorian Registration and Qualification Authority require "both the Council and the school to implement and comply with Child Safe Standards under the Child Wellbeing and Safety Act 2005. This includes being able to record all visitors arriving and departing during school hours. How is Council expecting the school to fulfill its legal obligations and Council's own responsibilities under the Act given Council's recent decision?</p>	<p>The Mayor provided a response</p>

<p>Xanthi Tsoukas</p>	<p>"Where in the Council meeting of 5 October 2021 Reference D21/11169 was time allocated to at least discuss the ""possible options"" tabled in the Council's meeting agenda (Item 10 a, b, c, and options 19 a, b, c). That is; (a)</p>	<p>The Mayor provided a response</p>
<p>Martha Vazenios</p>	<p>On the morning of June 20, approximately 8.30am a time when the majority of the students were arriving to school, I observed and filmed a male cyclist, cycle onto the pedestrian footpath of the redundant part of Old Heidelberg Road. He then crossed the threshold where a gate once stood, at the entrance of the Early learning Centre of the School. The gate that once gave refuge to 3 -8-year-old school children now had them fully exposed. Can Yarra Council tell me where the man was riding to? As neither Yarra Council nor the general public knows where you can actually ride or walk to on what is still purportedly a public pathway and Yarra Council has publicly stated in writing that the community has access to public land, what additional communication does council intend to publish to pedestrians and cyclists specifically in relation to safe walking and riding trails beyond the former gate's threshold?</p>	<p>The Mayor provided a response</p>
<p>George Pinousis</p>	<p>Can you please provide the date and name of the newspapers that the Yarra City Council published a notice in to advise people of the right to make a submission regarding the Council's decision to reinstate access to Old Heidelberg Road or was it just published on the internet? Given council has removed the gate to allow members of the public access to the redundant part of Old Heidelberg Road, is Yarra Council funding infrastructure works to build a compliant route taking into account clear issues surrounding disability access, environmental impact and the safety of children, staff and the residents, and if the Council is not doing so, who does Council expect to fund this project?</p>	<p>The Mayor provided a response</p>

8.1 Adoption of Annual Budget 2022/23 and Long Term Financial Plan 2022/23 to 2031/32

Reference	D22/140689
Author	Dennis Bastas - Manager Financial Services
Authoriser	Chief Financial Officer

RECOMMENDATION

Start time: 7.25pm

1. That Council, following a community engagement process conducted in accordance with its community engagement policy:
 - (a) notes that the Budget and Financial Plan are updated to reflect the changes that have occurred since mid-April 2022. The budgeted operating surplus for 2022/23 has increased from \$9.1m to \$12.2m, majority of which is merely due to changes in timing for certain external grants;
 - (b) notes that the current Council Plan 2021-2022 and Yarra Vision 2036 was used to develop this budget and Financial Plan;
 - (c) adopts the Annual Budget 2022/23 as its budget for the 2022/23 financial year and the subsequent 3 financial years (**Attachment One**);
 - (d) adopts the Long Term Financial Plan 2022/23 to 2031/32 (**Attachment Two**);
 - (e) endorses the updated Financial Hardship Policy (**Attachment Three**);
 - (f) declares rates and charges as per pages 33-35 of the budget document (**Attachment One**). In summary, an amount of \$125,163,270 (or such greater amount as is lawfully levied as a consequence of this resolution) as the amount which Council intends to raise by General Rates and other charges, which is calculated as follows:

General Rates	\$123,640,040
Special Rates & other charges	\$526,490
Supplementary Rates	\$1,500,000
Pensioner rate rebate and other rate offsets	(\$503,260)
Total Rates and Charges	\$125,163,270
 - (g) advises in respect to General Rates:
 - (i) a general rate be declared in respect of and for the entire duration of the 2022/23 financial year;
 - (ii) it further be declared that the general rate be raised by application of a uniform rate;
 - (iii) a percentage of 0.035680990 be specified as the percentage of the uniform rate which may be alternatively expressed as \$ 0.035680990 cents in the NAV dollar;
 - (iv) it be confirmed that no amount is fixed as the minimum amount payable by way of a general rate in respect of each rateable property within the municipality; and
 - (v) the Council funded Pensioner Rate Rebate be declared at \$197.20 for 2022/23;
 - (h) declares no Annual Service Charge in respect of the 2022/23 financial year;
 - (i) declares no Municipal Charge in respect of the 2022/23 financial year; and
 - (j) authorises the Chief Executive Officer to effect administrative and wording changes to the Annual Budget 2022/23, Financial Plan 2022/23 to 2031/32 and Financial Hardship Policy, which may be required.

COUNCIL RESOLUTION

Moved: Councillor Wade

Seconded: Councillor Landes

1. That Council, following a community engagement process conducted in accordance with its community engagement policy:
 - (a) notes that the Budget and Financial Plan are updated to reflect the changes that have occurred since mid-April 2022. The budgeted operating surplus for 2022/23 has increased from \$9.1m to \$12.2m, majority of which is merely due to changes in timing for certain external grants;
 - (b) notes that the current Council Plan 2021-2022 and Yarra Vision 2036 was used to develop this budget and Financial Plan;
 - (c) adopts the Annual Budget 2022/23 as its budget for the 2022/23 financial year and the subsequent 3 financial years (**Attachment One**);
 - (d) adopts the Long Term Financial Plan 2022/23 to 2031/32 (**Attachment Two**);
 - (e) endorses the updated Financial Hardship Policy (**Attachment Three**);
 - (f) declares rates and charges as per pages 33-35 of the budget document (**Attachment One**). In summary, an amount of \$125,163,270 (or such greater amount as is lawfully levied as a consequence of this resolution) as the amount which Council intends to raise by General Rates and other charges, which is calculated as follows:

General Rates	\$123,640,040
Special Rates & other charges	\$526,490
Supplementary Rates	\$1,500,000
Pensioner rate rebate and other rate offsets	(\$503,260)
Total Rates and Charges	\$125,163,270
 - (g) advises in respect to General Rates:
 - (i) a general rate be declared in respect of and for the entire duration of the 2022/23 financial year;
 - (ii) it further be declared that the general rate be raised by application of a uniform rate;
 - (iii) a percentage of 0.035680990 be specified as the percentage of the uniform rate which may be alternatively expressed as \$ 0.035680990 cents in the NAV dollar;
 - (iv) it be confirmed that no amount is fixed as the minimum amount payable by way of a general rate in respect of each rateable property within the municipality; and
 - (v) the Council funded Pensioner Rate Rebate be declared at \$197.20 for 2022/23;
 - (h) declares no Annual Service Charge in respect of the 2022/23 financial year;
 - (i) declares no Municipal Charge in respect of the 2022/23 financial year; and
 - (j) authorises the Chief Executive Officer to effect administrative and wording changes to the Annual Budget 2022/23, Financial Plan 2022/23 to 2031/32 and Financial Hardship Policy, which may be required.

CARRIED

CALL FOR A DIVISION

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

Against: Councillor O'Brien

8.2 2022/23 Annual Plan

Reference D22/129401
Author Julie Wyndham - Manager Corporate Planning and Performance
Authoriser Director Corporate, Business and Finance

RECOMMENDATION **Start time: 7.40pm**

1. That:
 - (a) Council endorse the 2022/23 Annual Plan.

Public Submission

Meredith Kefford, Yarra Climate Action Now addressed Council on the matter.

COUNCIL RESOLUTION

Moved: Councillor Crossland **Seconded:** Councillor Mohamud

1. That:
 - (a) Council endorse the 2022/23 Annual Plan.

CARRIED UNANIMOUSLY

8.3 Asset Plan 2022-2032 and Asset Management Policy (2022)

Reference	D22/132286
Author	Paul Dwyer - Senior Coordinator Asset Management and Capital Works
Authoriser	Director City Works and Assets

RECOMMENDATION

Start time: 7.48pm

1. That Council:
 - (a) notes that a community engagement has been undertaken on the Draft Asset Plan 2022-2032 and Draft Asset Management Policy (2022);
 - (b) notes the submissions received and officer responses;
 - (c) adopts the proposed Asset Plan 2022-2032 in Attachment 1;
 - (d) adopts the proposed Asset Management Policy (2022) in Attachment 2; and
 - (e) authorises officers to apply any administrative changes which may be required for consistency with Council's adopted Annual Budget 2022/23 and Long Term Financial Plan 2022/23 – 2031/32.

COUNCIL RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor Mohamud

1. That Council:
 - (a) notes that a community engagement has been undertaken on the Draft Asset Plan 2022-2032 and Draft Asset Management Policy (2022);
 - (b) notes the submissions received and officer responses;
 - (c) adopts the proposed Asset Plan 2022-2032 in Attachment 1;
 - (d) adopts the proposed Asset Management Policy (2022) in Attachment 2; and
 - (e) authorises officers to apply any administrative changes which may be required for consistency with Council's adopted Annual Budget 2022/23 and Long Term Financial Plan 2022/23 – 2031/32.

CARRIED UNANIMOUSLY

8.4 Victorian Election Advocacy Priorities

Reference D22/132294
Author Justin Kann - Senior Advisor, Strategic Advocacy
Authoriser Group Manager Advocacy and Engagement

RECOMMENDATION **Start time: 7.51pm**

1. That Council:
 - (a) notes that the next Victorian Election is scheduled for Saturday, 26 November 2022;
 - (b) notes the officer report regarding Yarra's Victorian Election advocacy priorities, including the proposed advocacy strategy to communicate these priorities to local candidates and parties; and
 - (c) adopts the advocacy priorities as shown in the *Draft Victorian Election Advocacy Priorities* (Attachment 1).

Public Submission

Meredith Kefford, Yarra Climate Action Now addressed Council on the matter.

COUNCIL RESOLUTION

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

1. That Council:
 - (a) notes that the next Victorian Election is scheduled for Saturday, 26 November 2022;
 - (b) notes the officer report regarding Yarra's Victorian Election advocacy priorities, including the proposed advocacy strategy to communicate these priorities to local candidates and parties; and
 - (c) adopts the advocacy priorities as shown in the *Draft Victorian Election Advocacy Priorities* (Attachment 1), subject to the following changes under the heading 'Creating a safe, inclusive and connected community':
 - (i) replacement of "connectiveness and address racism and discrimination in all its forms" with "connectiveness, address racism and discrimination in all its forms, and address housing affordability and inequality";
 - (ii) addition of a fourth dot point reading "Implementing inclusionary zoning through the Victorian Planning Provisions, and building more public housing in Yarra within the next term of State Government."; and
 - (iii) addition of the word sexism after the word racism in dot point 3.

CARRIED UNANIMOUSLY

8.5 Yarra Planning Scheme Amendment C293yara - Collingwood South

Reference D22/132288
Author Madeline Riseborough - Strategic Planner
Authoriser Project and Planning Coordinator

RECOMMENDATION

Start time: 7.58pm

1. That Council:
 - (a) notes the officer report regarding draft Amendment C293yara (Amendment), officer recommendations and Attachments 1, 2, 3 and 4;
 - (b) notes the public release of the Committee Report for the Amendment under Section 40 of the *Yarra Activity Centres Standing Advisory Committee Terms of Reference*;
 - (c) having considered the Standing Advisory Committee report, adopts the Amendment with the changes as set out in Attachments 3 and 4 to this report;
 - (d) delegates to the CEO the authority to finalise the Amendment in accordance with Council's resolution (1)(c), and to make any administrative or formatting changes to the Amendment documentation and maps required to give effect to Council's resolution;
 - (e) submits the Amendment to the Minister for Planning and requests he prepare, adopt, and approve a formal planning scheme amendment in the same form as the Amendment adopted under resolution (1)(c) and (d), in accordance with section 20(4) of the *Planning and Environment Act 1987*; and
 - (f) notifies all submitters of this Council resolution.

COUNCIL RESOLUTION

Moved: Councillor Landes

Seconded: Councillor Mohamud

1. That Council:
 - (a) notes the officer report regarding draft Amendment C293yara (Amendment), officer recommendations and Attachments 1, 2, 3 and 4;
 - (b) notes the public release of the Committee Report for the Amendment under Section 40 of the *Yarra Activity Centres Standing Advisory Committee Terms of Reference*;
 - (c) having considered the Standing Advisory Committee report, adopts the Amendment with the changes as set out in Attachments 3 and 4 to this report, subject to the following changes:
 - (i) Change the overshadowing requirement in Clause 2.6 Overshadowing and Solar access requirements from a preferred to a mandatory requirement for the following areas of open space and/or public realm:
 - Cambridge Street Reserve (incl. any future extension of the reserve);
 - Oxford Street Reserve;
 - The outdoor space of the Collingwood English Language School; and
 - Any kerb outstands, seating or planting areas on the opposite side of the street, as applicable;

-
- (ii) Retain the following criteria in *Clause 2.5 Building height requirements* which apply where a proposal exceeds the preferred maximum building height in Map 1 (which were recommended for deletion by the Standing Advisory Committee):
- excellence for environmental sustainable design measured as minimum BESS project score of 70%;
 - provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34;
 - housing for diverse household types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations;
 - accessibility provision objective that exceeds the minimum standards in Clauses 55.07 and/or 58 as relevant; and
 - communal and/or private open space provision that exceeds the minimum standards in Clause 55.07 and/or 58, as relevant;
- (d) delegates to the CEO the authority to finalise the Amendment in accordance with Council’s resolution (1)(c), and to make any administrative or formatting changes to the Amendment documentation and maps required to give effect to Council’s resolution;
- (e) submits the Amendment to the Minister for Planning and requests he prepare, adopt, and approve a formal planning scheme amendment in the same form as the Amendment adopted under resolution (1)(c) and (d), in accordance with section 20(4) of the *Planning and Environment Act 1987*; and
- (f) notifies all submitters of this Council resolution.

CARRIED UNANIMOUSLY

8.6 PPE22/0085 - 9-13 Stewart Street, Richmond

Reference D22/113277
Author Katrina Thomas - Planning Appeals Advocate
Authoriser Manager Statutory Planning

RECOMMENDATION **Start time: 8.17pm**

That having considered all relevant planning policies, the Committee resolves to advise the Minister for Planning that planning permit PA2201605 should not be issued on the following ground:

1. The proposed height, scale, massing and design detailing of the development is not respectful of the heritage context and will result in a building form that will overwhelm the host building and be visually dominating within the precinct.

REVISED OFFICER RECOMMENDATION

That having considered all relevant planning policies, the Council resolves to advise the Minister for Planning that planning permit PA2201605 should not be issued on the following ground:

1. The proposed height, scale, massing and design detailing of the development is not respectful of the heritage context and will result in a building form that will overwhelm the host building and be visually dominating within the precinct.
2. That it also be recorded that the description of the proposal in the officer report be corrected to include the words in **bold** below to be more accurate:

In summary, the application proposes:

- (a) partial demolition of the existing double-storey warehouse building incorporating retention of the Stewart Street façade and the return heritage façade to Margaret Street;
- (b) buildings and works to construct a mixed-use building comprising a maximum building height of 9 storeys (35.34m to roof parapet and 39.19m to lift overrun);
- (c) above the street wall:
 - (i) the building is setback 2.5m (**to glazing line with building line encroaching setback**) from Stewart Street except Level 08 is setback 4.5m and the screened rooftop is setback 7.0m;
 - (ii) the building is setback 2.5m (**to glazing line with building line encroaching setback**) from Margaret Street except Level 08 is setback 4.0m (**to glazing line with building line encroaching setback**) and the screened rooftop is setback 6.5m;
 - (iii) the building is setback 3.0m (**to glazing line with building line encroaching setback**) from the northern boundary except Level 08 is setback 4.0m (**to glazing line with building line encroaching setback**) and the screened rooftop is setback 6.0m; and
 - (iv) the building is setback 4.5m (**to glazing line with building line encroaching setback**) from the western boundary except for the lift core which is constructed to boundary.

COUNCIL RESOLUTION

Moved: Councillor Landes

Seconded: Councillor Crossland

That having considered all relevant planning policies, the Council resolves to advise the Minister for Planning that planning permit PA2201605 should not be issued on the following ground:

1. The proposed height, scale, massing and design detailing of the development is not respectful of the heritage context and will result in a building form that will overwhelm the host building and be visually dominating within the precinct.
2. That it also be recorded that the description of the proposal in the officer report be corrected to include the words in **bold** below to be more accurate:

In summary, the application proposes:

- (a) *partial demolition of the existing double-storey warehouse building incorporating retention of the Stewart Street façade and the return heritage façade to Margaret Street;*
- (b) *buildings and works to construct a mixed-use building comprising a maximum building height of 9 storeys (35.34m to roof parapet and 39.19m to lift overrun);*
- (c) *above the street wall:*
 - (i) *the building is setback 2.5m (**to glazing line with building line encroaching setback**) from Stewart Street except Level 08 is setback 4.5m and the screened rooftop is setback 7.0m;*
 - (ii) *the building is setback 2.5m (**to glazing line with building line encroaching setback**) from Margaret Street except Level 08 is setback 4.0m (**to glazing line with building line encroaching setback**) and the screened rooftop is setback 6.5m;*
 - (iii) *the building is setback 3.0m (**to glazing line with building line encroaching setback**) from the northern boundary except Level 08 is setback 4.0m (**to glazing line with building line encroaching setback**) and the screened rooftop is setback 6.0m; and*
 - (iv) *the building is setback 4.5m (**to glazing line with building line encroaching setback**) from the western boundary except for the lift core which is constructed to boundary.*

CARRIED UNANIMOUSLY

8.7 Fairlea Netball Precinct, Yarra Bend

Reference	D22/110008
Author	Sally Jones - Manager Recreation and Leisure Services
Authoriser	Director City Works and Assets

RECOMMENDATION

Start time: 8.25pm

1. That Council:
 - (a) authorise officers to enter negotiations with Parks Victoria to assume management responsibility of the eight-court regional netball facility and shared-use pavilion for 21 years including taking on all ongoing maintenance and capital expenditure costs associated with operating and managing the new facilities; and
 - (b) authorise the Chief Executive Officer to engage a legal team to prepare contractual documentation to secure these arrangements and to sign the documentation on behalf of Council.

Public Submissions

The following people addressed Council on the matter:

Allana Sharman, Netball Victoria; and

Amy Charman.

COUNCIL RESOLUTION

Moved: Councillor O'Brien

Seconded: Councillor Landes

1. That Council:
 - (a) authorise officers to enter negotiations with Parks Victoria to assume management responsibility of the eight-court regional netball facility and shared-use pavilion for 21 years including taking on all ongoing maintenance and capital expenditure costs associated with operating and managing the new facilities; and
 - (b) authorise the Chief Executive Officer to engage a legal team to prepare contractual documentation to secure these arrangements and to sign the documentation on behalf of Council.

CARRIED UNANIMOUSLY

8.8 Yarra Libraries Strategic Plan 2022-2026

Reference D22/129432
Author Cory Greenwood - Coordinator Library Development and Marketing
Authoriser Acting Director Community Wellbeing

RECOMMENDATION **Start time: 8.35pm**

1. That Council:
 - (a) endorse the finalised Yarra Libraries Strategic Plan 2022-2026, following feedback received during the public exhibition period; and
 - (b) note that subject to the Strategy being adopted, an Action Plan will be developed to guide implementation.

COUNCIL RESOLUTION

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

1. That Council:
 - (a) endorse the finalised Yarra Libraries Strategic Plan 2022-2026, following feedback received during the public exhibition period; and
 - (b) note that subject to the Strategy being adopted, an Action Plan will be developed to guide implementation.

CARRIED UNANIMOUSLY

8.9 Environment Advisory Committee Membership

Reference D22/143115
Author Michael Oke - Unit Manager Sustainability
Authoriser Director Planning and Place Making

RECOMMENDATION

Start time: 8.41pm

1. That Council appoint the following persons to the sixteen vacant positions on the Environment Advisory Committee:
 - (a) _____;
 - (b) _____;
 - (c) _____;
 - (d) _____;
 - (e) _____;
 - (f) _____;
 - (g) _____;
 - (h) _____;
 - (i) _____;
 - (j) _____;
 - (k) _____;
 - (l) _____;
 - (m) _____;
 - (n) _____;
 - (o) _____; and
 - (p) _____.
2. That Council appoint the following persons to the act as four backup members should vacant positions on the Environment Advisory Committee:
 - (a) _____;
 - (b) _____;
 - (c) _____; and
 - (d) _____.
3. That officers write to all members of the community who expressed interest, advising of this decision and thank them for applying to be members of the Environment Advisory Committee.

COUNCIL RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor O'Brien

That the item on the Environment Advisory Committee be deferred to a future meeting.

CARRIED UNANIMOUSLY

8.10 Appointment of Authorised Officers under the Planning and Environment Act 1987

Reference D22/127580
Author Rhys Thomas - Senior Governance Advisor
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION **Start time: 8.42pm**

1. In the exercise of the powers conferred by s 147(4) of the Planning and Environment Act 1987, Council resolves that:
 - (a) Joshua URBANS,
be appointed and authorised as set out in the instrument at **Attachment One**; and
 - (b) each instrument comes into force immediately it is signed by Council's Chief Executive Officer, and remains in force until Council determines to vary or revoke it.

COUNCIL RESOLUTION

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

1. In the exercise of the powers conferred by s 147(4) of the Planning and Environment Act 1987, Council resolves that:
 - (a) Joshua URBANS,
be appointed and authorised as set out in the instrument at **Attachment One**; and
 - (b) each instrument comes into force immediately it is signed by Council's Chief Executive Officer, and remains in force until Council determines to vary or revoke it.

CARRIED UNANIMOUSLY

9. Notices of motion

Nil

10. Petitions and joint letters

Nil

11. Questions without notice

Nil

12. Delegates' reports

Nil

13. General Business

Nil

Conclusion

The meeting concluded at 8.44pm.

Confirmed Tuesday 12 July 2022

Mayor