



# Minutes

## Council Meeting

7.03pm, Tuesday 25 October 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                  |
| • Malcolm Foard | Director Community Wellbeing             |
| • Ivan Gilbert  | Group Manager Chief Executive’s Office   |
| • 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                |
| • Mel Nikou     | Governance Officer                       |

### Leave of absence

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

## 3. Announcements

*Since we last met, Council’s Municipal Monitor, Mr Yehudi Blacher concluded his term with Council, and his final report was published last week.*

*Yarra City Council remains committed to being a sector leader in good governance and our work with the Municipal Monitor has been positive and productive. Mr Blacher has assisted us in ensuring improvements to good governance practices we already had underway were delivered to the very highest standard.*

*We are pleased that this report commends progress on longstanding structural issues.*

*We also welcome the Monitor’s recommendation for Council to continue to work with the Victorian Auditor General’s Office. We are confident this will prove to be a positive partnership.*

*Like all other councils across Victoria we are facing significant financial challenges with rising cost pressures, rate capping and cost shifting, coupled with increasing pressure and demand on our services.*

*We acknowledge that our work to meet the financial challenges faced by local governments will be ongoing. At Yarra we are committed to ongoing reviews of our operations to drive continuous business improvements so that we can continue to provide our highly valued services and programs to our community both now and into the future,*

*On behalf of Yarra City Council, I would like to extend my thanks to Mr Blacher for the support and guidance he has provided to the Council over the past nine months*

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

Councillor Wade declared a conflict of interest on questions relating to e-scooters and on business item 8.3 - Mayors Park Tennis and Netball Centre Management.

Councillor Nguyen also declared a conflict of interest on questions regarding e-scooters.

#### **5. Confidential business reports**

Nil

#### **6. Confirmation of minutes**

##### **COUNCIL RESOLUTION**

**Moved:** Councillor Mohamud

**Seconded:** Councillor Jolly

That the minutes of the Council Meeting held on Tuesday 13 September 2022 be confirmed.

**CARRIED UNANIMOUSLY**

#### **7. Question time**

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## 8. Council business reports

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8.8	Climate Emergency Plan mid-term review	60	60
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## 9. Notices of motion

Nil

## 10. Petitions and joint letters

Nil

## 11. Questions without notice

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## 13. General business

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## 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. **Dave Stott** - asked a question about Clause 22.02/5.7.2 of the planning scheme - The Mayor took the question on notice.
2. **Amanda Bed** - asked a question about emptying the bins in Council parks. The Mayor provided a response.
3. **Victoria Chipperfield** - asked a question about Council decision making processes and improving relationships with the constituents of the City of Yarra . The Mayor provided a response.

*The Mayor and Councillor Nguyen left the meeting due to a conflict of interest.*

*The Deputy Mayor assumed the Chair.*

4. **Shane Hryhorec** – asked a question about the City of Yarra e-scooter trial. The Acting Director Planning and Place Making provided a response.

*The Mayor and Councillor Nguyen returned to the meeting.*

5. **Betty Shallard** – asked a question about senior and student concessions at Yarra Leisure Centres. The Mayor and Director City Works and Assets provided a response.
6. **Shane Delphine** – asked a question about the cost of the Municipal Monitor. The Mayor provided a response.

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## 8.4 Heidelberg Road corridor - Permanent Built Form Provisions

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<b>Reference</b>	D22/263303
<b>Author</b>	Casey Lord - Senior Strategic Planner
<b>Authoriser</b>	Director Planning and Place Making

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*The Deputy Mayor adjourned the meeting at 9.24pm*

*The meeting resumed and the Mayor returned at 9.32pm*

**RECOMMENDATION** Start time: 9.32pm

1. That Council:
  - (a) notes the officer report and Attachments 1-7 introducing proposed permanent provisions for commercial areas along Heidelberg Road;
  - (b) Adopts: Heidelberg Road Heritage Review (Stage 1), RBA Architects Conservation Consultants 2019; Heidelberg Road Heritage Review (Stage 2), RBA Architects Conservation Consultants 2019; Part 2: Heidelberg Road Built Form Framework – Design Strategy and Recommendations, Hodyl & Co, November 2019; Traffic and Vehicle Access Assessment, Heidelberg Road, Fairfield/Alphington, Traffix Group, November 2019; in Attachments 4, 5, 6, and 7 as the general basis for Amendment C273 to the Yarra Planning Scheme;
  - (c) Adopts the amendment documentation for proposed Amendment C273, including proposed local planning policy in Clause 11.03-1L Activity Centres (or Clause 21.08 Neighbourhoods should Amendment C269yara not be approved at the time of the exhibition), Design and Development Overlay Schedule 18, Heritage Overlays 451 and 455 and their Statements of Significance, updates to the Schedule to Clause 43.01 Heritage Overlay, and updates to the Schedule to Clause 72.04 Incorporated Documents and 72.08 Background Documents at Attachments 1, 2 and 3 as the basis for proposed Amendment C273;
  - (d) Requests consent from the Minister for Planning to prepare and exhibit draft Amendment C273 as per the Terms of Reference for the Yarra Activity Centre Standing Advisory Committee, appointed under Section 151 of the Planning and Environment Act 1987;
  - (e) Determines that should the Minister for Planning decide not to provide consent under the Terms of Reference for the Yarra Activity Centre Standing Advisory Committee, Council as the Planning Authority, apply to the Minister for Planning (Minister) under section 8A of the Planning and Environment Act 1987, for ‘authorisation to prepare and exhibit the Amendment’;
  - (f) Requests the Minister for Planning to prepare, adopt and approve Amendment C312yara to the Yarra Planning Scheme, in accordance with the Minister’s powers under sections 8(1)(b) and section 20(4) of the Planning and Environment Act 1987 to extend the expiry dates for the Design and Development Overlay Schedule 18 which applies to commercial areas along Heidelberg Road, on an interim basis for 12 months while the permanent provisions are formally considered;
  - (g) Authorises officers to consult with the Minister, in accordance with sections 8(1)(b) and 20(4) of the Act, to assist the Minister to prepare, adopt and approve the Amendment to extend the interim provisions; and
  - (h) Authorises the CEO to make any minor adjustments required to meet the intent of the resolution.

## COUNCIL RESOLUTION

**Moved:** Councillor Crossland

**Seconded:** Councillor Jolly

1. That Council:

- (a) notes the officer report and Attachments 1-7 introducing proposed permanent provisions for commercial areas along Heidelberg Road;
- (b) Adopts: Heidelberg Road Heritage Review (Stage 1), RBA Architects Conservation Consultants 2019; Heidelberg Road Heritage Review (Stage 2), RBA Architects Conservation Consultants 2019; Part 2: Heidelberg Road Built Form Framework – Design Strategy and Recommendations, Hodyl & Co, November 2019; Traffic and Vehicle Access Assessment, Heidelberg Road, Fairfield/Alphington, Traffix Group, November 2019; in Attachments 4, 5, 6, and 7 as the general basis for Amendment C273 to the Yarra Planning Scheme;
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  - (i) In Design and Development Overlay Schedule 18, at Clause 2.2.10 Access, parking and loading bay requirements, amend as follows:

*Resident and staff bicycle parking should be located, preferably at ground floor, and designed to be secure and conveniently accessible from the street and associated uses;*
  - (ii) In Design and Development Overlay Schedule 18, at Clause 2.3.4 Precinct 3B, under the sub-heading 'Front setback requirements', amend as follows:

*Development in Precinct 3B must be setback by a minimum of 3 metres to Heidelberg Road between Parkview Road and Como Street to provide better separation with Heidelberg Road and space for circulation and canopy landscaping (This does not apply to land included in HO71). (The front setback is not required between Park Avenue and Yarralea Street should Heritage Overlays 451 and 455 be applied);*
- (d) Requests consent from the Minister for Planning to prepare and exhibit draft Amendment C273 as per the Terms of Reference for the Yarra Activity Centre Standing Advisory Committee, appointed under Section 151 of the Planning and Environment Act 1987;
- (e) Determines that should the Minister for Planning decide not to provide consent under the Terms of Reference for the Yarra Activity Centre Standing Advisory Committee, Council as the Planning Authority, apply to the Minister for Planning (Minister) under section 8A of the Planning and Environment Act 1987, for 'authorisation to prepare and exhibit the Amendment';
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- (g) Authorises officers to consult with the Minister, in accordance with sections 8(1)(b) and 20(4) of the Act, to assist the Minister to prepare, adopt and approve the Amendment to extend the interim provisions; and
- (h) Authorises the CEO to make any minor adjustments required to meet the intent of the resolution.

**CARRIED UNANIMOUSLY**