



Special Meeting of Council Agenda

**to be held on Monday 14 November 2016 at 6.00pm
Edinburgh Gardens Community Room,
Brunswick Street, Fitzroy North**

**Disability - Access and Inclusion
to Committee and Council Meetings:**

Facilities/services provided at the Edinburgh Gardens Community Room:

- Fully wheelchair accessible
- Disability parking (a small number of spaces are accessible from Brunswick Street adjacent to the Fitzroy Victoria Bowling and Sports Club)
- Proposed resolutions are displayed on large screen
- Auslan interpreting (*by arrangement, tel. 9205 5110*)
- Interpreting assistance (*by arrangement, tel. 9205 5110*)
- Disability accessible toilet facilities (adjacent to the sporting oval and shared with park users)

Order of business

- 1. Statement of recognition of Wurundjeri Land**
- 2. Attendance, apologies and requests for leave of absence**
- 3. Declarations of conflict of interest (Councillors and staff)**
- 4. Notices of motion**

1. Statement of Recognition of Wurundjeri Land

"Welcome to the City of Yarra."

"Yarra City Council acknowledges the Wurundjeri as the Traditional Owners of this country, pays tribute to all Aboriginal and Torres Strait Islander people in Yarra and gives respect to the Elders past and present."

2. Attendance, apologies and requests for leave of absence

Anticipated attendees:

Councillors

- Cr Amanda Stone (Mayor)
- Cr Danae Bosler
- Cr Mei-Lin Chen Yi Mei
- Cr Misha Coleman
- Cr Jackie Fristacky
- Cr Stephen Jolly
- Cr Mike McEvoy
- Cr Daniel Nguyen
- Cr James Searle

Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Ivan Gilbert (Group Manager – CEO's Office)
- Andrew Day (Director – Corporate, Business and Finance)
- Chris Leivers (Director – Community Welling)
- Bruce Phillips (Director – Planning and Place Making)
- Guy Wilson-Browne (Director – City Works and Assets)
- Rhys Thomas (Senior Governance Advisor)

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

4. Notices of motion

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4.1 26-56 Queens Parade, Fitzroy North - PLN16/0434

Trim Record Number: D16/163619

Responsible Officer: Chief Executive Officer

I, Councillor Jackie Fristacky, hereby give notice that it is my intention to move the following motion at the Special Meeting of Council to be held on 14 November 2016:

- “1. That Council note:
- (a) several public meetings held regarding 26-56 Queens Parade, Fitzroy North including a public meeting convened by the community on 2 November 2016, attended by some 400 community members with resolutions from this meeting on 26-56 Queens Parade and other planning applications in the precinct including a request for an amendment to the planning scheme to create a Design and Development Overlay for the area of North Fitzroy and Clifton Hill (attached as **Attachment One**); and
 - (b) the current planning application for a high density residential development for 26-56 Queens Parade, Fitzroy North of up to 16 storeys and its recent referral by the applicant to the Victorian Civil and Administrative Tribunal (VCAT);
2. That Council seek a report to be presented to the 22 November 2016 Council meeting providing advice on:
- (a) the process of the above planning application and steps leading to a full hearing of this application before VCAT, scheduled in April 2017;
 - (b) the likely costs involved in advocacy for Council at VCAT;
 - (c) the request for a planning scheme amendment for the precinct, and site, and the basis and requirements for any such amendment;
 - (d) the steps, options and timing for such amendment; and
 - (e) any other pertinent aspects to inform Council on this matter.”

RECOMMENDATION

1. *That Council note:*
- (a) *several public meetings held regarding 26-56 Queens Parade, Fitzroy North including a public meeting convened by the community on 2 November 2016, attended by some 400 community members with resolutions from this meeting on 26-56 Queens Parade and other planning applications in the precinct including a request for an amendment to the planning scheme to create a Design and Development Overlay for the area of North Fitzroy and Clifton Hill (attached as **Attachment One**); and*
 - (b) *the current planning application for a high density residential development for 26-56 Queens Parade, Fitzroy North of up to 16 storeys and its recent referral by the applicant to the Victorian Civil and Administrative Tribunal (VCAT);*
2. *That Council seek a report to be presented to the 22 November 2016 Council meeting providing advice on:*
- (a) *the process of the above planning application and steps leading to a full hearing of this application before VCAT, scheduled in April 2017;*
 - (b) *the likely costs involved in advocacy for Council at VCAT;*
 - (c) *the request for a planning scheme amendment for the precinct, and site, and the basis and requirements for any such amendment;*

- (d) *the steps, options and timing for such amendment; and*
- (e) *any other pertinent aspects to inform Council on this matter.*

Attachments

- 1** Motions from North Fitzroy public meeting on 2 November 2016

Attachment 1 - Motions from North Fitzroy public meeting on 2 November 2016

MOTIONS

North Fitzroy Public Meeting 2nd November, 2016

As presented by [REDACTED] †

Introduction

This meeting objects to the proposed development at 26-56 Queens Parade, Fitzroy North, VIC 3068 as it does not relate to the existing low-rise housing and general neighbourhood character, much of which is covered by a heritage overlay.

Furthermore, the excessive height and mass of the proposed development will compete with existing landmarks. It will impact on the views and vistas from the Edinburgh Gardens and the Cricket Club grandstand.

Community expectation for the neighbourhoods of Fitzroy North and Clifton Hill is for lower height development that incorporates 3, 2 and 1-bedroom residences, as well as affordable and social housing.

We believe developments also need to blend with the existing low-rise heritage neighbourhood.

This meeting calls on the City of Yarra Councillors to move a resolution supporting the following points:

1. Immediate appointment of a Community Reference Group made up of community representatives objecting to the proposed development at 26-56 Queens Parade, and the City of Yarra CEO (delegated to the director responsible for planning).
2. The Community Reference Group to have regular weekly meetings, receive advice and information on City of Yarra's preparation of its case to VCAT, and other relevant information.
3. Council to reserve appropriate funding for the appointment of a QC and other external planning resources and advice, to defend Council's failure to determine the current planning application at 26-56 Queens Parade at VCAT.
4. The Community Reference Group to have input into the appointment of the QC and other relevant planning advisers and resources.
5. The Community Reference Group to be advised on the expenditure of the appropriate funding allocated.
6. Points 1 through to 5 to be established with immediate effect for every planning application by the developers of 26-56 Queens Parade, in the City of Yarra.

Moved: [REDACTED] †

Seconded: [REDACTED] †

* Voted in by an overwhelming majority

Attachment 1 - Motions from North Fitzroy public meeting on 2 November 2016

Motion to Planning Minister Richard Wynne

This meeting calls on the Minister for Planning to call in the planning application for 26-56 Queens Parade, Fitzroy North VIC 3068. We believe the development to be so out of character with the existing neighbourhood, that it is an issue of statewide significance. Furthermore, we request the Minister to immediately introduce a height limit of 5 storeys for the site in this heritage precinct.

Moved: [REDACTED] †

Seconded: [REDACTED] †

* Voted in by an overwhelming majority

Development of a Design and Development Overlay for North Fitzroy and Clifton Hill in relation to Queens Parade developments

This meeting calls on the Councillors of the City of Yarra to resolve to request an amendment to the planning scheme, to create a Design and Development Overlay for the area of North Fitzroy and Clifton Hill, that maintains their neighbourhood character and heritage areas.

The community requests developments of appropriate height and density in these neighbourhoods; we request the existing low-rise heritage to be respected; we request diversity in the form of 3, 2 and 1-bedroom accommodation; and we request the incorporation of affordable and social housing.

Moved: [REDACTED] †

Seconded: [REDACTED] †

* Voted in by an overwhelming majority

† Names redacted for privacy reasons