



Ordinary Meeting of Council Minutes

**held on Tuesday 20 December 2016 at 7.00pm
Richmond Town Hall**

www.yarracity.vic.gov.au

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

Attendance

Councillors

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

Apology

- Cr Danae Bosler

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 Wellbeing)
- Bruce Phillips (Director - Planning and Place Making)
- Guy Wilson-Browne (Director - City Works and Assets)
- Joanne Murdoch (Group Manager - Advocacy and Engagement)
- Fred Warner (Group Manager – People, Culture and Community)
- Mel Nikou (Governance Officer)

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

Nil

4. Confidential business reports

Item

- 4.1 Personnel matters
- 4.2 Proposed developments
- 4.3 Contractual matters
- 4.4 Contractual matters
- 4.5 Contractual matters
- 4.6 Contractual matters; AND Matters prejudicial to Council and/or any person

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 89 (2) of the *Local Government Act* 1989. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Coleman

1. That the meeting be closed to members of the public, in accordance with section 89 (2) of the *Local Government Act* 1989, to allow consideration of:
 - (a) personnel matters;
 - (b) proposed developments;
 - (c) contractual matters; and
 - (d) matters prejudicial to Council and/or any person.
2. That all information contained within the Confidential Business Reports section of this agenda and reproduced as Council Minutes be treated as being and remaining strictly confidential in accordance with the provisions of sections 77 and 89 of the *Local Government Act* 1989 until Council resolves otherwise.

CARRIED

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

5. Confirmation of minutes

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Nguyen

That the minutes of the Ordinary Council Meeting held on Tuesday 6 December 2016 be confirmed.

CARRIED

6. Petitions and joint letters

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12. Notices of motion

Nil

13. Urgent business

Nil

6. Petitions and joint letters

6.1 Petition - Amendment C210 and Drainage Issues in Princes Hill

Reference: D16/182389

A petition containing 4 signatures from residents of Princes Hill are requesting that Councillors receive briefings on what would be required to understand the opportunities and costs to address issues via design and works rather than planning scheme amendments, C210 is placed on hold until that occurs and community consultation before a conclusion is drawn that it is too expensive.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor McEvoy

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

CARRIED

7. Public question time

7.1 Ms Anne Coveny - Queens Parade Development

Question:

Has Council made a determination, and if not, will it be forthcoming as directed by VCAT and if so will it be communicated to the objectors and applicant?

Can Council provide an assurance that any request to the Minister for interim controls will be free of transitional provisions?

Response:

The Director Planning and Place Making advised:

- (a) that as Council and the chamber are aware there is a failure appeal at VCAT and the hearing commences on the 3 April 2017;*
- (b) the matter has not been determined at this stage to date, however, a decision has been made today by the Planning Office on their position and the position of what would be a refusal if Council were able to do that;*
- (c) when there is a failure appeal, Council or its delegate cannot determine the application and can only form an opinion;*
- (d) that occurred today and there are a number of themes to that position: height; scale; massing; on and off site amenity; equitable development; environmental sustainability development matters; waste collection and orderly and proper planning. That position would then form the advocacy to the tribunal that is currently being prepared;*
- (e) going forward there are other matters that Council are familiar with in terms of the strategic policy work that is currently being done in terms of some analysis;*
- (f) following Council's determination consultants have been commissioned to undertake design work and urban design built form analysis for the western end and by resolution to come back to Council in February;*
- (g) the officers would be providing a basis of that analysis, it may be that the position is for Council to form an opinion to seek authorisation from the Minister for Planning to put a Design Development Overlay on exhibition;*
- (h) so that everyone is aware, Council cannot put something on exhibition without the Ministers authorisation;*
- (i) in February, the option to Council would be to seek that authorisation for a DDO and also Council's additional option to seek interim controls;*
- (j) should Council seek that interim position, that is, interim planning scheme provision for a design development overlay, a letter would be sent to the Minister seeking that on behalf of the Council signed by the Mayor and then it would be in the Ministers hands;*
- (k) as I understand the submitters question, if the Minister made a determination on that interim control and that was gazetted prior to the appeal hearing on the 3 April, would those new controls apply to the tribunals consideration and judgement; the answer is yes, The tribunal is bound by the decision of the planning scheme provisions of the day, in simple terms, if the Minister provided interim controls and it was gazetted in the planning scheme for say two years and the tribunal hearing followed that gazetted date, then the tribunal would be bound by considering those provisions; and*

- (l) *If Council request an interim control, the officers would be providing the words that if the Minister approved it; it would apply to that particular application.*

7.2 Ms Carole Wilkinson of YCAN - Food Waste

Question:

Before the election YCAN conducted a questionnaire of all candidates to find out their views on key climate change and sustainability issues. One question was would you support the formation of a Food Waste Working Group which includes community representatives with the goal of eliminating food waste from Yarra's domestic waste stream. Of the nine elected Councillors, seven said that they strongly supported the formation of such a group and the other two Councillors didn't answer our questionnaire. We only have one question, when do we start?

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Fristacky

Seconded: Councillor Jolly

That standing orders be suspended to hear the General Business Motion on 'Organic Waste and Resource Recovery Management'.

CARRIED

7.3 Mr Robert Osborne - Mayfield Street, Abbotsford Mixed Use Zone Overlay

Question:

Have Council initiated the Urbis report and has the Mayfield Street, Abbotsford Mixed Use Zone Overlay been completed? Has the report been circulated in draft form between and beyond the departmental officers? Could the Chief Executive Officer, Ms Vaidyanath, Mr Gilbert and Mr Walmsley give the Councillors and those members of the general public interested and present this evening an update on the Urbis report current status and in general content and/or release the draft report to the Councillors to peruse and digest?

Response:

The Chief Executive Officer advised:

- (a) *officers have received a preliminary draft report from the consultants and the plan was to bring the draft report to Council first, but we were asked by the State Government to send them a copy of the draft report as they wanted to understand the context and strategic justification, as ultimately they have to put it on exhibition, so they wanted to see that it corresponds and this only happened last week;*
- (b) *there is a section in the report on noise and acoustic because any zoning changes would have to have significant input from the noise and acoustic consultant;*
- (c) *the report has been slightly delayed because the noise and acoustic consultant could not gain access to the properties;*
- (d) *the State Government have been informed and we have also had email*

correspondence with one of the Mayfield Street residents.

- (e) in February/March we hope to bring the Urbis report to Councillors and hopefully it will be signed off, it will then go to the Ministers Office and because they have been given advanced notice of this report, we hope they do not delay again because they would have done their homework and hopefully his team are working on it; and*
- (f) after that, follows Councils permission to put it on exhibition and after the exhibition of course the process of zoning and panel meetings will occur.*

Cr Jolly advised Mr Osborne to approach the local member as a matter of urgency as it was their department that requested the report last week unexpectedly and caused the delay and to also ask the Minister to ensure that his department is ready so that it can come back to Council in the first meeting of 2017 and not have another delay.

Cr Fristacky - Is there any scope to protect the validity of the current situation before a planning scheme amendment?

The Director Planning and Place Making advised that there are two matters that have been in play, Town Planning and the building matters. The building matters are basically sorted out, building matters are important because of public safety. The planning matters; the current situation is that the dwellings really shouldn't be there so there is no mechanism overnight to make them lawful in an interim period.

7.4 Mr John Hayhoe - MFB Guidelines re Queens Parade Development

Question:

Have Council officers been in communication with the other Council's and discussed Moreland Rights of Way Strategy 2011-2021, Banyule Rights of Way Strategy 2014-2024, Banyule Rights of Way Policy, Whitehorse Statutory Planning Notes and the City of Port Phillip Statutory Planning Notes and their relationship to planning applications?

Can Council provide a response to the question I raised at the last meeting on Council's potential liability should they ignore the MFB guidelines and a tragedy were unfortunately were to occur?

Cr Coleman - Has an officer determination been made with regard to the planning application for the rear of 26-56 Queens Parade?

Response:

The Director Planning and Place Making took the questions on notice.

7.5 Ms Nade Trpceviski (Zatkoska) -1 Gardner Street, Richmond re laneway

Question:

I would like to know what is happening with the land that runs along 1 Gardner Street through to Leslie Street? It has been closed off for about 30 to 40 years.

Response:

The Director City Works and Assets advised that it is a complicated matter, the question that came to me was about land ownership and who is responsible for that particular land and I understand that officers have been liaising with the neighbouring

property for a number of years, we are doing some title searches, we have confirmed the status of the land, we are reconfirming that the drainage that has been put in there is still functioning okay, it is a complicated matter and my understanding is that officers have been in contact with the Ms Trpcevski. The matter is being investigated and we will endeavour to provide further information once the matter has been investigated.

Cr Jolly suggested a meeting be scheduled with Ward Councillors and the affected residents.

7.6 Mr Bill Hutchins - Alphington Bowls Club Upgrade

Question:

Is there any plan to upgrade the Alphington Bowls Club? Apparently from the people I have spoken to at the club it's been in the wind for 10 years and nothing has happened.

Response:

The Director Planning and Place Making did advise that the matter has been on the Capital Works programs for a number of years and the AMCOR development is certainly relevant and valid in this matter. The AMCOR development need to provide 1,700 square meters of community space which is approved in the development plan and what that is to be used for is a matter for Council. A community reference group has been set up and will meet for the first time in February and the topic of community space/facilities is something that will be discussed.

7.7 Mr Herschel Landes - Christmas Decorations in Bridge Road

Question:

Can Council do a little better in 2017 with the Christmas decorations? The decorations in Bridge Road at the moment are very disappointing in comparison to other shopping strips i.e. Malvern Road and Glenferrie Road.

How much is Council spending on the New Year's Eve Edinburgh Gardens celebration?

Response:

The Director Planning and Place Making advised that:

The Council allocation is \$30k and regrettably it doesn't go too far. I do have some benchmarking figures from other Council's that may be useful; Stonnington \$370k; Dandenong \$185k; Boroondara \$180k; Bayside \$153k; Monash \$120k; Whitehorse \$45k; Maroondah \$30k; Manningham \$20k and the City of Melbourne about \$3.7mil. Officers try their best with the allocation of funds and this also includes the Christmas, 'Carols by Candlelight', which is about \$20k to \$25k. If Council wanted more creative decorations there would need to be a stronger budget allocation.

Cr Coleman requested that in future, that Councillors' be notified of what decorations are being proposed for Christmas before the budget allocation has been spent.

Cr Nguyen suggested that with the limited budget perhaps the Bridge Road Traders could make a small contribution to the decorations next year to make the precinct more lively/festive.

Cr Fristacky suggested that the Business Advisory Committee be involved or have a

say with the Christmas decorations.

Cr McEvoy advised that the Sheer Oak Christmas Trees that have been displayed will be recycled by being replanted in appropriate areas within the city.

The Director Community Wellbeing advised that \$200k has been allocated for the management of New Year's Eve at Edinburgh Gardens and Australia Day.

7.8 Ms Virginia Dods, Yarra Residents Coalition - Heritage

Question:

In the planning scheme review, there should be the prescription of priorities and measures and wanted to know whether that will be included as part of the Heritage Advisory Committees work?

Can Heritage be more prominent in the planning scheme rewrite, Council advertises Heritage as an important aspect but it doesn't indicate that in the scheme? Clause 22.02 talks about heritage but it should also include prescribed priorities and measures.

Can IDAC meetings be held in the applicable wards i.e. a development in Fitzroy be held in Fitzroy as all of the meetings are currently being held in Richmond?

Response:

The Director Planning and Place Making advised that:

- (a) the Planning Scheme rewrite needs considerable input. The Advisory Committees are all certainly opportunities for Council to receive comments from; the advisory committees are all engaged in the Liveable Yarra process so that is all relevant input;*
- (b) the planning scheme does need to be written in a way that does ultimately get approved by the Minister, so there are ground rules to work within of how the planning scheme needs to be rewritten or written on what it says and what it can say;*
- (c) the topic on weightings and prescription, all matters in the planning scheme are important, it's how they are considered for that particular application; EDS, heritage, amenities, drainage etc. are all important;*
- (d) how the various policies can be written to maximise Council's influence needs to be worked through, it is not practical to write planning scheme drafts that ultimately won't be approved because that doesn't achieve the outcome and effectively a waste of time. It's a very important process and needs to be very carefully done and done in a manner that ultimately the planning scheme in a rewritten format gets approved because that is the outcome that is required; and*
- (e) if the planning scheme is not approved, that outcome is not achieved and a waste of work. The realistic way through it needs to be very considered and very measured.*

The Chief Executive officer advised that most of the staff have moved from the Fitzroy Town Hall to the Richmond Town Hall although the Reading Room is still used for some meetings. The Fitzroy Town Hall could not be used in winter due to problems with the air-conditioning unit. The topic on the meeting location has come up with Councillors and residents and we are considering various locations.

8. General business

8.1 Organic Waste and Resource Recovery Management

Background

Yarra adopted its 4 year Waste and Resource Recovery Strategy in 2013, which included a number of unfunded projects, which could be considered as part of future budget discussions.

Organic waste was identified as part of a larger omnibus action in Action 4.2.3 which stated in part:

- “Investigate and trial an end of street, communal or shared waste service, including food waste, recycling and residual waste.”

This action has not been funded from existing resources, or from intervening budget programs, and so has not commenced.

It is therefore proposed that officers prepare a new budget bid for the 2017/8 budget to potentially allocate funding for materials and project management time to deliver the organic stream of this action.

Furthermore, over the past 4 years, numerous submissions have been made by residents about organic and waste recycling options that are being implemented in other municipalities, and have asked that Yarra establish an advisory committee to ensure that trials and schemes are devised in a demand-driven way, and which draw upon the expertise in our community.

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Fristacky

1. That officer's report to the February Council Meeting on a proposal for Council to establish a Waste and Recycling Advisory Committee including proposed terms of reference and proposed composition including community representatives.
2. That officers prepare a budget bid for consideration in the 2017-8 budget to develop a range of options for innovative organic waste management projects.

CARRIED

8.2 State Government Planning Fee for Solar Panels on Residential Properties

Background

In September 2016 the State Government revised the planning permit application fees. A consequence of this change is that any application for a permit in a residential area of less than \$10,000 value now attracts a fee of \$188.20 was as previously no fee applied. A planning permit was always required for solar panel works in a heritage overlay area which would be visible from the street or a park.

The Yarra Energy Foundation was in the middle of a pilot program to recruit Richmond residents to install solar panels on their homes. The new change in permit fee has discouraged many residents from participating in the project.

The City of Yarra aims to assist our community to become a carbon-neutral municipality. The introduction of new permit fees for the installation of solar panels, by the State Government, are a disincentive for meeting that goal.

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Nguyen

1. That the Mayor write urgently to the Planning Minister, asking him to remove the new solar panel-related planning permit fees for works under \$10 000, introduced on 13 October 2016.
2. That officers prepare a report for March 2017, discussing possible mechanisms for longer-term mitigation of the planning permit fees associated with the installation of solar panels on residential properties, if the Minister does not agree to remove the new fees.

CARRIED

8.3 Global Covenant of Mayors for Climate and Energy

Background

The Compact of Mayors was launched by UN Secretary-General Ban Ki-moon and his Special Envoy for Cities and Climate Change, Michael R. Bloomberg, under the leadership of the world's global city networks – C40 Cities Climate Leadership Group (C40), ICLEI – Local Governments for Sustainability (ICLEI) and the United Cities and Local Governments (UCLG) –with support from UN-Habitat, the UN's lead agency on urban issues.

The Compact establishes a common platform to capture the impact of cities' collective actions through standardized measurement of emissions and climate risk, and consistent, public reporting of their efforts. Through the Compact, cities are:

- Increasing their visibility as leaders responding to climate change;
- Demonstrating their commitment to an ambitious global climate solution,
- Encouraging direct public and private sector investments in cities by meeting transparent standards that are similar to those followed by national governments;
- Building a consistent and robust body of data on the impact of city action; and
- Accelerating more ambitious, collaborative, and sustainable local climate action.

Ultimately, the Compact of Mayors provides hard evidence that cities are true climate leaders, and that local action can have a significant global impact.

<https://www.compactofmayors.org>

As a key network, ICLEI is currently inviting progressive councils to consider joining the Global Covenant and share our transition to a low carbon and resilient future through the Carbon Climate Registry. An invitation was recently received by the Mayor of Yarra.

With the merging of the international Compact of Mayors and the EU based Covenant of Mayors over 7,100 committed cities from 119 countries will form the largest global network of councils leading actions to respond to climate change. The Global Covenant of Mayors for Climate and Energy will be formally launched on 1 January 2017.

As a leader in climate action at the local level, Yarra would already meet most of the criteria for joining the Compact and we are in a position to share our progress towards a low carbon future with other cities around the world.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Chen Yi Mei

1. That Council receive a report in the first quarter of 2017 on the implications of Yarra joining the Global Covenant of Mayors for Climate and Energy.

CARRIED

9. Delegates' reports

9.1 Councillor McEvoy - Disability Advisory Committee

Councillor McEvoy reported the following:

As the Chair of the Disability Advisory Committee (DAC), I wish to advise that the DAC meeting was held on 29 November 2016.

1. The key issues discussed included:
 - (a) Presentation by Rodney Weston, General Manager, NDIS (National Disability Insurance Scheme) Local Area Coordination, Brotherhood of St Laurence (BSL) reporting on the rollout of NDIS in the NEMA (North East Metropolitan Area) Region (i.e. Yarra, Darebin, Nillumbik, Banyule and Whittlesea);
 - (b) Presentation by Niki Sheldon, Community Advocate, on the potential service gaps created by the transition to NDIS, the need for Council support to fill these gaps, and the dearth of disability advocacy services in the sector; and
 - (c) Recognition of Cr Amanda Stone and Cr Jackie Fristacky as previous Delegates and a reflection of the achievements of DAC in 2016.

2. Request for Forum

The Community Advocate raised concerns that in the process of people transferring to the NDIS a number of gaps are emerging. These gaps refer to the availability of adequate services and supports to NDIS participants; access to services for people

with disability who are not eligible for NDIS, and access to individual advocacy services.

Members discuss the above concerns and identified that:

- (a) Significant differences exist in approaches to the development of individualised plans under the NDIS. Many NDIS participants are happy with their transfer as it enabled them to set up individual goals and develop a plan for achieving these goals. However, in some instances interviews are conducted over the telephone and existing services are rolled over without discussing goals and developing a new, comprehensive plan. The DAC expressed the need for a coordinated approach in accessing services - to be more individualised rather than targeted;
- (b) A consistent approach is required to service provision for people with disability who are not eligible for NDIS; and
- (c) Under the NDIS participants are not entitled to resources in their plans for independent, individual advocacy services they may need.

The DAC expressed interest in Council organising a public forum in collaboration with BSL, NEMA councils and their DAC's to look at issues arising from the NDIS rollout, to discuss gaps in access to services and identify consistent approaches to services for everyone who needs them.

The DAC passed a motion recommending that Council considers convening a public forum with the five NEMA councils, their DAC's and BSL, to discuss the implementation of the NDIS and potential gaps in services, and in access to advocacy, in the NEMA Region.

COUNCIL RESOLUTION

Moved: Councillor McEvoy

Seconded: Councillor Fristacky

1. That the Delegate's Report be accepted.
2. That Council request an Officer's Report at or before the Council meeting on 21 Feb, 2017 in response to DAC's recommendation, including advice on;
 - (a) whether there is interest from other DACs and NEMA councils in attending or collaborating on such a forum; and
 - (b) whether the forum could be delivered within the budgeted resources for FY16/17.

CARRIED

9.2 Councillor Fristacky - Heritage Advisory Committee

Councillor Fristacky reported the following:

Purpose of Report

To report on the last meeting for the year of the Heritage Advisory Committee (HAC) held on 12 December 2016, and present the Committee's recommendations to Council.

Present at the meeting were: myself, Cr Jolly, officers and four members of the Committee; Cr Searle was an apology.

Background

Among items discussed by the Committee were:

- Heritage Strategy Year 1 Implementation Plan
- Yarra Planning Scheme (Heritage Policy) rewrite
- Review of the Heritage Advisory Committee
- St Vincent's Hospital redevelopment proposal
- Filling vacant positions on the HAC, and
- Amendment C140 Smith Street Structure Plan.

Key Issues

1. Heritage Strategy year 1 implementation

Officers presented the summary report on the Year 1 Implementation. The strategy contains 36 items, 7 of which are completed, 21 are underway/ongoing and 8 yet to commence.

Of the items yet to commence, there are some actions to commence in later years. The attached table has been updated as a result of discussions at the meeting and is presented to Council as a progress report on the implementation of the Heritage Strategy.

2. Planning Scheme (Heritage Policy) rewrite

Officers outlined the background material and work undertaken as part of the planning scheme review and detailed how the gaps identified in the existing Heritage Policy – lack of guidance on commercial centres and former industrial buildings, had informed the work done so far. Consultants have been engaged to look at former industrial buildings, commercial centres and further work on residential buildings. This work will help address gaps in the current policy.

The HAC endorsed the policy development program presented by officers which will involve further workshops at the HAC meetings in January and March 2017.

3. Review of the Heritage Advisory Committee

Under the HAC's Terms of Reference, Council will need to consider reappointing the Committee by the end of June 2017. Officers presented an outline of the approach for reviewing the Committee during the first quarter of 2017 in order to prepare a report for Council's consideration in May/June 2017. The HAC endorsed this approach.

4. St Vincent's Hospital redevelopment

Council has received a Planning Permit application (PLN16/0925) from St Vincent's Health Care proposing to redevelop part of the land on the corner of Victoria Parade and Brunswick Street, Fitzroy.

The HAC expressed concern about the extent of the demolition and scale of the redevelopment proposed– an 11 storey building -. A description of the demolition is outlined below:

- The Eastern Hill Hotel at 77 Victoria Parade (included on the State Heritage Register) - proposed demolition of the (heavily modified) west wing of the hotel.
- Edensor at 9 Brunswick Street - (included on the State Heritage Register) – proposed demolition of part of the brick property boundary fence. Heritage Victoria will consider applications for partial demolition of the Eastern Hill Hotel and Edensor.
- Easthill House at 63-71 Victoria Parade - is not on the State register but is graded as individually significant within the South Fitzroy Precinct in the Yarra Planning Scheme. Proposed to be demolished in its entirety.
- Bluestone laneway which runs off Brunswick Street to the north of 5 Brunswick Street will be built over. Laneway not graded in planning scheme.

The application is currently on public exhibition until 6 January 2017.

Officers are examining the suitability of existing citation and statements of significance for Easthill House. There is no immediate threat to any of the buildings as permits are required from either Yarra City Council or Heritage Victoria for any demolition works.

The HAC recommended that Council seek a meeting with St Vincent's Hospital to discuss their overall plans and express the HAC concerns regarding the extent of demolition and scale of the proposed redevelopment, and impacts on the heritage significance of the Eastern Hill Hotel, Edensor and Easthill House.

5. Vacant positions on HAC

There are three vacancies on the HAC for community members. Expressions of interest were sought to fill these positions, but no appointments were made due to the election caretaker period.

The HAC recommends that the vacancies are filled for the remaining term of the Committee (until end June 2017).

6. Amendment C140 - Smith Street Structure Plan

In response to development activity in the Smith Street area, Cr Jolly raised the issue of the Smith Street Structure Plan and the associated Design and Development Overlay and indicated that at the next Council meeting that he would be proposing the Structure Plan be resubmitted to the Minister for Planning, the Hon Richard Wynne, for approval. The HAC noted Cr Jolly's comments.

Amendment C140 was prepared and exhibited by Council in 2011 and was rejected by an independent planning panel. The panel expressed the view that the plan had not, among other issues, sufficiently reflected the analysis in the Structure Plan, nor adequately considered State planning policy and had been prepared in isolation. As a result of the Panel process, Council then abandoned the amendment.

HERITAGE STRATEGY: YEAR 1 IMPLEMENTATION PLAN STATUS REPORT		
Heritage Strategy Action	Progress	Comments/Next Steps
Knowing our heritage		
1.1.1 - Improve the quality of citations so that they provide better information and guidance for decision making.	underway / ongoing	Already occurring for places in current planning scheme amendments. Future changes will be on an as needs basis.
1.1.2 - Create a single data source to identify information on Council owned heritage places and objects.	underway / ongoing	Undertake an audit to identify existing information from across Council. Determine how best to present this information (format, location, access etc).
1.1.3 - Complete the heritage gap assessments for Central Richmond and for precincts in Abbotsford and Collingwood.	completed	Assessment has been completed for Central Richmond, Abbotsford and Collingwood.
1.2.1 - Develop a strategy to capture oral histories with a particular focus on underrepresented heritage (including older residents, migrants and Aboriginal people).	underway / ongoing	Anne Holmes has oral history project underway.
1.2.2 - Include a list of community groups with heritage briefs for studies and assessments. Encourage consultants to draw on community expertise when undertaking research.	completed	List included with Heritage Briefs Include in the consultant brief for the review of the precincts in Abbotsford and Collingwood.
1.3.1 - Establish criteria and key indicators that will be used to assess the educational, economic, environmental, social and historic contribution that heritage makes to the City of Yarra. Scope and develop the methodology for undertaking an assessment.	underway / ongoing	Report on economic and social benefits of heritage prepared and submitted with all heritage amendments.
Protecting and managing our heritage	completed	
Heritage Strategy Action	Progress	Comments/Next Steps
2.1.1 - Provide for the protection and conservation of Aboriginal cultural heritage places and non Aboriginal heritage places.	underway / ongoing	Current and future heritage gaps work and amendments are providing for the protection of non Aboriginal places. For Aboriginal places, discuss with Community Development to determine best approach. Examine relevant actions in the Aboriginal Partnerships Plan and other strategies.
2.1.2 - Ensure that all trees recognised as having heritage significance under the Heritage Overlay are included on the Significant Tree Register.	completed	The HO and Significant Tree Register have distinct purposes. If a tree is in the HO it may not qualify for inclusion on the Significant Tree Register. The register requires that the tree meets a number of arboricultural criteria as well as heritage criteria.
2.1.3 - Undertake planning scheme amendment C173 to protect places identified as having heritage significance in the review of 17 precincts study.	completed	Current and future heritage gaps work/amendments are providing for the protection of non Aboriginal heritage places. For Aboriginal places, undertake discussions with Community Development to determine the best approach. Examine relevant actions in the Aboriginal Partnerships Plan and other strategies. Establish relationships with custodians of heritage places.
2.1.4 - Undertake planning scheme amendment C178 to introduce planning permit exemptions for certain minor works.	completed	Review the Heritage Overlay schedule and undertake discussions with Arboriculture and Streetscapes. Update the Significant Tree Register as required.
2.1.5 - Implement stronger planning scheme provisions to protect the Yarra River corridor.	underway / ongoing	Anticipating interim controls early 2017
2.1.6 - Include the review of clause 22.02 (Development Guidelines for sites subject to the Heritage Overlay) and 22.03 (Landmarks and Tall Structures) in the work program for the rewrite of the Yarra Planning Scheme.	underway / ongoing	Rewrite underway
2.1.7 - Investigate the inclusion of the Yarra River Corridor on the National Heritage List for its cultural, social and environmental attributes.	underway / ongoing	Pending the outcome of the Ministerial Advisory Committee

Heritage Strategy Action	Progress	Comments/Next Steps
2.2.1 - Establish conservation management plans for each of Yarra's owned or managed places of heritage significance.	underway / ongoing	Council has CMPs for some of its assets and further CMPs are prepared as and when required ie when works are proposed to a building.
2.2.2 - Make public heritage places accessible for people with disabilities where practicable.	underway / ongoing	Undertake an audit to determine which places are accessible. Determine priorities for future accessibility with Buildings and Property subject to their audit management plans and capital budgets. Undertake discussions with Aged and Disability Services.
2.2.3 - Review and update Council's data on the Victorian Heritage Database.	underway / ongoing	Amendment C146 underway to ensure that information on the VHR matches the information on Council's Schedule to the Heritage Overlay, Planning Scheme Maps and Appendix 8
Supporting our heritage		
3.1.1 - Identify and document the different parts of Council and external groups that are involved with heritage matters. Identify the heritage resources that are available. Make this information publicly accessible.	not started	Undertake an audit to determine the different parts of Council and external groups that are involved with heritage matters. Determine how best to present this information (format, location, access etc).
3.1.2 - Review Council's heritage resources, including the heritage advisor roles and responsibilities to ensure that the best use is made of available time, funding and resources. Evaluate whether further resources are required.	not started	Examine any previous research, including information from Heritage Victoria, MAV and VLGA if available. Engage consultants to undertake a review of existing service levels, comparisons with other Councils and potential future options. <u>Potential budget bid for 2016/2017 where required.</u>
3.1.3 - Identify restoration/maintenance works that enhance Council's state listed heritage places and seek funding through Victoria's Heritage Restoration Fund.	completed	Buildings and Property to advise when funding will be sought based on Council's asset management and budget and compliance with the Victorian Heritage Restoration Fund requirements.
3.1.4 - Ensure that heritage groups are aware of community grants and encourage groups to apply where appropriate.	underway / ongoing	Undertake discussions with Community Development regarding promotion that is currently undertaken and potential improvements.

Heritage Strategy Action	Progress	Comments/Next Steps
3.1.5 - Ensure that the community is aware of the Yarra Heritage Restoration Fund.	underway / ongoing	Information about the Heritage Restoration Fund is available on Council's website.
3.2.1 - Identify and establish relationships with the custodians of major heritage places and record their needs and ideas for heritage in a database.	not started	Determine how to identify custodians. Determine how to seek information on their needs. Determine how to record this information and who should have access.
3.3.1 - Ensure that staff from across Council have access to heritage training (including on Cultural Heritage Management Plan processes) and there are opportunities for professional development.	underway / ongoing	Undertake a review to determine who has had heritage training and a needs assessment to determine which staff from across Council would benefit from training. Three PLANET training courses in heritage available to all building and planning staff. Funds available for staff to undertake the training.
3.3.2 - Explore opportunities to support employment/traineeship of an Aboriginal person in Aboriginal cultural heritage management.	not started	Within the Aboriginal Partnerships Plan and Community Planning will drive the initiative and work with People and Culture.
Promoting and celebrating our heritage		
4.1.1 - Identify additional opportunities for Aboriginal residents of Yarra to share their stories, through the Aboriginal History of Yarra website or in other media.	underway / ongoing	Undertake discussions with Community Development officers. Examine relevant actions in the Aboriginal Partnerships Plan and other strategies.
4.1.2 - Support heritage organisations that undertake work that promotes and celebrates heritage in Yarra. Identify ways for increased cross promotion of heritage resources and events between internal and external groups.	not started	Identify existing heritage organisations and how information is currently shared and distributed. Determine how to further promote heritage resources and events. Create a protocol for information sharing.

Heritage Strategy Action	Progress	Comments/Next Steps
4.1.3 - Support Arts and Culture and Yarra Libraries with their heritage related events.	underway / ongoing	Identify existing events and determine how to further promote heritage events.
4.1.4 - Review and update interpretative programs such as street signs, plaques, heritage walks and maps.		Review what is currently available. Determine what needs updating starting with walking maps on Council's website
4.2.1 - Update and improve heritage information online and provide hard copies of key documents at local libraries.	underway / ongoing	Website rewrite underway Review the information on Council's website and identify potential improvements.
4.2.2 - Develop guidelines for encouraging planning applicants to engage communities on planning applications.	not started	Engage a consultant to develop a fact sheet in consultation with Statutory Planning.
4.2.3 - Celebrate Yarra's heritage through events such as restoration talks, open house schemes, heritage festivals and exhibitions.	underway / ongoing	Undertake discussions with Yarra Libraries, Arts and Culture and historical societies about existing events and how they can be supported and promoted. Identify opportunities to build on existing events.
4.2.4 - Investigate a Yarra heritage awards program.	underway / ongoing	Review other examples of awards programs and have discussions with relevant parts of Council. Determine scope of work, potential costs and options.
4.3.1 - Raise the awareness of heritage through mediums such as Yarra News and heritage brochures.	underway / ongoing	Economic Development promotes Yarra's heritage in Experience Culture Victoria which has a circulation of around 20,000 distributed across tourism sites in Victoria. Also examining ways of improving heritage walks with better maps and text.
4.3.2 - Explore the value of new technologies, including apps and social media to promote heritage.	not started	
4.3.3 - Promote Yarra's iconic heritage landmarks and experiences within the Discover Your Own Backyard Campaign.	underway / ongoing	Yarra included in the Official Visitor Guide promoted by Destination Melbourne. Discover Your Own Backyard website includes some Yarra heritage sites

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Jolly

1. That the delegate's report and the Heritage Strategy Year 1 Implementation summary is tabled for the information of Councillors.
2. That Council:
 - (a) note the officer report on the Year 1 Implementation Plan of the Heritage Strategy;
 - (b) note the Committee's endorsement of the proposed methodology for involving the Committee in the rewrite of the heritage policy in the Yarra Planning Scheme;
 - (c) note the Committee's endorsement of the approach for reviewing the Heritage Advisory Committee and reporting to Council in 2017;
 - (d) in regard to Planning Application PLN16/0925 concerning the redevelopment site of St Vincent's Private, write to St Vincent's Private expressing the concerns of the Heritage Advisory Committee on the developed proposals for the site; and
 - (e) Appoint members to the HAC vacancies for the remaining term of the Committee.

CARRIED

10. Questions without notice

10.1 Councillor McEvoy - Edinburgh Gardens New Year's Eve Budget

Question:

The cost that was outlined earlier in the meeting on Edinburgh Gardens New Year's Eve, how much is allocated to enforcing the alcohol band for example that runs from 9.00pm to 9.00am?

Response:

The Director Community Wellbeing advised that he couldn't answer specifically on the figure on enforcing the liquor law. Council provides security, monitoring activities and work with Victoria Police and also this year with Parks Victoria in monitoring and enforcing appropriate behaviour on Parks Victoria land which is something Council has had to do in the past. The expenditure that Council is putting into safety, but also includes waste management is \$60k.

The Mayor suggested that a breakdown on the New Year's Eve costs be provided to Councillors.

11.1 Station Street, North Carlton - Temporary Road Closure

Trim Record Number: D16/178022

Responsible Officer: Manager Traffic and Special Projects

RECOMMENDATION

1. That the information (as attached) be sent to VicRoads to allow it to write its report on the proposal to close Station Street, North Carlton at the intersection with Princes Street, on a temporary basis for the purposes of undertaking a traffic diversion experiment.

COUNCIL RESOLUTION

Moved: Councillor McEvoy

Seconded: Councillor Fristacky

1. That Council notes:
 - (a) the reports on Station Street presented on traffic management issues proposed to be sent to VicRoads to allow it to write its report on the proposal to close Station Street, North Carlton at the intersection with Princes Street, on a temporary basis for the purposes of undertaking a traffic diversion experiment;
 - (b) objectives applicable to VicRoads under the Transport Integration Act 2010 (Section 86) which include considerations of minimising adverse environmental impacts of the road system and contribution to social wellbeing and supporting liveable communities;
 - (c) the Station Street resident submissions:
 - (i) on Station Street as a neighbourhood residential street and the impacts of traffic queuing on Station Street to access the busy Princes Street arterial road, on families and children in Station Street, the Lady Gowrie Childcare Centre, and Carlton Neighbourhood Learning Centre;
 - (ii) that the closing of Station St/Princes St intersection temporarily for the Melbourne Water works between January 2015 and March 2016 removed safety issues residents faced on a daily basis, from the numbers of cars using Station Street as a by-pass; and
 - (iii) seeking further consideration of safety and amenity concerns related to the above, including their close proximity to some 60,000 vehicles per day along Princes Street; and
 - (d) that the GTA report did not have access to information on traffic assessments undertaken during the 14 month period of the Melbourne Water sewer works temporary closure of Station Street;
 - (i) Melbourne Water commissioned traffic study by Cardno transport and traffic analysts;
 - (ii) Melbourne Water post-closure resident survey; and
 - (iii) City of Yarra traffic analysis contained in report to Council on 19 April 2016.
2. That Council resolves:
 - (a) to prepare a place-making assessment and proposal for the Southern end of Station Street adjacent to the Neighbourhood Learning Centre (assuming a road closure) and that it include:
 - (i) ways to engage the neighbourhood community with the activities and programs at the Neighbourhood Learning Centre;
 - (ii) public art and other outdoor activities that would be enabled by the road closure;

- (iii) community garden projects that would be enabled by the road closure; and
- (iv) other benefits to the community enabled by the road closure; and
- (b) to undertake this place-making proposal using the remaining budget allocated for the temporary road closure;
- (c) to defer submission of the report to VicRoads in order to enable place-making, environmental, social and amenity issues to be included, together with the opportunity for community input into those considerations; and
- (d) That a further report be presented to Council which includes this additional information prior to presentation to VicRoads.

CARRIED

11.2 Yarra Libraries Local History Policy 2016

Trim Record Number: D16/144815

Responsible Officer: Director Community Wellbeing

RECOMMENDATION

1. That Council approve the release of the attached draft Yarra Libraries Local History Policy for a public consultation period of four weeks commencing mid-January 2017 for members of the community to comment and provide feedback.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Chen Yi Mei

1. That Council approve the release of the draft Yarra Libraries Local History Policy for a public consultation period commencing mid-January 2017 for members of the community to comment and provide feedback to the end of February 2017.
2. That the draft Yarra Libraries Local History Policy be placed on Council's website, that copies be available at Yarra Libraries, the Richmond and Collingwood Town Halls front desks, Neighbourhood Houses and other appropriate locations, and that contact be made Yarra's Advisory Committee members, local historical societies, U3A and other relevant community groups inviting input into the Policy to the end of February 2017.
3. That Council receive a further report on the Policy in the March cycle incorporating community feedback.

CARRIED

11.3 Yarra Libraries Opening Hours Review 2016

Trim Record Number: D16/181213

Responsible Officer: Director Community Wellbeing

RECOMMENDATION

1. That:
 - (a) Council endorse the proposed change in opening hours across Yarra Libraries, as per Option 2 in the report, which extends the operating times by 35 hours; and
 - (b) the change in hours be implemented to coincide with the opening of Bargoonga Nganjin, North Fitzroy Library in early 2017.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor McEvoy

1. That:
 - (a) Council endorse the proposed change in opening hours across Yarra Libraries, as per Option 2 in the report, which extends the operating times by 35 hours; and
 - (b) the change in hours be implemented to coincide with the opening of Bargoonga Nganjin, North Fitzroy Library in early 2017.

CARRIED

11.4 Naming of Bargoonga Nganjin Spaces and Rooms

Trim Record Number: D16/160191

Responsible Officer: Director Community Wellbeing

RECOMMENDATION

1. That:
 - (a) Council resolve to endorse the recommendations made by the Wurundjeri Tribe Land and Compensation Cultural Heritage Council Incorporated for the naming of spaces and rooms located within the Bargoonga Nganjin, North Fitzroy Library, as listed in paragraph 24; and
 - (b) internal signage for the respective spaces to incorporate names in both the Woiwurrung language and its English meaning.

COUNCIL RESOLUTION

Moved: Councillor McEvoy

Seconded: Councillor Fristacky

1. That:
 - (a) Council resolve to endorse the recommendations made by the Wurundjeri Tribe Land and Compensation Cultural Heritage Council Incorporated for the naming of spaces and rooms located within the Bargoonga Nganjin, North Fitzroy Library, as listed in paragraph 24; and
 - (b) internal signage or plaques for the respective spaces to incorporate names in both the Woiwurrung language and its English meaning, and through typeface and design, the Woiwurrung language to be made prominent so that it is clear that the Woiwurrung name is the room name and the English word a translation and also explain the meaning and symbolism of the name to the Woiwurrung.

CARRIED

Councillor Jolly left the meeting at 8.40pm

11.5 Implementation of Place Management Strategies for Illegal Graffiti

Trim Record Number: D16/81675

Responsible Officer: Community Partnerships Unit Manager

RECOMMENDATION

1. That Council note proposed and current place management strategies for illegal graffiti.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Coleman

1. That Council note proposed and current place management strategies for illegal graffiti, including alternative treatments, community workshops and meetings, and provision of information.

CARRIED

11.6 Review of Engagement Response to Primary Homelessness

Trim Record Number: D16/96320

Responsible Officer: Community Safety Project Officer

RECOMMENDATION

1. That Council:
 - (a) receive and note the report on a review of the Engagement Response to Primary Homelessness 2015/16;
 - (b) continue to fund Launch Housing to deliver the Engagement Response to Primary Homelessness service with increases in line with CPI;
 - (c) allocate \$1,000 per year as a brokerage fund managed by Launch Housing to provide emergency accommodation and material aid for vulnerable homeless people in Yarra at times of extreme weather events; and
 - (d) explore improvements to the capacity of the Engagement Response to Primary Homelessness to support officers through training and other mechanisms as needed.

COUNCIL RESOLUTION

Moved: Councillor Chen Yi Mei

Seconded: Councillor McEvoy

1. That Council:
 - (a) receive and note the report on a review of the Engagement Response to Primary Homelessness 2015/16;
 - (b) continue to fund Launch Housing to deliver the Engagement Response to Primary Homelessness service with increases in line with CPI;
 - (c) allocate \$1,000 per year as a brokerage fund managed by Launch Housing to provide emergency accommodation and material aid for vulnerable homeless people in Yarra at times of extreme weather events; and
 - (d) explore improvements to the capacity of the Engagement Response to Primary Homelessness to support officers through training and other mechanisms as needed.

CARRIED

11.7 Review Format of Receiving and Responding to Questions Raised at Public Question

Trim Record Number: D16/173545

Responsible Officer: Group Manager Chief Executive's Office

RECOMMENDATION

1. That Council note and endorse the actions outlined in the report, including that:
 - (a) public questions may be submitted either in person at the Council Meeting or in writing in advance of the Council Meeting;
 - (b) public questions together with the response thereto will be both:
 - (i) incorporated into the Council Minutes; and
 - (ii) uploaded onto a specific page on Council's Public web-site; and
 - (c) in instances where a response to the question is not able to be provided at the Council Meeting, the web-site record will note a date when the response should be expected.

MOTION

Moved: Councillor Nguyen

Seconded: Councillor Chen Yi Mei

That the item be deferred to seek further information.

LOST

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Fristacky

1. That Council note and endorse the actions outlined in the report, including that:
 - (a) public questions may be submitted either in person at the Council Meeting or in writing in advance of the Council Meeting;
 - (b) public questions together with the response thereto will be both:
 - (i) incorporated into the Council Minutes; and
 - (ii) uploaded onto a specific page on Council's Public web-site; and
 - (c) in instances where a response to the question is not able to be provided at the Council Meeting, the web-site record will note a date when the response should be expected.

CARRIED

Councillors Chen Yi Mei and Nguyen abstained

11.8 Appointment of a Heritage Advisor

Trim Record Number: D16/178056
Responsible Officer: Chief Executive Officer

RECOMMENDATION

1. That Council note:
 - (a) its resolution of 22 November referring the matter of appointing a heritage advisor to the budget process for consideration;
 - (b) this report re the questions raised at the 6 December Council Meeting and responses thereto; and
 - (c) that the responses to the questions raised will be conveyed to the questioner and also referred to the budget process as necessary.
2. That Council determine if it seeks any further information on the matters as raised.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Coleman

1. That Council note:
 - (a) its resolution of 22 November referring the matter of appointing a heritage advisor to the budget process for consideration;
 - (b) this report re the questions raised at the 6 December Council Meeting and responses thereto; and
 - (c) that the responses to the questions raised will be conveyed to the questioner and also referred to the budget process as necessary.
2. That Council receive a report in the March meeting cycle on:
 - (a) how developers can be encouraged to undertake genuine engagement with the community at an early stage of a development proposal;
 - (b) the development of practice guidelines with examples, on the importance of heritage protection that could be made available at Council's planning desk to assist residents, developers and others in planning applications; and
 - (c) various models, options and costings for the provision of in-house, technical heritage advice, that is independent of the Planning Departments, and which is prepared following:
 - (i) consultation with the City of Yarra's Heritage Advisory Committee; and
 - (ii) which has regard to the Heritage Victoria Guidelines on the appointment of heritage advisors, which can be found at http://www.dtpli.vic.gov.au/data/assets/pdf_file/0010/244864/HERITAGE_ADVISORY_SERVICE_BRIEF_2014_August.pdf.

CARRIED

11.9 Audit Committee Annual Report 2015/2016

Trim Record Number: D16/180838

Responsible Officer: Director Corporate, Business and Finance

RECOMMENDATION

1. That Council:
 - (a) resolves to note the 2015/2016 Annual Audit Committee Report; and
 - (b) resolves to place the 2015/2016 Annual Audit Committee Report on Council's Audit Committee web-page.

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Chen Yi Mei

1. That Council:
 - (a) resolves to note the 2015/2016 Annual Audit Committee Report; and
 - (b) resolves to place the 2015/2016 Annual Audit Committee Report on Council's Audit Committee web-page.

CARRIED

11.10 Appointment of Chair for Audit Committee

Trim Record Number: D16/180903

Responsible Officer: Director Corporate, Business and Finance

RECOMMENDATION

1. That:
 - (a) Council approves the appointment of Mr David Ashmore as Chair of the Audit Committee for the audit year ending 30 November 2016.

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Stone

1. That:
 - (a) Council approves the appointment of Mr David Ashmore as Chair of the Audit Committee for the audit year ending 30 November 2016.

CARRIED

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

Conclusion

The meeting concluded at 9.54pm.

Confirmed Tuesday 7 February 2017

Mayor