



# **Ordinary Meeting of Council Minutes**

**held on Tuesday 3 March 2020 at 7.00pm  
Fitzroy Town Hall**

**[www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au)**

## 1. Acknowledgement of Country

*“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 Mi-Lin Chen Yi Mei (Acting Mayor)
- Cr Danae Bosler
- Cr Jackie Fristacky
- Cr Stephen Jolly
- Cr Daniel Nguyen
- Cr Bridgid O'Brien
- Cr James Searle
- Cr Amanda Stone

#### Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Ivan Gilbert (Group Manager Chief Executive's Office)
- Chris Leivers (Director City Works and Assets)
- Bruce Phillips (Director Planning and Place Making)
- Rhys Thomas (Senior Governance Advisor)

#### Leave of absence

- Cr Misha Coleman (Mayor)

#### Apologies

- Lucas Gosling (Director Community Wellbeing)
- Gracie Karabinis (Group Manager People, Culture and Community)
- Diarmuid McAlary (Director Corporate, Business and Finance)

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

Nil

#### 4. Confidential business reports

Nil

#### 5. Confirmation of minutes

##### COUNCIL RESOLUTION

**Moved:** Councillor Fristacky

**Seconded:** Councillor Nguyen

1. That the minutes of the Ordinary Council Meeting held on Tuesday 18 February 2020 be confirmed, subject to the following amendments to the text of a Question Without Notice by Cr Fristacky relating to bird strikes on high rise buildings:
  - (a) “about a number” be replaced with “about the number”; and
  - (b) “tall buildings and the reference” be replaced with “tall buildings, the”.

**CARRIED UNANIMOUSLY**

##### COUNCIL RESOLUTION

**Moved:** Councillor Stone

**Seconded:** Councillor O'Brien

1. That the minutes of the Special Council Meeting held on Tuesday 25 February 2020 be confirmed.

**CARRIED**

#### 6. Petitions and joint letters

Item	Page	Res. Page
6.1 Studley St and Yarra St Abbotsford	5	

#### 7. Public question time

Item	Page	Res. Page
7.1 Herschel Landes - Bridge Road Richmond	6	

## 8. Delegates' reports

Item		Page	Res. Page
8.1	Cr Jackie Fristacky - Sustainable Transport Advocacy - Jump bikes launch	7	
8.2	Cr James Searle - Heritage Advisory Committee	9	
8.3	Cr Bridgid O'Brien - MS 24 Hour Megaswim	10	

## 9. General business

Item		Page	Res. Page
	Nil		

## 10. Questions without notice

Item		Page	Res. Page
10.1	Cr James Searle - Truck movements out of hours	11	
10.2	Cr Jackie Fristacky - Waste sorting brochures	11	

## 11. Council business reports

Item		Page	Res. Page
11.1	Amendment C223 - Planning Controls for 81-95 Burnley Street and 26 Doonside Street Richmond - Consideration of Submissions	12	12
11.2	Draft Yarra LGBTIQ+ Strategy	14	14
11.3	Walmer Street Bridge - Advocacy Update and Nomination to the Victorian Heritage Register	15	15
11.4	Annual update on the Yarra Housing Strategy	17	17
11.5	Road Management Plan Amendment	18	18

## 12. Notices of motion

Nil

## 13. Urgent business

Nil

## 6. Petitions and joint letters

### 6.1 Studley St and Yarra St Abbotsford

*Cr Nguyen left the meeting at 7.14pm*

*Cr Nguyen returned to the meeting at 7.15pm*

Reference: D20/45411

A petition containing over 400 signatures regarding parking arrangements in Studley Street and Yarra St in Abbotsford and seeking Council's consideration of a number of preferred options.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Bosler

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

**CARRIED UNANIMOUSLY**

## 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.

### 7.1 Herschel Landes - Bridge Road Richmond

Question:

I'd like to refer to recently published figures from the City of Yarra that show the vacancies on Richmond Hill are now over 25%, and this is before the recession we are beginning to fear will come through the system over the next 3 to 4 months. Some of these properties have been vacant for approaching a decade, and it's my strong view that this dereliction needs to be addressed as a matter of public interest. An interim DDO control exists over Bridge Road and is supposed to bring more certainty for both residents as well as property owners seeking to develop their properties. In my view, the DDO also requires some aspect of a vision statement that communicates to the wider community, Council's aspiration for the activity zone in any case. I believe that the guidelines should be helping to facilitate productive outcomes in revitalisation and the reactivation of the street. Council's Spatial Economic and Employment Strategy (August 2018) points to expected strong growth in Bridge Road in hospitality along with other non-retail services, the report states that the expansion of health related activities on Bridge Road would also generate demand for associated commercial services and support the local retail sector. It identifies opportunities to provide capacity at the western end of Bridge Road. So therefore my question in reference to the state of vacancies and dereliction along Bridge Road Richmond Hill, my question goes to how Council is assisting through its planning process under the new interim DDO, to help revitalise one of Yarra's important activity centres and when will the Council be in a position to bring the interim DDO to an independent panel and public exhibition?

Response:

*The Mayor responded that Council acknowledges that Bridge Road has been in this state for a while, at least the start of this term of Council, and that it is going through a transition period, which is a trend across retail precincts across Victoria which are all showing high vacancy rates. Council has an interim DDO in place and have started preliminary works on structure plans for both Victoria Street and Bridge Road, which will be done together. We are aiming to have the early drafts of a structure plan by the end of the year or early in 2021. Other things we're doing include street scaping and place making works along Bridge Road, improving the trees and seats. We're involved in roundtable meetings which has been set up by the Member of Richmond, Richard Wynne MP to look at the vacancy issues and how we can revitalise both Bridge Road and Victoria Street. We recognise there are no silver bullets and have been working with traders and local businesses to do the best we can as a Council to look at the issue and solve it but it is a transition period and with the rate of residents that are growing, we're hopeful that it will change soon. If you look at the example of Swan Street and how it's transformed so much, it is one of the highest performing streets with the highest tenancy rates in Victoria – that is a good example of a well transitioned street.*

*Cr Searle asked the questioner if it is his view that the Interim DDO is contributing*

*the vacancy rate in Bridge Road and if so, why is that the case given some of the vacancies are quite long term.*

Mr Landes responded that he was hoping the Interim DDO would facilitate faster outcomes in terms of the transition so that it would communicate to the residents and property owners what the rules are and that that would facilitate a productive outcome from Council and other participants' point of view. I was hoping to hear how the DDO will bring a benefit to the reactivation process.

*Cr Searle asked the Director Planning and Place Making why the process had taken longer than hoped, and what the expected timeframes are.*

*The Director Planning and Place Making explained that a number of the Planning Scheme amendments, Swan Street, Queens Parade and other, take a long time to get through the process. There are other built form and heritage analysis occurring in, for example, Brunswick Street, Smith Street and Gertrude Street. All that work is a prerequisite for working on structure plans, so the process Council has been using is to apply interim controls to best manage development pressure in the city but also to provide some increased certainty for applicants and all parties. We are expecting that later this calendar year we will be in a position to progress the Bridge Road structure plan, with a view to placing in on exhibition in 2021. The Economic Development Unit continues to take a concierge approach for small businesses to help chaperone them through the planning and other approvals required and Bridge Road has a special rate scheme to engage a promotions officer, but there are certain market forces at play which make things difficult.*

## 8. Delegates' reports

### 8.1 Cr Jackie Fristacky - Sustainable Transport Advocacy - Jump bikes launch

<b>Committee</b>	Jump bikes launch
<b>Appointed Councillors</b>	Cr Jackie Fristacky
<b>Date of Council Meeting</b>	3 March 2020
<b>Date of Report</b>	3 March 2020
<b>Report Author</b>	Cr Jackie Fristacky

### E-Bike Trial in Melbourne

Today marked the launch of 400 E-bikes as the first stage of 1,000 bikes being trialled for the Cities of Melbourne, Yarra and Port Phillip. The trial involves Jump e-bikes as the successful tenderer to operate the e-bike scheme over the next 12 months in inner Melbourne with Good Cycles, a Melbourne based "social enterprise helping young people into work". Good Cycles employees are tasked to look after the bikes by changing their batteries every few days, and undertaking service and maintenance. Good Cycles played a similar role in maintenance as part of the former Melbourne Bike Share scheme operated for the State Government by the RACV from 2009-2019.

The E-bikes will be available for hire in inner Melbourne from 6am

Wednesday 4 March accessible via the Uber App.

Representatives of organisations involved in today's launch included:

Cr Nic Frances Gilley, & officer Richard Smithers for the City of Melbourne

Cr Dick Gross, for the City of Port Phillip

Cr Jackie Fristacky & officer Julian Wearne for the City of Yarra

Henry Greenacre, Jump E-bikes

Jaison Hoernal, Good Cycles, Jump partner, maintaining the e-bikes

Garry Brennan, Bicycle Network; Stuart Outhred, RACV



*Jump E-bike for Melbourne with Good Cycles maintenance advice on bikes*

## COUNCIL RESOLUTION

**Moved:** Councillor Fristacky

**Seconded:** Councillor O'Brien

1. That:

- (a) this Delegate's Report on commencement of the trial Jump e-bike share in the Cities of Yarra, Melbourne and Port Phillip Council from 4 March 2019, be noted; and
- (b) the matter of potential corporate membership be referred to the CEO for consideration, together with supplementary advice on the trial to the community through Yarra News.

**CARRIED UNANIMOUSLY**



## 8.2 Cr James Searle - Heritage Advisory Committee

<b>Committee</b>	Heritage Advisory Committee (HAC)
<b>Appointed Councillors</b>	Cr James Searle, Cr Bridgid O'Brien, Cr Jackie Fristacky
<b>Date of Council Meeting</b>	3 March 2020
<b>Date of Report</b>	13 February 2020
<b>Report Author</b>	Cr James Searle

The Heritage Advisory Committee met on Thursday 13 February 2020 for the first time this year. Cr Searle was in attendance with apologies from Cr Bosler & Cr O'Brien. The committee thanked Lucinda Owens who has resigned from the committee.

Items on the agenda included:

### **Arts and Culture Strategy**

Officers presented the process for the development of the updated Arts and Culture Strategy and encouraged HAC members to make submissions to guide its development. HAC will have the opportunity to consider the strategy at a future meeting.

### **Open Space Strategy**

Officers presented on the methodology and process used to develop the draft Open Space Strategy. HAC raised an issue about the gradual disappearance of remnant railway tracks on the Capital City Trail linear park and in other areas and recommended that the Open Space Strategy include a framework for protecting and maintaining heritage infrastructure and places within open space.

### **Heritage Strategy implementation and budget**

An update was provided on the implementation of the Heritage Strategy following its adoption by Council in November 2019. It was noted that members of HAC put a significant amount of work into the development of the Strategy. Richa Swarup – Senior Advisor Heritage updated the committee about two projects from the strategy that are currently funded and progressing – the Shared Values Heritage Project (looking at heritage places which have both Aboriginal and post-invasion heritage values), and preparation of a framework for managing Council's own heritage assets.

Budget bids have been submitted for projects to be funded in the 2020/2021 budget which Councillors will need to consider when adopting the budget in the coming months.

### **Planning scheme rewrite**

Officers presented an update on the rewrite of the Yarra Planning Scheme and HAC urged officers to consider the Landmarks policy with a view to potentially including more landmarks in the policy. The report which informed the development of the Landmarks policy will be circulated to HAC members.

### **Swan St and Bridge Rd theatre interiors**

HAC discussed the decision of Council in November 2019 on the referral of amendment C191 to a Planning Panel which adopted a position of support for the majority of the amendment but indicated its intention to abandon the pursuit of

internal controls for former theatres on Bridge Road and Swan Street in Richmond, while leaving internal controls intact for the former Austral Theater in Collingwood.

HAC members expressed their strong disappointment in Council's decision.

Several HAC members made submissions to the amendment during its exhibition period and will be attending the Panel hearing to make verbal submissions advocating for the Panel to recommend the retention of internal controls for all three theatres.

HAC discussed and carried the following resolution:

#### **Resolution**

1. HAC expresses disappointment that Council (in its meeting on 26 November 2019) did not support the recommendation for all three cinema interiors.
2. HAC requests Council to provide expert advice on theatre interiors to the Panel on Amendment C245 with particular reference to the Austral Cinema.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Searle

**Seconded:** Councillor O'Brien

1. That Council
  - (a) note this Delegates Report;
  - (b) note the resolution carried by the Heritage Advisory Committee and refers the resolution to Council's Strategic Planning unit:

*HAC expresses disappointment that Council (in its meeting on 26 November 2019) did not support the recommendation for all three cinema interiors.*

*HAC requests Council to provide expert advice on theatre interiors to the Panel on Amendment C245 with particular reference to the Austral Cinema.*

**CARRIED**

#### **8.3 Cr Bridgid O'Brien - MS 24 Hour Megaswim**

I attended the MS Megaswim last weekend on both days. This was the twentieth year that this event has been held. It was first started at the Fitzroy Swimming Pool by Carol Cook, who is stepping down after this year.

There were a number of speakers and over \$120,000 was raised by swimmers.

The event is now Australia-wide after its origins at Fitzroy, and is held in ACT, New South Wales, Tasmania and all over Victoria.. \$3.1 Million have been raised at Fitzroy alone, with over \$11 Million overall. Over 1,000 scholarships and grants have now been provided to people with multiple sclerosis.

It was an honour to attend on Council's behalf, and I'd like to pass on an award that was presented to me as Council's representative.

## **COUNCIL RESOLUTION**

**Moved:** Councillor O'Brien

**Seconded:** Councillor Stone

1. That Council receive this delegate's report

**CARRIED UNANIMOUSLY**

## **9. General Business**

Nil

## **10. Questions without notice**

This record is provided as a summary of the questions asked by Councillors during Questions Without Notice at a meeting of the Yarra City Council. A recording of the Council Meeting (including Questions Without Notice) 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.

### **10.1 Cr James Searle - Truck movements out of hours**

Question:

Recently I've had an issue raised with me by a number of residents who live near the Victoria Gardens Shopping Centre in Richmond. They've raised the issue of trucks and deliveries and rubbish collection happening at all hours of the night, disturbing their sleep and being generally a nuisance. Having had engagements with Council on enforcement, there's been some good feedback and there's also been some feedback that's not so good. So the question is, what is Council doing and what can Council do to enforce the rules in the various planning permits and other rules around Victoria Gardens in terms of times for truck deliveries and curfews and other related amenity issues?

Response:

*In the absence of the Director Corporate Business and Finance, the CEO took the question on notice.*

### **10.2 Cr Jackie Fristacky - Waste sorting brochures**

Question:

I collected from the Launceston Council some brochures on recycling and FOGO, which they've had for two years. Could the CEO pass these on to Mr Leivers and the appropriate officers for looking at the advice that's provided and how that might assist in the development of our own brochures to our community?

Response:

*The CEO undertook to do so.*

## 11.1 Amendment C223 - Planning Controls for 81-95 Burnley Street and 26 Doonside Street Richmond - Consideration of Submissions

Reference: D20/24246

Authoriser: Director Planning and Place Making

[Help](#)

### RECOMMENDATION

1. That Council:
  - (a) notes the officer report in relation to the proposed Planning Scheme amendment in relation to 81-85 Burnley St, Richmond and 26 Doonside St, Richmond;
  - (b) receives and notes submissions received following the exhibition of Amendment C223;
  - (c) notes the officer report in response to submissions on Amendment C223;
  - (d) requests the Minister for Planning appoint an independent Planning Panel to consider submissions received in Amendment C223 in accordance with Section 23 of the *Planning and Environment Act 1987*;
  - (e) refers all submissions to a Panel;
  - (f) in its submissions to the Panel, adopts a position of general support for Amendment C223 generally in accordance with the officer response to submissions in this report and attachments (including advancing refinements to the wording of the DPO schedule);
  - (g) writes to all submitters to advise of this decision; and
  - (h) notes officers will provide a further report to Council after the Planning Panel report is received.

### Public Submissions

*The following people addressed Council on the matter:*

*Jane Parr*

*William Brown*

*Susie Carrington*

*Peter Carrington*

*Josh Butler*

*Mary Atwell*

### COUNCIL RESOLUTION

**Moved:** Councillor Nguyen

**Seconded:** Councillor Chen Yi Mei

1. That Council:
  - (a) notes the officer report in relation to the proposed Planning Scheme amendment in relation to 81-85 Burnley St, Richmond and 26 Doonside St, Richmond;
  - (b) receives and notes submissions received following the exhibition of Amendment C223;
  - (c) notes the officer report in response to submissions on Amendment C223;
  - (d) requests the Minister for Planning appoint an independent Planning Panel to consider submissions received in Amendment C223 in accordance with Section 23 of the *Planning and Environment Act 1987*;

- (e) refers all submissions to a Panel;
- (f) in its submissions to the Panel, adopts a position of general support for Amendment C223 generally in accordance with the officer response to submissions in this report and attachments (including advancing refinements to the wording of the DPO schedule);
- (g) in its submission to Panel, adopts an advocacy position to increase the provision of open space proposed in the exhibited DDO15, at 81-85 Burnley St and 26 Doonside St Richmond;
- (h) writes to all submitters to advise of this decision; and
- (i) notes officers will provide a further report to Council after the Planning Panel report is received.

**CARRIED**

**CALL FOR A DIVISION**

**FOR:** Crs Bosler, Chen Yi Mei, Nguyen, Searle and Stone

**AGAINST:** Crs Jolly and O'Brien

**ABSTAINED:** Cr Fristacky

**CARRIED**

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**11.2 Draft Yarra LGBTIQ+ Strategy**

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Reference: D19/241646

Authoriser: Group Manager People, Culture and Community

[Help](#)

**THIS ITEM WAS WITHDRAWN FROM THE AGENDA**

### 11.3 Walmer Street Bridge - Advocacy Update and Nomination to the Victorian Heritage Register

Reference: D20/20999

Authoriser: Director Planning and Place Making

[Help](#)

#### RECOMMENDATION

1. That Council:
  - (a) note the officer report on the heritage nomination of the Walmer Street Bridge;
  - (b) note the key points in the officer report at paragraph 36 to be included in a submission to the Heritage Council for consideration during the sixty-day exhibition period;
  - (c) note that following the exhibition period, that the Heritage Council will determine the nomination application, and
  - (d) authorise the Chief Executive Officer to finalise the submission to the Heritage Council and then to lodge the submission within the specified period.

*Cr Jolly left the meeting at 8.42pm*

*Cr Jolly returned to the meeting at 8.44pm*

#### COUNCIL RESOLUTION

**Moved:** Councillor Stone

**Seconded:** Councillor Fristacky

1. That Council:
  - (a) note the officer report on the heritage nomination of the Walmer Street Bridge;
  - (b) note the key points in the officer report at paragraph 36 to be included in a submission to the Heritage Council for consideration during the sixty-day exhibition period;
  - (c) note that following the exhibition period, that the Heritage Council will determine the nomination application, and
  - (d) authorise the Chief Executive Officer to finalise the submission to the Heritage Council and then to lodge the submission within the specified period.
2. That Council further note the commitment by Member for Richmond and Planning Minister Richard Wynne to a budget bid for a new bridge at Walmer St and the joint ongoing advocacy for this new bridge by both Yarra and Boroondara Councils, and acknowledge the extensive work done on a business case for a new bridge for the 2020 state budget.
3. That Council write to the Minister for Planning noting:
  - (a) The designation of Victoria Street East as a Priority Development Zone (PDZ) in 2007 by the then Planning Minister;
  - (b) the subsequent role of the Planning Minister as responsible authority in facilitating the development and intensification of land use in Victoria Street East by predominantly SALTA Properties;
  - (c) the contribution this intensification has made to the increased use of the Walmer St bridge by pedestrians and cyclists and it no longer providing a fit for purpose bridge for the intensity of both pedestrian and cycle traffic daily;
  - (d) the lack of preparedness for this outcome by the state government in designating

Victoria Street East a PDZ and taking over planning responsibility for it;

- (e) the role that the Walmer Street bridge performs as a key crossing of the Yarra River which forms an integral part of the Capital City Trail for both regional and local access;
- (f) the acknowledged and demonstrated limitations of the current bridge as not being fit for purpose now and into the future;
- (g) the urgent need for repairs to be conducted at the Boroondara end of the bridge structure; and
- (h) the obligation of SALTA to connect a new development at 607 – 627 Victoria St to this not-fit-for-purpose bridge by the end of 2020

and request the Minister for Planning to devise an outcome which both acknowledges the heritage value of the Walmer Street Bridge but also allows a new fit for purpose bridge to be constructed at or adjacent to Walmer St to provide for public safety and the increasing foot and bike traffic over the coming century.

4. That a copy of the motion be sent to the City of Boroondara for information.

**CARRIED UNANIMOUSLY**

*Cr Jolly left the meeting at 8.47pm*



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## 11.4 Annual update on the Yarra Housing Strategy

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Reference: D20/30093

Authoriser: Assistant Manager City Strategy

[Help](#)

### RECOMMENDATION

1. That Council note:
  - (a) the update report on the implementation of the Yarra Housing Strategy; and
  - (b) Officers will continue to implement the Yarra Housing Strategy's four Strategic Directions and progress the strategies.

### COUNCIL RESOLUTION

**Moved:** Councillor Stone

**Seconded:** Councillor O'Brien

1. That Council note:
  - (a) the update report on the implementation of the Yarra Housing Strategy; and
  - (b) Officers will continue to implement the Yarra Housing Strategy's four Strategic Directions and progress the strategies.

**CARRIED UNANIMOUSLY**

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## 11.5 Road Management Plan Amendment

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Reference: D20/76

Authoriser: Director City Works and Assets

[Help](#)

### RECOMMENDATION

- 1 That Council:
  - (a) adopts the proposed amendments to the Road Management Plan as presented in **Attachment 1** for the purposes of public exhibition;
  - (b) publish a notice of the proposed amendments to the Road Management Plan and allow for public submissions as per the requirements of Section 54 of the Road Management Act 2004; and
  - (c) receives a further report during May 2020 to consider any received submissions and the adoption of a final version of an amended Road Management Plan.

### COUNCIL RESOLUTION

**Moved:** Councillor Fristacky

**Seconded:** Councillor Nguyen

- 1 That Council:
  - (a) adopts the proposed amendments to the Road Management Plan as presented in **Attachment 1** for the purposes of public exhibition;
  - (b) publish a notice of the proposed amendments to the Road Management Plan and allow for public submissions as per the requirements of Section 54 of the Road Management Act 2004; and
  - (c) receives a further report during May 2020 to consider any received submissions and the adoption of a final version of an amended Road Management Plan.

**CARRIED UNANIMOUSLY**

### Conclusion

The meeting concluded at 9.07pm.

Confirmed Tuesday 17 March 2020

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Mayor