



# Minutes

## Council Meeting

7.03pm, Tuesday 18 May 2021

Richmond Town Hall

## 1. Statement of recognition of Wurundjeri Woi-wurrung Land

*“Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.*

*We acknowledge their creator spirit Bunjil, their ancestors and their Elders.*

*We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion.*

*We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra.*

*We pay our respects to Elders from all nations here today—and to their Elders past, present and future.”*

## 2. Attendance, apologies and requests for leave of absence

### Attendance

#### Councillors

- |                          |              |
|--------------------------|--------------|
| • Cr Gabrielle de Vietri | Mayor        |
| • Cr Claudia Nguyen      | Deputy Mayor |
| • Cr Edward Crossland    | Councillor   |
| • Cr Stephen Jolly       | Councillor   |
| • Cr Herschel Landes     | Councillor   |
| • Cr Bridgid O’Brien     | Councillor   |
| • Cr Amanda Stone        | Councillor   |
| • Cr Sophie Wade         | Councillor   |

#### Council officers

- |                     |  |
|---------------------|--|
| • Vijaya Vaidyanath | Chief Executive Officer                  |
| • Brooke Colbert    | Group Manager Advocacy and Engagement    |
| • Ivan Gilbert      | Group Manager Chief Executive’s Office   |
| • Chris Leivers     | Director City Works and Assets           |
| • Diarmuid McAlary  | Director Corporate, Business and Finance |
| • Bruce Phillips    | Director Planning and Place Making       |
| • Rhys Thomas       | Senior Governance Advisor                |

#### Leave of absence

- |                   |            |
|-------------------|------------|
| • Cr Anab Mohamud | Councillor |
|-------------------|------------|

## 3. Announcements

*Yesterday was IDAHOBIT Day, and I was joined by a number of my fellow Councillors and members of the newly appointed Rainbow Advisory Committee in raising the Rainbow flag here at the Richmond Town Hall and our Council depot in Clifton Hill.*

*Tonight in the Council Chamber we have three rainbow flags on display to mark the date. These are three of the nine rainbow flags we circulated to businesses throughout Yarra in 2017, each of which signed and hung the flags in their shop fronts before passing on to another business. This was a beautiful and powerful way to show solidarity within our community, and a celebration of the passing of the Marriage Amendment Bill which allowed marriage equality in Australia.*

*These nine flags still fly in the town halls and libraries across Yarra*

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

Councillor Nguyen declared a conflict of interest in relation to Item 9.1.

Councillor Wade declared a conflict of interest in relation to Item 9.1.

#### 5. Confidential business reports

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

##### **COUNCIL RESOLUTION**

**Moved:** Councillor de Vietri

**Seconded:** Councillor Stone

1. That the meeting be closed to members of the public, in accordance with section 66(2)(a) of the Local Government Act 2020, to allow consideration of confidential information

**CARRIED**

##### **Item**

##### **5.1 Fitzroy North Primary School**

This item is presented for consideration in closed session because it contains council business information, being information provided that would prejudice the Council's position in commercial negotiations if prematurely released.

This item is considered applicable because it is the subject of commercial negotiations between Council and the Minister for Education.

While the meeting was in closed session, Council resolved as follows:

##### **COUNCIL RESOLUTION**

**Moved:** Councillor Landes

**Seconded:** Councillor O'Brien

1. That:
  - (a) Council resolves to support the placement of a public notice to consider the discontinuance of the ROW and subsequent vesting of the underlying land to the Minister for a token amount, offsetting the market value of the underlying land in recognition of the benefit the proposed \$9 million upgrade works will provide to North Fitzroy North Primary School and community and further, that the ROW has been incorporated into the school grounds for a number of decades; and
  - (b) this resolution and the value of the land be made public.

**CARRIED**

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

## 6. Confirmation of minutes

### COUNCIL RESOLUTION

**Moved:** Councillor Wade

**Seconded:** Councillor Stone

That the minutes of the Council Meeting held on Tuesday 4 May 2021 be confirmed.

**CARRIED**

## 7. Public question time

Item	Page
7.1 Public Questions	6

## 8. Council business reports

Item	Page	Res. Page
8.1 Collingwood South DDO23 - Permanent Provisions	7	9
8.2 Gleadell Street Market	11	12
8.3 March 2021 Finance Report	13	13
8.4 2020/21 Annual Plan Progress Report - March	14	14
8.5 Edinburgh Gardens Working Group	15	16
8.6 Councillor attendance at the ALGA National General Assembly and change to Council meeting date	17	17
8.7 Inner Melbourne Action Plan (IMAP) Implementation Committee	18	18

## 9. Notices of motion

Item	Page	Res. Page
9.1 Notice of Motion No. 3 of 2021 - E-Scooter Trials	19	19

## 10. Petitions and joint letters

Item	Page
10.1 Petition – Streets in North Fitzroy that are safe, where people want to walk and ride	20
10.2 Petition – Save the Heidelberg Road Bike Lane	20

## 11. Questions without notice

Nil

## 12. Delegates' reports

Item	Page
12.1 Councillor Crossland – Disability Advisory Group .....	21

## 13. General business

Item	Page
13.1 Councillor Jolly – Motion of Solidarity .....	23
13.2 Councillor Jolly – Planning controls over external paint colours .....	24
13.3 Councillor Crossland – Silver Standards for Inclusive Design .....	24

## 14. Urgent business

Nil

## 7. Public question time

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

<b>Questioner</b>	<b>Question</b>	<b>Officer</b>
Phillip Campbell – South Fitzroy Protection Group	Queries relating to the Planning permit and Noise and Amenity Action Plan at The Gertrude Hotel, 148 Gertrude Street Fitzroy.	The Director Planning and Place Making took the question on notice.
Jenny Morrison	The external painting of The Gertrude Hotel building at 148 Gertrude Street Fitzroy.	The Director Planning and Place Making provided a response.

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## 8.1 Collingwood South DDO23 - Permanent Provisions

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<b>Reference</b>	D21/42817
<b>Author</b>	Joerg Langeloh - Project and Policy Coordinator
<b>Authoriser</b>	Practice Leader, Strategic Planning

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### RECOMMENDATION

**Start time: 7.24pm**

1. That Council:

- (a) note the officer report and Attachments 1-6 introducing proposed permanent built form provisions, removal part of DDO2 and amending Clause 21.11 for the Collingwood South Mixed-Use Zone Precinct;
- (b) adopt the *Collingwood Built Form Framework (June 2018)*, *Collingwood Mixed Use Pocket: Heritage Analysis and Recommendations (June 2018)*; *Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct (May 2021)* and the *Traffic Engineering Assessment: Brunswick Street and Smith Street Activity Centres (November 2019)* prepared by Hansen Partnership, GJM Heritage and Traffix Group in Attachments 1, 2, 3 and 4 as the general basis for Amendment C293 to the Yarra Planning Scheme;
- (c) adopt the amendment documentation for proposed Amendment C293, including proposed Design and Development Overlay (DDO) Schedule 23; deletion of DDO2 from the DDO23 area; and the amended Clause 21.11 *Reference Documents* as in Attachments 5 and 6 as the basis for proposed Amendment C293;
- (d) request the Minister for Planning refer proposed Planning Scheme Amendment C293 to an Advisory Committee under Part 7 Section 151 of the Planning and Environment Act 1987;
- (e) determine that should the Minister for Planning decide not to proceed with an Advisory Committee, Council as the Planning Authority apply to the Minister for Planning under Section 8A of the Planning and Environment Act 1987, for 'authorisation' to prepare Amendment C293;
- (f) request the Minister for Planning to prepare, adopt and approve Amendment C292 (as in Attachment 7) to the Yarra Planning Scheme, in accordance with the Minister's powers under sections 8(1)(b) and Section 20(4) of the *Planning and Environment Act 1987* to extend the expiry dates for the interim Design and Development Overlay - Schedule 23 which applies to the Collingwood South (Mixed-Use) Precinct, on an interim basis for 12 months while the permanent provisions in C293 are formally considered; and
- (g) authorise officers to consult with the Minister for Planning, in accordance with Sections 8(1)(b) and 20(4) of the Planning and Environment Act 1987, to assist the Minister to prepare, adopt and approve Amendment C292 to extend the interim provisions.

2. That Council:

- (a) note the officer report and Attachment 8 requesting a prescribed amendment to correct obvious and technical errors to the heritage overlay;
- (b) adopt the draft amendment documentation of C294 at Attachment 8, which contains information required by the Minister for Planning to prepare prescribed Amendment C294 to the Yarra Planning Scheme under Section 20A of the *Planning and Environment Act 1987*; and

- (c) authorise officers to consult with the Minister for Planning, in accordance with Sections 8(1)(b) and 20A(4) of the *Planning and Environment Act 1987*, to assist the Minister to prepare the prescribed Amendment to correct the obvious and/or technical errors as prescribed in regulation 8(1)(a) of the *Planning and Environment Regulations 2015*.

3. That Council:

- (a) authorise the CEO to make any minor adjustments required to meet the intent of Resolutions 1 and 2 of this report.

## REVISED OFFICER RECOMMENDATION

1. That Council:

- (a) note the officer report and Attachments 1-6 introducing proposed permanent built form provisions, removal part of DDO2 and amending Clause 21.11 for the Collingwood South Mixed-Use Zone Precinct;
- (b) adopt the Collingwood Built Form Framework (June 2018), Collingwood Mixed Use Pocket: Heritage Analysis and Recommendations (June 2018); Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct (May 2021) and the Traffic Engineering Assessment: Brunswick Street and Smith Street Activity Centres (November 2019) prepared by Hansen Partnership, GJM Heritage and Traffix Group in Attachments 1, 2, 3 and 4 as the general basis for Amendment C293 to the Yarra Planning Scheme;
- (c) adopt the amendment documentation for proposed Amendment C293, including proposed ~~Design and Development Overlay (DDO) Schedule 23~~; deletion of DDO2 from the DDO23 area; and the amended Clause 21.11 Reference Documents as in ~~Attachments 5 and 6~~ as the basis for proposed Amendment C293;
- (d) adopt proposed Design and Development Overlay (DDO) Schedule 23 in Attachment 5 for proposed Amendment C293 with the following changes to Map 1:
  - (i) remove from the legend under Street Wall Heights one reference to 20m; and
  - (ii) insert into the legend under Street Wall Heights a brown line with the reference 'Retain heritage street wall height';
- (e) request the Minister for Planning refer proposed Planning Scheme Amendment C293 to an Advisory Committee under Part 7 Section 151 of the Planning and Environment Act 1987;
- (f) determine that should the Minister for Planning decide not to proceed with an Advisory Committee, Council as the Planning Authority apply to the Minister for Planning under Section 8A of the Planning and Environment Act 1987, for 'authorisation' to prepare Amendment C293;
- (g) request the Minister for Planning to prepare, adopt and approve Amendment C292 (as in Attachment 7) to the Yarra Planning Scheme, in accordance with the Minister's powers under sections 8(1)(b) and Section 20(4) of the Planning and Environment Act 1987 to extend the expiry dates for the interim Design and Development Overlay - Schedule 23 which applies to the Collingwood South (Mixed-Use) Precinct, on an interim basis for 12 months while the permanent provisions in C293 are formally considered; and
- (h) authorise officers to consult with the Minister for Planning, in accordance with Sections 8(1)(b) and 20(4) of the Planning and Environment Act 1987, to assist the Minister to prepare, adopt and approve Amendment C292 to extend the interim provisions.

2. That Council:

- (a) note the officer report and Attachment 8 requesting a prescribed amendment to correct obvious and technical errors to the heritage overlay;

- (b) adopt the draft amendment documentation of C294 at Attachment 8, which contains information required by the Minister for Planning to prepare prescribed Amendment C294 to the Yarra Planning Scheme under Section 20A of the Planning and Environment Act 1987; and
  - (c) authorise officers to consult with the Minister for Planning, in accordance with Sections 8(1)(b) and 20A(4) of the Planning and Environment Act 1987, to assist the Minister to prepare the prescribed Amendment to correct the obvious and/or technical errors as prescribed in regulation 8(1)(a) of the Planning and Environment Regulations 2015.
3. That Council:
- (a) authorise the CEO to make any minor adjustments required to meet the intent of Resolutions 1 and 2 of this report.

## COUNCIL RESOLUTION

**Moved:** Councillor de Vietri

**Seconded:** Councillor Jolly

1. That Council:
- (a) note the officer report and Attachments 1-6 introducing proposed permanent built form provisions, removal part of DDO2 and amending Clause 21.11 for the Collingwood South Mixed-Use Zone Precinct;
  - (b) adopt the Collingwood Built Form Framework (June 2018), Collingwood Mixed Use Pocket: Heritage Analysis and Recommendations (June 2018); Supplementary Heritage Report: Collingwood South (Mixed Use) Precinct (May 2021) and the Traffic Engineering Assessment: Brunswick Street and Smith Street Activity Centres (November 2019) prepared by Hansen Partnership, GJM Heritage and Traffix Group in Attachments 1, 2, 3 and 4 as the general basis for Amendment C293 to the Yarra Planning Scheme;
  - (c) adopt the amendment documentation for proposed Amendment C293, including proposed deletion of DDO2 from the DDO23 area; and the amended Clause 21.11 Reference Documents as in Attachments 6 as the basis for proposed Amendment C293;
  - (d) adopt proposed Design and Development Overlay (DDO) Schedule 23 in Attachment 5 for proposed Amendment C293 with the following changes to Map 1:
    - (i) remove from the legend under Street Wall Heights one reference to 20m; and
    - (ii) insert into the legend under Street Wall Heights a brown line with the reference 'Retain heritage street wall height';
  - (e) request the Minister for Planning refer proposed Planning Scheme Amendment C293 to an Advisory Committee under Part 7 Section 151 of the Planning and Environment Act 1987;
  - (f) determine that should the Minister for Planning decide not to proceed with an Advisory Committee, Council as the Planning Authority apply to the Minister for Planning under Section 8A of the Planning and Environment Act 1987, for 'authorisation' to prepare Amendment C293;
  - (g) request the Minister for Planning to prepare, adopt and approve Amendment C292 (as in Attachment 7) to the Yarra Planning Scheme, in accordance with the Minister's powers under sections 8(1)(b) and Section 20(4) of the Planning and Environment Act 1987 to extend the expiry dates for the interim Design and Development Overlay - Schedule 23 which applies to the Collingwood South (Mixed-Use) Precinct, on an interim basis for 12 months while the permanent provisions in C293 are formally considered; and

- (h) authorise officers to consult with the Minister for Planning, in accordance with Sections 8(1)(b) and 20(4) of the Planning and Environment Act 1987, to assist the Minister to prepare, adopt and approve Amendment C292 to extend the interim provisions.

2. That Council:

- (a) note the officer report and Attachment 8 requesting a prescribed amendment to correct obvious and technical errors to the heritage overlay;
- (b) adopt the draft amendment documentation of C294 at Attachment 8, which contains information required by the Minister for Planning to prepare prescribed Amendment C294 to the Yarra Planning Scheme under Section 20A of the Planning and Environment Act 1987; and
- (c) authorise officers to consult with the Minister for Planning, in accordance with Sections 8(1)(b) and 20A(4) of the Planning and Environment Act 1987, to assist the Minister to prepare the prescribed Amendment to correct the obvious and/or technical errors as prescribed in regulation 8(1)(a) of the Planning and Environment Regulations 2015.

3. That Council:

- (a) authorise the CEO to make any minor adjustments required to meet the intent of Resolutions 1 and 2 of this report.

**CARRIED**

## 8.2 Gleadell Street Market

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<b>Reference</b>	D21/43055
<b>Author</b>	Stewart Martin - Manager Compliance and Parking Services
<b>Authoriser</b>	Director Corporate, Business and Finance

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### RECOMMENDATION

**Start time: 7.36pm**

1. That

- (a) Council note the contents of the report and the uniqueness of the Gleadell Street Market, along with the ongoing associated costs and responsibilities;
- (b) Council adopt the revised Gleadell Street Market Policy in respect to authorising the relevant Manager; the discretion to issue a third stall permit for fruit and vegetable sales and to ensure the continual smooth operation of the market as appropriate;
- (c) Any streetscape improvements or masterplans for the Gleadell Street area consider the distinctiveness of the Market and ensure the operation of the market is maintained; and
- (d) Council will further consider the impact and operation of markets across the municipality and consider the feasibility, options and benefits of enhancing the presence of markets held within Yarra.

*Councillor Jolly left the meeting at 7.39pm*

*Councillor Jolly returned at 7.43pm*

### Public Submissions

*The following people addressed Council on the matter:*

*Steven Vaughan, LEGS; and*

*Elizabeth Honey, LEGS.*

## COUNCIL RESOLUTION

**Moved:** Councillor Landes

**Seconded:** Councillor Stone

1. That

- (a) Council note the contents of the report and the uniqueness of the Gleadell Street Market, along with the ongoing associated costs and responsibilities;
- (b) Council adopt the revised Gleadell Street Market Policy in respect to authorising the relevant Manager; the discretion to issue a third stall permit for fruit and vegetable sales and to ensure the continual smooth operation of the market as appropriate;
- (c) any streetscape improvements or masterplans for the Gleadell Street area consider the distinctiveness of the Market and ensure the operation of the market is maintained;
- (d) Council will further consider the impact and operation of markets across the municipality and consider the feasibility, options and benefits of enhancing the presence of markets held within Yarra which may include the development of a Markets Strategy or Policy;
- (e) further engagement occur with community and stallholders on the future enhancement of the market; and
- (f) a report on future directions for markets in Yarra be provided to Council by December 2021.

**CARRIED**

## 8.3 March 2021 Finance Report

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**Reference** D21/45217  
**Author** Wei Chen - Chief Financial Officer  
**Authoriser** Director Corporate, Business and Finance

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**RECOMMENDATION** **Start time: 8.11pm**

1. That Council note the March 2021 Finance Report.

**COUNCIL RESOLUTION**

**Moved:** Councillor Stone **Seconded:** Councillor Nguyen

1. That Council note the March 2021 Finance Report.

**CARRIED**

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## 8.4 2020/21 Annual Plan Progress Report - March

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**Reference** D21/33119  
**Author** Shane Looney - Corporate Planner  
**Authoriser** Director Corporate, Business and Finance

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### RECOMMENDATION

**Start time: 8.21pm**

1. That:

- (a) Council note the 2020/21 Annual Plan Progress Report for March; and
- (b) Council endorse the following changes to the 2020/21 Annual Plan:
  - (i) 4.03 Structure Planning for Major Activity Centres:  
Remove Milestones:  
December – Complete outline of draft structure plans;  
March – Brief Council on consultation with the community to inform the draft structure plans; and  
June – Complete draft Structure Plan; and
  - (ii) 4.04 Built Form Analysis for Heidelberg Road, Alphington:  
Remove Milestones:  
December – Work with Darebin Council officers to complete the draft Local Area Plan;  
March – Commence preparation of permanent planning scheme provisions; and  
June – Report to Council on draft Planning Scheme provisions recommending a preferred option to seek permanent controls.

### COUNCIL RESOLUTION

**Moved:** Councillor Wade

**Seconded:** Councillor Stone

1. That:

- (a) Council note the 2020/21 Annual Plan Progress Report for March; and
- (b) Council endorse the following changes to the 2020/21 Annual Plan:
  - (i) 4.03 Structure Planning for Major Activity Centres:  
Remove Milestones:  
December – Complete outline of draft structure plans;  
March – Brief Council on consultation with the community to inform the draft structure plans; and  
June – Complete draft Structure Plan; and
  - (ii) 4.04 Built Form Analysis for Heidelberg Road, Alphington:  
Remove Milestones:  
December – Work with Darebin Council officers to complete the draft Local Area Plan;  
March – Commence preparation of permanent planning scheme provisions; and  
June – Report to Council on draft Planning Scheme provisions recommending a preferred option to seek permanent controls.

**CARRIED**

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## 8.5 Edinburgh Gardens Working Group

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<b>Reference</b>	D21/43598
<b>Author</b>	Ivan Gilbert - Group Manager Chief Executive's Office
<b>Authoriser</b>	Group Manager Chief Executive's Office

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### RECOMMENDATION

**Start time: 8.30pm**

1. That Council:
  - (a) establish the Edinburgh Gardens Working Group in accordance with the Terms of Reference at **Attachment One**;
  - (b) appoint Cr \_\_\_\_\_, Cr \_\_\_\_\_ and Cr \_\_\_\_\_ to the working group;
  - (c) commence a public invitation for expressions of interest for the community positions and appoint the membership in accordance with the committee terms of reference; and
  - (d) hold the first meeting of the Edinburgh Gardens Working Group in July 2021.

### MOTION

**Moved:** Councillor Wade

**Seconded:** Councillor Crossland

1. That Council:
  - (a) establish the Edinburgh Gardens Working Group in accordance with the Terms of Reference at **Attachment One**, with an amendment to the end of the sentence at the first bullet point of the "selection criteria" section to include the words "and in particular, ensure that at least three members of the committee are under the age of 35";
  - (b) appoint Cr O'Brien, Cr Stone and Cr Wade to the working group;
  - (c) commence a public invitation for expressions of interest for the community positions and appoint the membership in accordance with the committee terms of reference; and
  - (d) hold the first meeting of the Edinburgh Gardens Working Group in July 2021.

### AMENDMENT

**Moved:** Councillor O'Brien

**Seconded:** Councillor Cr Jolly

1. That Council:
  - (a) establish the Edinburgh Gardens Working Group in accordance with the Terms of Reference at **Attachment One**, with:
    - (i) an amendment to the end of the sentence at the first bullet point of the "selection criteria" section to include the words "and in particular, ensure that at least three members of the committee are under the age of 35";
    - (ii) at the end of the last dot point under "selection criteria", add "including at least one member of the 'Edinburgh Gardens for Everyone' Group."
  - (b) appoint Cr O'Brien, Cr Stone and Cr Wade to the working group;
  - (c) commence a public invitation for expressions of interest for the community positions and appoint the membership in accordance with the committee terms of reference; and
  - (d) hold the first meeting of the Edinburgh Gardens Working Group in July 2021.

**LOST**

## COUNCIL RESOLUTION

**Moved:** Councillor Wade

**Seconded:** Councillor Crossland

1. That Council:

- (a) establish the Edinburgh Gardens Working Group in accordance with the Terms of Reference at **Attachment One**, with an amendment to the end of the sentence at the first bullet point of the “selection criteria” section to include the words “and in particular, ensure that at least three members of the committee are under the age of 35”;
- (b) appoint Cr O’Brien, Cr Stone and Cr Wade to the working group;
- (c) commence a public invitation for expressions of interest for the community positions and appoint the membership in accordance with the committee terms of reference; and
- (d) hold the first meeting of the Edinburgh Gardens Working Group in July 2021.

**CARRIED**

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## 8.6 Councillor attendance at the ALGA National General Assembly and change to Council meeting date

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**Reference** D21/42370  
**Author** Rhys Thomas - Senior Governance Advisor  
**Authoriser** Group Manager Chief Executive's Office

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### RECOMMENDATION

**Start time: 8.44pm**

1. That in accordance with the Councillor Support Policy, Council authorise the attendance of Councillors Gabrielle de Vietri (Mayor) and Amanda Stone at the Australian Local Government Association National General Assembly in Canberra from 20 to 23 June 2021 at an estimated cost of \$1,989 per person.
2. That Council:
  - (a) reschedule the Council meeting scheduled for 22 June 2021 to the same time on 24 June 2021 (7.00pm for the public session, and 6.30pm for the closed session if required); and
  - (b) provide notice to the community of the change via its social media channels and Council's website.

### COUNCIL RESOLUTION

**Moved:** Councillor Jolly

**Seconded:** Councillor Nguyen

1. That in accordance with the Councillor Support Policy, Council authorise the attendance of Councillors Gabrielle de Vietri (Mayor) and Amanda Stone at the Australian Local Government Association National General Assembly in Canberra from 20 to 23 June 2021 at an estimated cost of \$1,989 per person.
2. That Council:
  - (a) reschedule the Council meeting scheduled for 22 June 2021 to the same time on 24 June 2021 (7.00pm for the public session, and 6.30pm for the closed session if required); and
  - (b) provide notice to the community of the change via its social media channels and Council's website.

**CARRIED**

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## 8.7 Inner Melbourne Action Plan (IMAP) Implementation Committee

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**Reference** D21/45093  
**Author** Justin Kann - Senior Advisor, Strategic Advocacy  
**Authoriser** Group Manager Advocacy and Engagement

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**RECOMMENDATION** **Start time: 8.46pm**

1. That Council:
  - (a) pursuant to sections 11 and 64 of the Local Government Act 2020, dissolve the Inner Melbourne Action Plan Implementation Committee as a joint committee of Council and revoke the Instrument of Delegation by Council to the Inner Melbourne Action Plan Implementation Committee dated 18 August 2020;
  - (b) agrees to join an expanded group of inner Melbourne councils for the purpose of shared advocacy, with a working title of M9;
  - (c) approves the rollover of unexpended IMAP funds to fund the new group (M9);
  - (d) authorises the Chief Executive Officer to develop a Memorandum of Understanding with other participating councils to establish the new group and its operating principles;
  - (e) requests that the draft MoU, once developed in partnership with other participating councils, be presented to Council for endorsement; and
  - (f) requests that further information be provided to Council on proposed advocacy priorities.

*Councillor Jolly left the meeting at 8.51pm*

*Councillor Jolly returned at 8.52pm*

**COUNCIL RESOLUTION**

**Moved:** Councillor Jolly **Seconded:** Councillor Stone

1. That Council:
  - (a) pursuant to sections 11 and 64 of the Local Government Act 2020, dissolve the Inner Melbourne Action Plan Implementation Committee as a joint committee of Council and revoke the Instrument of Delegation by Council to the Inner Melbourne Action Plan Implementation Committee dated 18 August 2020;
  - (b) agrees to join an expanded group of inner Melbourne councils for the purpose of shared advocacy, with a working title of M9;
  - (c) approves the rollover of unexpended IMAP funds to fund the new group (M9);
  - (d) authorises the Chief Executive Officer to develop a Memorandum of Understanding with other participating councils to establish the new group and its operating principles;
  - (e) requests that the draft MoU, once developed in partnership with other participating councils, be presented to Council for endorsement;
  - (f) requests that further information be provided to Council on proposed advocacy priorities; and
  - (g) be provided with biannual reports on the progress of the new body with meeting minutes and agendas made available to all councillors.

**CARRIED**

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## 9.1 Notice of Motion No. 3 of 2021 - E-Scooter Trials

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**Reference** D21/46881  
**Author** Mel Nikou - Administration Officer - Governance Support  
**Authoriser** Group Manager Chief Executive's Office

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*Councillor Nguyen left the meeting at 8.59pm, not returning.*

*Councillor Wade left the meeting at 8.59pm.*

### **RECOMMENDATION** **Start time: 8.59pm**

1. That Council:
  - (a) submit a competitive expression of interest to the Department of Transport to be considered for the Victorian Government's electric scooter trial; and
  - (b) seek to act in collaboration with the City of Melbourne, and that the CEO of Yarra seek to work with the CEO of the City of Melbourne to form a joint MOU to establish rules, management and placement of the trial.

### **COUNCIL RESOLUTION**

**Moved:** Councillor Landes

**Seconded:** Councillor Crossland

1. That:
  - (a) Council submit a competitive expression of interest to the Department of Transport to be considered for the Victorian Government's electric scooter trial;
  - (b) in the event that Yarra participates in a trial, Council seek to act in collaboration with other relevant Councils, and that the CEO of Yarra seek to work with the CEO of those Councils to form a joint MOU to establish rules, management and placement of the trial; and
  - (c) in the event that we are successful in a trial, Council will work collaboratively with other Councils throughout the trial to gather and share information on e-scooter use to better understand the risks and opportunities to provide necessary advice to the State Government.

**CARRIED**

*Councillor Wade returned to the meeting at 9.08pm.*

## 10. Petitions and joint letters

### 10.1 Petition – Streets in North Fitzroy that are safe, where people want to walk and ride

Reference: D21/49236

A change.org petition currently containing 354 online signatures are requesting Council look into measures of reducing the traffic in local streets of North Fitzroy so that it is safer for people to walk and ride.

Public Submission

*Lisa Byrne addressed Council on the matter.*

*Councillor Crossland left the meeting at 9.11pm*

*Councillor Crossland returned at 9.12pm*

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Wade

**Seconded:** Councillor Stone

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

**CARRIED**

### 10.2 Petition – Save the Heidelberg Road Bike Lane

Reference: D21/50809

I am tabling a change.org petition currently containing 3,423 online signatures expressing support to the Minister for Roads and Road Safety for the Heidelberg Road bike lane. The petitioners set out a compelling argument for the retention of the pop up bike lanes and ask the Minister to commit to continuing the trial through to completion and fast tracking another 100km of similar bike lanes.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Crossland

**Seconded:** Councillor Landes

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

**CARRIED**

## 11. Questions without notice

Nil

## 13. Delegates' reports

### 12.1 Councillor Crossland – Disability Advisory Group

**Start time: 9.15pm**

<b>Committee</b>	Disability Advisory Group
<b>Appointed Councillors</b>	Councillors Crossland and Jolly
<b>Date of Council Meeting</b>	Tuesday 18 May 2021
<b>Date of Report</b>	Tuesday 18 May 2021
<b>Report Author</b>	Councillor Crossland

#### DELEGATES REPORT

The Disability Advisory Committee met on 13 April 2021 at Collingwood Senior Citizen Centre. Both Cr Jolly and Cr Crossland were in attendance. Council officers in attendance included Laurice Younge, Metro Access Project Officer, and Cheryle Gray, Coordinator Community Planning. Cr Crossland chaired the meeting.

Agenda items and discussion points from this meeting included:

#### Walmer Street Bridge and access to the Yarra River frontage

- Discussion regarding the recent large development occurring adjacent to the Walmer Street Bridge, and the difficulty experienced by Committee members accessing Yarra River Frontage. Cr Jolly indicated he will endeavour to touch base with Salta (the relevant developer) and the local member.

#### Accessible Tram Stops

- Discussion regarding recent engagement by some DAC members with the Minister where they advocated for the implementation of accessible tram stops. It was indicated that a commitment to a program of delivery would be forthcoming from the State Government.

#### Annual Draft Budget

- Discussion regarding Council's budget inclusions, and encouragement from Councillors for DAC members to make submission. During discussion, a number of DAC members decided to arrange another meeting in the coming weeks to further discuss the budget, and whether a verbal submission would be made at the special Council meeting on 7 June.

#### Accessible Housing

- At the national meeting of Building Minister in April 2021, the majority agreed to included minimum accessibility standards (silver standard) for residential housing and apartments in the National Construction Code 2022.
- DAC members indicated their strong support for the introduction of the new standards, and in turn asked that Councillors enquire as to whether there may be opportunity to include reference to the new standards in Planning Scheme Amendment C269, and possible involvement of DAC members in this process should there be opportunity.
- Further to this, officers were engaged regarding the above. It was indicated that C269 already addresses accessibility as far as it possibly can. A summary of the officer response is provided below:
  - Planning Scheme Amendment C269 has addressed matters raised in relation to:

- including disability access requirements to provide housing which is affordable and accessible so that people with disabilities can live in Yarra, near their networks and support services, and to visit friends and family;
- the way the built environment and transport are designed should be improved so people with disability can live their day to day lives in Yarra without barriers to social, cultural and economic participation;
- Implement a process for assessing universal access for all new development.
- **Current provisions in the Planning Scheme**
- The Planning Scheme currently includes the following provisions:
- **Two or more dwellings on a lot and Residential Buildings**
  - Clause 55.05-1 Accessibility objective -*To encourage the consideration of the needs of people with limited mobility in the design of developments.*
  - Standard B25 requires that '*the dwelling entries of the ground floor of dwellings and residential buildings should be accessible or able to be easily made accessible to people with limited mobility*'.
- **Apartment developments** (developments of 5 storeys or more)
  - Clause 58.05-1 Accessibility objective – *To ensure the design of dwellings meets the needs of people with limited mobility.*
  - Standard D17 requires that at least 50 percent of dwellings should have accessible features including adequate door openings, circulation areas, an adaptable bathroom, a main bedroom with access to an adaptable bathroom etc
  - [https://planning-schemes.api.delwp.vic.gov.au/schemes/vpps/58\\_05.pdf?\\_ga=2.257706242.828129200.1620781976-860863724.1587611549](https://planning-schemes.api.delwp.vic.gov.au/schemes/vpps/58_05.pdf?_ga=2.257706242.828129200.1620781976-860863724.1587611549)
- **Building Code**
  - The Building Code of Australia also contains Disability (Access to Premises Standards – Buildings).
  - The purpose of the Disability Standards for Access to Premises is to make sure people with disability and their family members, carers and friends, have equal access to public buildings.
  - The standard includes requirements for adequate signage, access to the building, dedicated car parks and lift capacity. (NB - Sole-occupant dwellings and some classes of buildings may be exempt from this standard.)
  - The provisions apply to a new building; a new part of an existing building; and affected part of an existing building It does not apply to parts of the building where works are not proposed.
  - [https://www.vba.vic.gov.au/\\_data/assets/pdf\\_file/0004/99364/PN-14-Access-to-buildings-for-people-with-a-Disability.pdf](https://www.vba.vic.gov.au/_data/assets/pdf_file/0004/99364/PN-14-Access-to-buildings-for-people-with-a-Disability.pdf)
  - <https://humanrights.gov.au/sites/default/files/document/page/PremisesStandardsGuidelineV2.pdf>

## COUNCIL RESOLUTION

**Moved:** Councillor Crossland

**Seconded:** Councillor Jolly

1. That Council:
  - (a) note this Delegate's Report; and
  - (b) note the Disability Advisory Committee's support for the recently announced introduction of mandatory Silver Standards for Inclusive Design in the National Construction Code.

**CARRIED**

## 12. General Business

### 13.1 Councillor Jolly – Motion of Solidarity

#### Public Submissions

*The following people addressed Council on the matter:*

*Kedem Levy;*

*Sasha Beitner; and*

*Adam Promnitz.*

#### **MOTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Wade

1. That Council:
  - (a) notes with deep concern the escalation of violence in Israel and Palestine, with hundreds of Palestinians killed in the last week and ten in Israel, with Palestinians bearing the brunt of the attacks by the Israeli military in Gaza;
  - (b) express solidarity with Yarra-based Palestinians, whose community is facing displacement by bombings. We note that this is not a conflict between equals but the extension of an occupation that makes it impossible for Palestinians or Israelis to ever live in peace and security;
  - (c) note the complexity of the conflict that affects people from all backgrounds and acknowledge that there is a desire to see a ceasefire and a strong de-escalation of violence of all sort across the region; and
  - (d) City of Yarra, is home to and welcomes many diverse residents. We value our residents from the Middle East, and to those impacted by this conflict, we offer our solidarity.

#### **COUNCIL RESOLUTION (PROCEDURAL)**

**Moved:** Councillor de Vietri

**Seconded:** Councillor Crossland

That the meeting be adjourned for five minutes.

**CARRIED**

*The meeting adjourned at 9.50pm.*

*The meeting resumed at 10.02pm*

**COUNCIL RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Wade

1. That Council:
  - (a) notes with deep concern the escalation of violence in Israel and Palestine, with hundreds of Palestinians killed in the last week and ten in Israel, with Palestinians bearing the brunt of the attacks by the Israeli military in Gaza;
  - (b) express solidarity with Yarra-based Palestinians, whose community is facing displacement by bombings. We note that this is not a conflict between equals but the extension of an occupation that makes it impossible for Palestinians or Israelis to ever live in peace and security;
  - (c) note the complexity of the conflict that affects people from all backgrounds and acknowledge that there is a desire to see a ceasefire and a strong de-escalation of violence of all sort across the region; and
  - (d) City of Yarra, is home to and welcomes many diverse residents. We value our residents from the Middle East, and to those impacted by this conflict, we offer our solidarity.

**CARRIED**

**CALL FOR A DIVISION**

**For:** Councillors Jolly, Stone, O'Brien, de Vietri and Wade

**Against:** Councillors Crossland and Landes

13.2 Councillor Jolly – Planning controls over external paint colours

Start time: 10.07pm

*Councillor Landes left the meeting at 10.08pm, not returning.*

**COUNCIL RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor O'Brien

1. That Council seeks a one page report from officers in relation to ways to strengthen planning controls over the external paint colours of buildings situated in areas of heritage significance.

**CARRIED**

13.3 Councillor Crossland – Silver Standards for Inclusive Design

**COUNCIL RESOLUTION**

**Moved:** Councillor Crossland

**Seconded:** Councillor O'Brien

1. That Council seek a short report on the Silver Standards for Inclusive Design and how they might be applied in Yarra.

**CARRIED**

**Conclusion**

The meeting concluded at 10.20pm.

Confirmed Tuesday 1 June 2021

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Mayor