



# Minutes

## Council Meeting

7.03pm, Tuesday 29 March 2022

Richmond Town Hall

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

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

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

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

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

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

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

### Attendance

#### Councillors

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

#### Council officers

- |                    |  |
|--------------------|--|
| • Chris Leivers    | Interim Chief Executive Officer          |
| • Brooke Colbert   | Group Manager Advocacy and Engagement    |
| • Malcolm Foard    | Acting Director Community Wellbeing      |
| • Ivan Gilbert     | Group Manager Chief Executive’s Office   |
| • Lucas Gosling    | Director City Works and Assets           |
| • Diarmuid McAlary | Director Corporate, Business and Finance |
| • Bruce Phillips   | Director Planning and Place Making       |
| • Rhys Thomas      | Senior Governance Advisor                |
| • Mel Nikou        | Governance Officer                       |

#### Municipal Monitor

- |                  |                   |
|------------------|-------------------|
| • Yehudi Blacher | Municipal Monitor |
|------------------|-------------------|

#### Leave of absence

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

## 3. Announcements

### **Lucas Gosling**

*I wanted to take this opportunity to acknowledge that this will be the last meeting for a member of our Executive Team, Lucas Gosling.*

*Lucas joined Yarra in November 2015 as Manager Family, Youth and Children’s Services. In 2017 he was appointed Director Community Wellbeing. Lucas been acting Director City*

*Works and Assets since December 2021 and has also acted in several senior leadership roles at Yarra, including as CEO.*

*He leaves us to join the Executive team at another Melbourne Council and on behalf of Council I'd like to wish him every success.*

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

No declarations were made.

#### 5. Confidential business reports

Nil

#### 6. Confirmation of minutes

##### **COUNCIL RESOLUTION**

**Moved:** Councillor Crossland

**Seconded:** Councillor Stone

That the minutes of the Council Meeting held on Tuesday 8 March 2022 and Thursday 10 March 2022 be confirmed.

**CARRIED**

#### 7. Public question time

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## 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.

Questioner	Question	Refer to
Matthew Carabott	What is the connection between the Yarra City Council Road Register and the Geographic Information System and which is the legal document? I understand that planning permits have been historically issued utilising the Yarra City Council Geographic Information System with permits issued allowing construction on gazetted roads. What is the legal process for correcting conflicts between the two systems and has a full review been undertaken to confirm the Road Register and GIS match?	Question was taken on notice
Matthew Carabott	Can Council look at having both in person meetings as well as live streaming so that people that can't attend meetings in person can still participate from home?	The Mayor and CEO provided a response
Dorothy James	Council to maintain roads and footpaths as well as the entire municipality. Update infrastructure before working on a masterplan.	The Mayor and CEO provided a response
Janet Christie	Transport Strategy – were all emergency services consulted when creating the strategy?	The Director Planning and Place Making provided a response.

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## 8.1 National Aged Care Reforms - Principles for Decision-Making

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**Reference** D22/61532  
**Author** Adrian Murphy - Manager Aged and Disability Services  
**Authoriser** Acting Director Community Wellbeing

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### RECOMMENDATION

Start time: 7.19pm

1. That Council:
  - (a) endorse the draft Principles outlined in paragraph 36 (above) of this report for the purpose of supporting decision-making on its future role in the new Support at Home program, and more broadly in providing services, programs and initiatives to support older people and people with disability; and
  - (b) notes that officers will continue to complete the analysis of the impacts, changes and opportunities arising from the introduction of the new Federal Government Support at Home program and present service specific reports and recommendations to future Council meetings in 2022.

### Public Submission

*Mary Natoli addressed Council on the matter.*

### COUNCIL RESOLUTION

**Moved:** Councillor Stone

**Seconded:** Councillor Jolly

1. That Council:
  - (a) endorse the draft Principles outlined in paragraph 36 (above) of this report for the purpose of supporting decision-making on its future role in the new Support at Home program, and more broadly in providing services, programs and initiatives to support older people and people with disability; and
  - (b) notes that officers will continue to complete the analysis of the impacts, changes and opportunities arising from the introduction of the new Federal Government Support at Home program and present service specific reports and recommendations to future Council meetings in 2022.

**CARRIED UNANIMOUSLY**

## 8.2 Australian Election Advocacy Priorities

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**Reference** D22/61863  
**Author** Justin Kann - Senior Advisor, Strategic Advocacy  
**Authoriser** Group Manager Advocacy and Engagement

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**RECOMMENDATION** Start time: 7.38pm

1. That Council:
  - (a) notes that the next Australian Election is expected to occur in the first half of 2022;
  - (b) notes the officer report regarding Yarra's Australian Election advocacy priorities, including the proposed advocacy strategy to communicate these priorities to local candidates and parties; and
  - (c) adopts the advocacy priorities as shown in the Draft Australian Election Advocacy Priorities (Attachment 1).

**COUNCIL RESOLUTION**

**Moved:** Councillor Stone                      **Seconded:** Councillor Mohamud

1. That Council:
  - (a) notes that the next Australian Election is expected to occur in the first half of 2022;
  - (b) notes the officer report regarding Yarra's Australian Election advocacy priorities, including the proposed advocacy strategy to communicate these priorities to local candidates and parties; and
  - (c) adopts the advocacy priorities as shown in the Draft Australian Election Advocacy Priorities (Attachment 1) with the inclusion, under "Creating an Open and Inclusive Australia" of an additional point:
    - (i) Stronger action against racism in all its forms.

**CARRIED UNANIMOUSLY**

## 8.3 Motions for ALGA National General Assembly

**Reference** D22/62983  
**Author** Rhys Thomas - Senior Governance Advisor  
**Authoriser** Group Manager Chief Executive's Office

### RECOMMENDATION

Start time: 7.44pm

1. That Council endorse the following motions for submission to the Australian Local Government Association (ALGA) National General Assembly to be held on 19-22 June 2022, as tabled:
  - (a) \_\_\_\_\_
  - (b) \_\_\_\_\_

### COUNCIL RESOLUTION

**Moved:** Councillor Crossland

**Seconded:** Councillor Jolly

1. That Council endorse the following motions for submission to the Australian Local Government Association (ALGA) National General Assembly to be held on 19-22 June 2022, as tabled:
  - (a) Circular Economy and Waste Reduction;
  - (b) Incentivising and facilitating up-take of Electric Vehicles;
  - (c) Flood Planning and Mitigation; and
  - (d) Humanitarian refugees from active conflict zones (joint motion to be submitted by the City of Greater Dandenong).

**CARRIED UNANIMOUSLY**

#### Title

*Circular Economy and waste reduction*

#### Motion

1. That this Assembly resolves that:
  - (a) the Federal Government must act to provide national leadership to grow the circular economy and reduce levels of household and commercial waste by:
    - (i) implementing a national ban on food waste going into landfill;
    - (ii) implementing stricter national sustainable packaging standards and a product stewardship scheme; and
    - (iii) providing increased funding to industry and local government to support local processing solutions, sector innovation and market development.

#### National Objective

To reduce household and commercial waste and grow the circular economy through national leadership from the Federal Government.

### **Summary of Key Arguments**

Volatility in global commodity prices for recyclable material over the past 5 years has caused wide-spread disruption in the international waste sector. This has led to significant disruption in Australia where the vast majority of our domestic kerbside recycling has traditionally been exported overseas.

As a result, local governments have been left exposed to higher processing fees and increased costs while governments continue to grapple with how to shift our domestic recycling system towards a more sustainable, circular economy and tackle traditionally high levels of avoidable waste.

In March 2020, the federal, state and territory governments, and the Australian Local Government Association (ALGA), as members of the former Council of Australian Governments (COAG), agreed that the export of waste glass, plastic (including processed engineered fuel), tyres and paper be regulated by the Australian government. This, in effect, vastly restricted waste being exported overseas.

What remains a key and pressing issue is the need for national action to reduce our level of avoidable household and commercial waste and grow a circular economy.

A food waste ban and stricter packaging standards and product stewardship will drive innovation and circular economy solutions in the waste section while complementing new initiatives that target sector and market development through local processing solutions.

### **Title**

Incentivising and facilitating up-take of Electric Vehicles (EV)

### **Motion**

1. That this Assembly resolves that:

- (a) The Federal Government provide greater national leadership to support the up-take of electric vehicles and market development across Australia by:
  - (i) agreeing and supporting a nationally-consistent approach to EV taxes, levies and charges that provide long-term confidence for industry and consumers;
  - (ii) implementing best-practice national vehicle emissions standards;
  - (iii) providing incentives to businesses and private owners to purchase electric vehicles; and
  - (iv) significantly increasing investment in the installation of electric vehicle charging stations across Australia.

### **National Objective**

To increase the up-take of electric vehicles across Australia.

### **Summary of Key Arguments**

Improved vehicle emission standards and a shift towards electric vehicles (EV) present considerable opportunity to reduce transport emissions across Australia.

EV, powered by renewable energy, have significantly lower emissions over their lifecycle than fossil fuel vehicles. Transitioning to use of EV in place of fossil fuel vehicles helps to improve air quality and public health outcomes, particularly in major cities and densely populated areas.

Many countries, including the United Kingdom, Canada, New Zealand, the Netherlands, Ireland have agreed to phase out new petrol and diesel car sales by 2030 and support a transition to cleaner, more sustainable transportation.

What is needed in Australia is a strong, concerted effort by the Federal Government to support market and industry development as well as greater investment in incentives and local infrastructure to encourage EV up-take nation-wide.

#### **Title**

Flood planning and mitigation

#### **Motion**

1. That this National General Assembly resolves that:

- (a) The Federal Government, through National Cabinet, establish a joint reform process to proactively plan for and seek to mitigate the impacts of flooding, including a review of relevant planning controls, flooding overlays, strategies, and the ability of existing infrastructure to respond to the impacts of climate change; and
- (b) Establish funding stream/s to:
  - (i) Facilitate this process; and
  - (ii) Implement flood mitigation works.

#### **National Objective**

Climate change is significantly impacting weather patterns, with increasingly severe weather events, including increased frequency and severity of minor and major flooding events.

Recent flooding events of 2022 alone demonstrate the substantial environmental, humanitarian, and economic implications at a local, regional, and national level.

This proposed initiative would assist Local Governments and their communities in association with relevant authorities, State and Federal Governments to better plan, prepare for, and mitigate the impacts of flooding wherever possible. This would present the opportunity for greater certainty and financial sustainability longer term.

#### **Summary of Key Arguments**

Minor and major flooding events are having catastrophic impacts across the country, with the damage associated with the recent (late February - early March 2022) flooding event along the south-east of Australia expected to cost in the realm of \$2.5 billion for Queensland (1), and more than \$240 million for NSW (2). It's anticipated it will take many impacted communities' months, if not years to recover.

In many instances, current stormwater infrastructure was not designed to accommodate the increasing level and frequency of rainfall and associated flooding events, with rain and flood records being superseded at an alarming rate. Similarly, waterways and floodplains have been significantly altered, further impacting their natural role and function during flood events.

Better understanding flood behaviour via a review of relevant controls and strategies will enable the ability to assess the likely impacts of flooding based on climate change. It will also enable all parties the ability to assess the benefits of different options for managing exposure to flood risk. This will allow for the opportunity to investigate and implement a range flood mitigation options and associated infrastructure or strategies.

Noting the significant cost for both the review and subsequent implementation of flood mitigation measures, funding streams will be required to facilitate these undertakings.

A national approach to flood mitigation is required to remedy the current situation, which this motion and its associated actions seek to facilitate. In turn, this motion aligns with both the Natural Disasters and Climate Change 2022 National General Assembly themes.

1. [South-east Queensland flood damage bill revised to cost up to \\$2.5b but return to surplus remains on track, Treasurer says - ABC News](#)
2. [Flood damage bill in NSW and Queensland tops \\$1 billion as more aid announced \(sbs.com.au\)](#)

### **Title**

Humanitarian refugees from active conflict zones

### **Motion**

Greater Dandenong City Council as joint movers with Brimbank City Council, Casey City Council, Darebin City Council, Hobsons Bay City Council, Hume City Council, Kingston City Council, Monash City Council, Moreland City Council, and Yarra City Council moves that this National General Assembly:

1. acknowledges the Federal Government's swift and appropriate response to the Ukrainian crisis in taking refugees over the annual humanitarian visa program quota, to be settled in local Government areas;
2. acknowledges the contrasting Federal Government response to the recent crisis in Afghanistan, where Afghan refugees will be allocated spots within the existing annual humanitarian visa program, over a four-year period;
3. Greater Dandenong City Council as secretariat of the Local Government Mayoral Taskforce Supporting People Seeking Asylum on behalf of the following Councils that are members:
  - o Executive Members – Brimbank City Council, Casey City Council, Darebin City Council, Hobsons Bay City Council, Hume City Council, Kingston City Council, Monash City Council, Moreland City Council, Yarra City Council;
  - o General Members – Ballarat City Council, Banyule City Council, Bendigo City Council, Blue Mountains City Council, Canterbury Bankstown City Council, Cardinia Shire Council, Hawkesbury City Council, Inner West City Council, Leeton Shire Council, Maribyrnong City Council, Melbourne City Council, Moonee Valley City Council, Nillumbik Shire Council, Port Phillip City Council, Randwick City Council, Wagga City Council, Whittlesea City Council, Wyndham City Council; and
  - o Supporter Councils – Bass Coast Shire Council, Greater Geelong City Council, Hobart City Council, Launceston City Council, Macedon Ranges Shire Council, Maroondah City Council, Mornington Peninsula Shire Council, Borough of Queenscliffe, Wellington Shire Council, and Whitehorse City Council;

calls for a consistent approach from the Federal Government to taking humanitarian refugees from active conflict zones.

### **National Objective**

Australia operates a dedicated Humanitarian Program that offers resettlement for refugees and others overseas who are in humanitarian need, and protection for people who arrive lawfully in Australia and engage Australia's protection obligations .

The annual humanitarian intake was cut in 2020 from 18,750 places to 13,750. It is understood the government believes the 13,750 annual figure remains about the right level, but it is has not ruled out increasing the numbers.

Local government plays a unique and critical role the humanitarian settlement program. Local governments engage in actions to promote multiculturalism, social inclusion and ensure equitable access to their programs and services for all community members. Many are undertaking activities to welcome new migrant and refugee arrivals to their community and the wider Australian community, such as through becoming Refugee Welcome Zones.

<https://www.homeaffairs.gov.au/reports-and-publications/submissions-and-discussion-papers/australia-humanitarian-program-2021-22>

### **Summary of Key Arguments**

The Australian Government has a record of responding swiftly and humanely to refugee crisis around the world by accepting refugees in addition to Australia's annual humanitarian program quota.

Recent examples include, the Balkan conflict in the 90s in which temporary visas were provided to people fleeing Kosovo, and the Syrian refugee crisis in 2015 in which 12,000 refugees were accepted. The Government has again swiftly agreed to take refugees from the current conflict in Ukraine and place them 'on top of the pile'.

By contrast, the government announced in January it would provide 15,000 places for Afghan nationals through the existing humanitarian and family visa program, spread over four years.

Critics have argued that this approach is inadequate given the close military ties the Australian Government has with Afghanistan in jointly opposing the Taliban for over a 15-year period.

In mid-February officials told a Senate committee 55,000 Afghan nationals had been certified as having made lawful applications to date, but only 1,000 of them had been granted permanent places. Processing was continuing.

A consistent policy approach is required for the acceptance of refugees from conflict zones through the humanitarian program.

## 8.4 Proposed Discontinuance of Road abutting 2 Fitzgibbon Street, Cremorne

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<b>Reference</b>	D22/29940
<b>Author</b>	Bill Graham - Coordinator Valuations
<b>Authoriser</b>	Director Corporate, Business and Finance

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### RECOMMENDATION

Start time: 7.49pm

1. That Council acting under clause 3 of schedule 10 of the *Local Government Act 1989 (Act)*:
  - (a) resolves, having followed all the required statutory procedures pursuant to sections 207A and 233 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the road abutting 2 Fitzgibbon Street, Cremorne (shown marked lot 1 on the title plan attached as Attachment 1 to this report (**Road**)) is not reasonably required for public use for the reasons set out in this report to discontinue the Road;
  - (b) directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the *Victoria Government Gazette*;
  - (c) directs that, once discontinued, the Road be transferred to the owner of 36 and 38-40 Cubitt Street, Cremorne (**Owner**), for no less than the market value (plus GST) as determined by the requirements of the Act.
  - (d) directs that the Interim CEO sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to the Owner;
  - (e) any easements, rights or interests required to be created or saved over the Road by any authority be done so and not be affected by the discontinuance and sale of the Road; and
  - (f) directs that the Owner be required to consolidate the title to the discontinued Road with the adjoining properties 49, 51 and 55 Dover Street and 2 Fitzgibbon Street, Cremorne by no-later than 6 months after the date of transfer of the discontinued Road.

## COUNCIL RESOLUTION

**Moved:** Councillor Landes

**Seconded:** Councillor Crossland

1. That Council acting under clause 3 of schedule 10 of the *Local Government Act 1989 (Act)*:
  - (a) resolves, having followed all the required statutory procedures pursuant to sections 207A and 233 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the road abutting 2 Fitzgibbon Street, Cremorne (shown marked lot 1 on the title plan attached as Attachment 1 to this report (**Road**)) is not reasonably required for public use for the reasons set out in this report to discontinue the Road;
  - (b) directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the *Victoria Government Gazette*;
  - (c) directs that, once discontinued, the Road be transferred to the owner of 36 and 38-40 Cubitt Street, Cremorne (**Owner**), for no less than the market value (plus GST) as determined by the requirements of the Act.
  - (d) directs that the Interim CEO sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to the Owner;
  - (e) any easements, rights or interests required to be created or saved over the Road by any authority be done so and not be affected by the discontinuance and sale of the Road; and
  - (f) directs that the Owner be required to consolidate the title to the discontinued Road with the adjoining properties 49, 51 and 55 Dover Street and 2 Fitzgibbon Street, Cremorne by no-later than 6 months after the date of transfer of the discontinued Road.

**CARRIED UNANIMOUSLY**

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## 8.5 Proposed Discontinuance of Road abutting 9-11 Brighton Street, Richmond

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<b>Reference</b>	D22/46289
<b>Author</b>	Bill Graham - Coordinator Valuations
<b>Authoriser</b>	Director Corporate, Business and Finance

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### RECOMMENDATION

Start time: 7.52pm

1. That Council, acting under section 7(4) of the *Road Management Act 2004*, resolves that the road abutting 9-11 Brighton Street, Richmond, being the land remaining in Conveyance Book P No. 731 (and shown as lot '1' on the plan attached as attachment 2 to this report) (**Road**) be removed from Council's Register of Public Roads on the basis that the Road is no longer required for general public use for the reasons set out in the body of this report.
2. That Council acting under Clause 3 of Schedule 10 of the *Local Government Act 1989* (**Act**):
  - (a) resolves that the required statutory procedures be commenced to discontinue the Road;
  - (b) directs that, under sections 207A and 223 of the Act, public notice of the proposed discontinuance be given in "The Age" newspaper;
  - (c) resolves that the public notice required to be given under sections 207A and 223 of the Act should state that if the Road is discontinued, Council proposes to sell the Road to the adjoining owner for market value (plus GST); and
  - (d) authorises Bill Graham Valuations Coordinator to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in relation to this matter.

### COUNCIL RESOLUTION

**Moved:** Councillor Crossland

**Seconded:** Councillor Nguyen

1. That Council, acting under section 7(4) of the *Road Management Act 2004*, resolves that the road abutting 9-11 Brighton Street, Richmond, being the land remaining in Conveyance Book P No. 731 (and shown as lot '1' on the plan attached as attachment 2 to this report) (**Road**) be removed from Council's Register of Public Roads on the basis that the Road is no longer required for general public use for the reasons set out in the body of this report.
2. That Council acting under Clause 3 of Schedule 10 of the *Local Government Act 1989* (**Act**):
  - (a) resolves that the required statutory procedures be commenced to discontinue the Road;
  - (b) directs that, under sections 207A and 223 of the Act, public notice of the proposed discontinuance be given in "The Age" newspaper;
  - (c) resolves that the public notice required to be given under sections 207A and 223 of the Act should state that if the Road is discontinued, Council proposes to sell the Road to the adjoining owner for market value (plus GST); and
  - (d) authorises Bill Graham Valuations Coordinator to undertake the administrative procedures necessary to enable Council to carry out its functions under section 223 of the Act in relation to this matter.

**CARRIED UNANIMOUSLY**

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## 9. Notices of motion

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### 9.1 Notice of Rescission No 1 of 2022 - Statutory Planning - Delegations

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<b>Reference</b>	D22/53330
<b>Author</b>	Ivan Gilbert - Group Manager Chief Executive's Office
<b>Authoriser</b>	Group Manager Chief Executive's Office

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#### Public Submissions

*The following people addressed Council on the matter.*

*Virginia Noonan;*

*Ken Gomez;*

*Glen McCallum;*

*David Young; and*

*Ann Coveney.*

#### **MOTION**

**Moved:** Councillor O'Brien

**Seconded:** Councillor Jolly

That the resolution of Council made on 8 March 2022 stating:

1. That Council:
  - (a) note the Officer's report regarding existing delegations and protocols for processing of planning applications, including an analysis of the level of applications determined at the Planning Decisions Committee;
  - (b) note that as part of the implementation of the Statutory Planning Service Review 2019, that the internal planning processes are now fully electronic, which are assisting in the efficiency of processing planning applications;
  - (c) note that further ongoing process improvements are being pursued by the Statutory Planning office to further improve overall service delivery and customer service;
  - (d) note the existing delegation and protocols, as outlined in the report and attachments, which currently guide and direct which planning applications are presented to the Planning Decisions Committee for determination; and
  - (e) note the benchmarking which has recently been carried out with nearby Councils regarding the level of applications that are dealt with by the equivalent of a Planning Decision Committee at those Councils.
2. That in the context of the report, the ongoing Service Review intent of assessing further efficiency improvements and the benchmarking provided, that Council consider the current Deed of Delegation to determine if any refinements or changes to delegations to the Planning Decisions Committee are assessed to be appropriate.
3. That Council note that in the officers opinion, as outlined in the report, that some changes and refinements to the Instrument of Delegation to the Planning Decision Committee would create some further overall service improvements to the statutory planning processes, and that the recommendations in this report are presented for Council consideration.
4. That in the exercise of the power conferred by s11(1)(a) of the Local Government Act 2020 Council resolves:

- (a) there be delegated to the members of the Planning Decisions Committee the powers, duties and functions set out in the Instrument of Delegation to Members of the Planning Decisions Committee at Attachment Two, subject to:
  - (i) the replacement of the word “Councillors” with “ward Councillors and must include a brief written explanation why the item is being called up to the Planning Decisions Committee” in clause 2.7 of the Schedule; and
  - (ii) the replacement of the words “a Councillor” with “two or more ward Councillors and must include a brief written explanation why the item is being called up to the Planning Decisions Committee” in clause 4 of the Schedule; and
  - (iii) the insertion of the words “26 October 2024 or” after the word “until” in clause 2.4 of the Instrument,

and subject to the conditions and limitations specified in that Instrument;

- (b) the instrument comes into force immediately once the Instrument of Delegation is signed by the Council and remains in force until Council determines to vary or revoke it; and
- (c) the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

5. That Council amend and adopt the Protocols for use of Delegated Authority (Planning Protocols) subject to:

- (a) amendment of the clause relating to Heritage Victoria Referrals to read:

*All Heritage Victoria referrals are managed under delegation with only ‘significant’ applications referred to Council as determined by the Manager Statutory Planning and or the Director Planning and Place Making*

*A copy of all Heritage Victoria referrals be provided to Councillors for their information.; and*

- (b) amendment of the clause relating to Heritage Council Applications to read:

*All Heritage Council Applications are managed under delegation with only ‘significant’ applications referred to Council as determined by the Manager Statutory Planning and or the Director Planning and Place Making*

*A copy of all Heritage Council Applications be provided to Councillors for their information.*

6. That Council seek a review of Statutory Planning processes forming part of the broader continuous improvement program to include Councillor and targeted community consultation to review but not limited to:

- (a) facilitating business applications;
- (b) facilitating efficient and transparent processing of applications; and
- (c) consultation/mediation.

be rescinded.

**LOST**

### **CALL FOR A DIVISION**

**For:** Councillor Jolly, Stone and O'Brien

**Against:** Councillors Crossland, Mohamud, Nguyen, Landes and Wade

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## 9.2 Notice of Motion No. 3 of 2022 - Planning Delegations

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<b>Reference</b>	D22/63000
<b>Author</b>	Ivan Gilbert - Group Manager Chief Executive's Office
<b>Authoriser</b>	Group Manager Chief Executive's Office

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WITHDRAWN

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## 9.3 Notice of Motion No. 4 of 2022 - Melbourne Pride Event

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<b>Reference</b>	D22/64299
<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: 8.24pm

1. That Council:
  - (a) notes the recent Melbourne Pride event held in the City of Yarra on 13 February 2022 to commemorate the 40th anniversary of the decriminalisation of homosexuality in Victoria;
  - (b) recognises the success of this event, and the importance of the event to the LGBTIQA+ community and our State, more broadly;
  - (c) supports the continuation of Melbourne Pride as an ongoing, annual event held in the City of Yarra each year;
  - (d) notes that the Mayor has written to the Minister for Equality on 3 March 2022 with respect to the above; and
  - (f) directs the Mayor and officers to further engage with the Victorian Government and relevant stakeholders to secure a commitment for this to occur.

### COUNCIL RESOLUTION

**Moved:** Councillor Wade

**Seconded:** Councillor Mohamud

1. That Council:
  - (a) notes the recent Melbourne Pride event held in the City of Yarra on 13 February 2022 to commemorate the 40th anniversary of the decriminalisation of homosexuality in Victoria;
  - (b) recognises the success of this event, and the importance of the event to the LGBTIQA+ community and our State, more broadly;
  - (c) acknowledges that this event was only able to occur because of the generous funding from the state, with in-kind assistance from Yarra City Council;
  - (d) supports the continuation of Melbourne Pride as an ongoing, annual event held in the City of Yarra each year;
  - (e) notes that the Mayor has written to the Minister for Equality on 3 March 2022 with respect to the above; and
  - (f) directs the Mayor and officers to further engage with the Victorian Government and relevant stakeholders to secure a commitment for this to occur.

**CARRIED UNANIMOUSLY**

## 10. Petitions and joint letters

### 10.1 Petition – Permanent Closure of the north-western end of Cameron Street, Richmond

Start time: 8.28pm

*Public Submission:*

*Michelle Gardiner, Warm Hug Cafe*

A petition containing 77 signatures are requesting that Council and relevant authorities consider providing a permanent outdoor dining permit for the decking located adjacent to the Warm Hug Café as well as the permanent closure of the north-western end of Cameron Street, Richmond.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Landes

**Seconded:** Councillor Stone

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

**CARRIED UNANIMOUSLY**

## 11. Questions without notice

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 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.

### 11.1 Councillor Jolly - Locked gate at Alphington Grammar

Question:

At a Council meeting it was unanimously passed that the school re-open the gate. To date, the school have ignored Council and have kept the gate closed. Can officers provide an update?

*Response:*

*The Chief Executive Officer and Group Manager Chief Executive's Office provided a response.*

### 11.2 Councillor Stone – E-scooter Trial

Question:

E-scooters have become very popular. How can those who would like to provide feedback on the e-scooter trial, provide it?

*Response:*

*The Director Planning and Place Making provided a response.*

*Councillor Jolly left the meeting at 8.42pm, not returning.*

## 12. Delegates' reports

### 12.1 Councillor Crossland - Business Advisory Committee

Start time: 8.42pm

<b>Committee</b>	Business Advisory Committee
<b>Appointed Councillors</b>	Cr Herschel Landes Cr Edward Crossland
<b>Date of Committee Meeting</b>	Thursday 1 July 2021
<b>Date of Report</b>	3 March 2022
<b>Report Author</b>	Herschel Landes

#### DELEGATES REPORT

The Committee met on Thursday 3 March 2022 Councillors Landes and Crossland were in attendance and provide this report to Council.

Agenda items for this meeting included but not limited to:

Economic development update - Audits and Employment  
High level trend analysis on the most recent precinct leasing audit, as well as touching on some exciting initiatives the economic development team have been working on related to employment.

A workshop examined matters around fostering greater inclusion across the business community into business, the growth of co-working spaces in Yarra, trends towards knowledge/ service industries, the need to support more DDA compatible spaces in activity centres and discussing long planning delays and high costs when opening businesses in Yarra.

The meeting was held part attendance and part through teams highlighting the new hybrid format that enables improved access to meetings. The hosts provided a presentation of their old hotel and the restoration works including the retention of famous lead lite windows.

#### COUNCIL RESOLUTION

**Moved:** Councillor Landes

**Seconded:** Councillor Crossland

1. That Council:
  - (a) note this Delegate's Report.

**CARRIED UNANIMOUSLY**

## 12.2 Councillor Stone - Metropolitan Local Government Waste Forum

Start time: 8.43pm

<b>Committee</b>	Metropolitan Local Government Waste Forum
<b>Appointed Councillors</b>	Cr Amanda Stone, Cr Gabrielle di Vietri
<b>Date of Council Meeting</b>	29 March 2022
<b>Date of Report</b>	29 March 2022
<b>Report Author</b>	Cr Amanda Stone

**DELEGATES REPORT**

The Metropolitan Waste and Resource Recovery Group (MWRRG) is a Victorian Government statutory body responsible for co-ordinating and facilitating the delivery of waste management and resource recovery across metropolitan Melbourne. The MWRRG works closely with councils through the Metro Waste Forum which has continued to meet bimonthly over the past 12 months.

A Delegate's Report was presented to the February meeting of Council outlining forthcoming changes to the sector with the introduction of the *Circular Economy (Waste Reduction and Recycling) Act 2021*.

This report includes the Minutes and Summary Notes from 10 February Metro Waste Forum, which weren't available.

It also provides advice on a Circular Economy Leadership Course being run by the UN Staff Systems College in collaboration with MWRRG and supported by the state government. Two representatives from each Victorian Council have been invited to participate in the course to support Councils moving into the circular economy.

I am participating on behalf of Yarra Council and will share the materials and insights in due course.

The Metro Waste Forum will cease at the end of June 2022 and the final meeting will be held on 12 May.

\*\*Minutes and summary attached below:

## Metropolitan Local Government Waste Forum

### Meeting Minutes

**Date:** 10 February 2022

**Time:** 5:00 pm - 7:00 pm

**Location:** Online via Zoom.

**Theme:** **Building a Circular Economy for Food Organics**

**Forum purpose:** Provide a vehicle for metropolitan Melbourne councils to exchange information and ideas, network and identify future priorities, supported by MWRRG.

**Event objectives:**

1. Share approaches for improving food waste reduction, collection and recycling
2. Understand how to plan and implement a high performing FOGO service
3. Identify local government opportunities to build and support a circular economy

*For more information including the Forum summary report, recording, presentations and tabled documents, visit the [Forum online portal](#) (login required).*

Item	Description
1.	<p><b>Welcome &amp; introduction</b> – Cr Lina Messina, Forum Chair</p> <p>Motion to accept minutes of 9 December 2021 Forum meeting</p> <p>Moved: Cr Steve Staikos (Kingston)    Seconded: Cr Brian Little (Monash)</p> <p>Motion carried. The minutes of the previous meeting held on 9 December 2021 were adopted.</p>
2.	<p><b>Metro update</b> - Jill Riseley, CEO, MWRRG</p> <p>Jill Riseley provided an update summarising metropolitan FOGO contracts, service implementation models and resources.</p>
3.	<p><b>CE in Action: Implementing FOGO</b> - Jennifer Shin Co-ordinator Recycling and Waste, Glen Eira City Council</p> <p>Jennifer Shin presented on Glen Eira’s experiences in implementing FOGO.</p>
4.	<p><b>CE in Action: Planning for FOGO</b> - Natasza Letowt-Vorbek, Associate Consultant, Green Sky Consulting</p> <p>Natasza Letowt-Vorbek presented an overview of how a range of Victorian councils have strategically planned and implemented FOGO.</p>
5.	<p><b>Panel discussion</b></p> <p>Facilitated by Cr Lina Messina, Forum Chair. Panel members:</p> <ul style="list-style-type: none"> <li>• Jennifer Shin, Co-ordinator Recycling and Waste, Glen Eira City Council</li> <li>• Natasza Letowt-Vorbek, Associate Consultant, Green Sky Consulting</li> <li>• Rowan Millar, Senior Waste Officer, Monash City Council</li> <li>• Lisa Coffa, Senior Circular Economy Advisor, Yarra City Council</li> <li>• Paul Shearman, Group Category Manager, MWRRG</li> </ul>

Council Meeting Minutes – 29 March 2022

6.	<b>Other business and meeting review</b> Note: Next meeting 5pm Thursday 12 May 2022. (Final Forum meeting)
	<b>Meeting closed at TIME 7:05pm</b>
<b>Attendees</b>	
Councillors:	Cr Peter Castaldo (Banyule); Cr Bruce Lancashire (Brimbank); Cr Colin Ross (Cardinia); Cr Lina Messina (Darebin); Cr Claire Harvey (Frankston); Cr Simone Zmood (Glen Eira); Cr Rhonda Garad (Greater Dandenong); Cr Matt Tyler (Hobsons Bay); Cr Steve Staikos (Kingston); Cr Jude Dwight (Knox); Cr Yvonne Allred (Knox); Cr Michelle Kleinert (Manningham); Cr Cuc Lam (Maribyrnong); Cr Mike Symon (Maroondah); Cr Bob Turner (Melton); Cr Brian Little (Monash); Cr Katrina Hodgson (Moonee Valley); Cr Antonella Celi (Mornington Peninsula); Cr Debra Mar (Mornington Peninsula); Cr Polly Morgan (Stonnington); Cr Andrew Munroe (Whitehorse); Chris Eddy (Administrator, Whittlesea); Cr Amanda Stone (Yarra); Cr Jim Child (Yarra Ranges)
Council officers:	Andrew Croft (Banyule); Lisa Finn (Boroondara); Tom Razmovski (Brimbank); Jacqui Kelly (Cardinia); Michael Jansen (Casey); Michelle Van Gerrevink (Darebin); Bruce Howden (Frankston); Jennifer Shin (Glen Eira); Phil Robertson (Greater Dandenong); Katy McMahon (Hobsons Bay); Drago Lijovic (Manningham); Sue Phillips (Maribyrnong); Matthew Hanrahan (Knox); Damian Thorpe (Maroondah); Donna Portis (Melbourne); Bhanu Sharma (Moonee Valley); Lisa Pittle (Nillumbik); Marlene Mathias (Port Phillip); Melanie Kerr (Whitehorse); Lisa Coffa (Yarra); Graham Brew (Yarra Ranges)
MWRRG staff:	Daniella Popescu, Gayle Seddon, Jillian Riseley, Joshua Rule, Judy Leggatt, Michelle Lee, Nina Thomas, Paul Shearman, Stan Vermeeren, Zandy Powell
MWRRG Board:	Colleen Gates (MWRRG Chair), Cr Collin Ross, John Watson, Margaret Donnan, Sam Alessi, Cr Tom Melican
Guests:	Karen Cosson (Sustainability Victoria); Angel Hoefnagels (DELWP); Julie Russ (DELWP); Kirstin Coote (DELWP); Claire Dunn (MAV); Natasza Letowt-Vorbek (Greensky); Tim Cummins (Bayside); Thomas Johannsen (Casey); Kim Le Cerf (Glen Eira); Tony Barca (Greater Dandenong); Jennifer Bryant (Hobsons Bay); Rowan Millar (Monash); Amy Yang (Stonnington); Kaylene Johnson (Wyndham); Seema Karki (Wyndham)
Apologies:	Cr Clarke Martin (Bayside); Cr Cynthia Watson (Boroondara); Cr Jack Medcraft (Hume); Cr Michael Clarke (Maribyrnong); Cr Sally Capp (Melbourne); Cr Mark Riley (Moreland); Cr Geoff Paine (Nillumbik); Cr Rhonda Clark (Port Phillip); Cr Rob Szatkowski (Wyndham); Cr Gabrielle de Vietri (Yarra); Adam McSwain (Bayside); Darren Martin (Hume); Samantha Krull (Kingston); Sarah Taylor (Melton); Simon Hill (Monash); Olivia Wright (Moreland); Daniel Hinson (Mornington Peninsular Shire); Noel Kiernan (Stonnington); Simone Chetwynd-Brown (Whittlesea); Simon Clay (Wyndham)

## Metropolitan Local Government Waste Forum

### Meeting summary – Thursday 10 February 2022

#### Introduction

Seventy-five delegates and guests from local and state government attended the February Forum meeting to learn more about circular economy solutions and share approaches for improving food waste and green waste (FOGO) recycling and delivering a high performing FOGO service. The meeting included presentations on approaches used for implementing FOGO and a panel discussion for delegates to ask questions about service delivery models, collection frequency, communication and engagement strategies, use of compostable bags and managing contamination.

Forum members also participated in small group discussions to share and discuss activities that their councils are supporting and/or delivering to help build a circular economy. A poll undertaken afterwards revealed many activities are occurring.

#### Going Circular Council Poll

1. Which of the following activities is your council currently carrying out in support of building a local circular economy? (Select all relevant responses) (Multiple Choice) \*



You did not answer this question

#### FOGO recycling

Metropolitan Waste and Resource Recovery Group (MWRRG) CEO Jill Riseley provided an update on the status of FOGO recycling in metropolitan Melbourne. FOGO recycling from homes and businesses make up around 42% of waste to landfill. Provision of a statewide FOGO collection services could divert up to 650,000 tonnes of organics from landfill annually. Most metro councils operate a green organics (GO) or FOGO service. Seven municipalities operate a GO service, 22 operate a FOGO service, and two councils are conducting FOGO trials. Most councils provide fortnightly organics collections.

MWRRG manages three organics processing contracts for metropolitan Melbourne, diverting 411,000 tonnes of FOGO in 2020/21. The North and West Organics Processing Contract has 11 councils contracted to Veolia, with 126,000 t/yr processing capacity. The South East Organics Processing Contract has 12 councils contracted to Cleanaway, Veolia and Sacyr with 307,000 t/yr processing capacity.

The East Organics Processing Contract has five councils contracted to Bio Gro with up to 120,000 t/yr processing capacity. This facility is undergoing upgrades to also accept food organics which will enable these eastern councils to begin offering a broader FOGO collection service from 2022. Contamination management at the source is critical to producing a quality product for end markets and is a key component to achieving a viable circular economy Jill said.

MWRRG is leading work to develop a kerbside FOGO processing technical guidance and tender package for Victorian councils. The guidance aims to assist councils to understand FOGO processing considerations including technology, regulatory, product markets, operational, tendering and contracts. MWRRG plans to release the package next month.

MWRRG has received an overwhelming response to the UN and MWRRG Circular Economy leadership course with an impressive number of high calibre applications received. Due to high demand, the cohort was expanded to over 300 to further our ability to build a groundswell of support across Victoria in the transition to a circular economy.

Jill also congratulated Cr Lina Messina on serving as a Forum Member for five years and as Forum Chair for three years and thanked Lina for her significant contribution to the work of MWRRG.

### **Circular Economy in action: Implementing FOGO**

Recycling food and green waste so that it can be turned into compost and other products is the best example of how councils in Melbourne are putting the circular economy into action.

Jennifer Shin, Coordinator Recycling and Waste, Glen Eira City Council presented on Glen Eira's weekly FOGO service, with an alternating garbage and recycling bin service. The new service has seen waste diversion increase from 50% to 65%. Council planned the service over seven years, changing from opt-in to opt-out only FOGO services.

Food waste recycling is a perfect example of circular economy in action and a tangible way for people to contribute to tackling climate change Jennifer told attendees. Providing a more sustainable waste service and moving to a weekly food waste collection to increase the amount of food waste diverted to landfill is also a simple message for the community to understand.

Jennifer said her council was currently developing a circular economy plan which would take an even more circular approach where they are trying to design waste and recycling out of the economy.

Natasza Letowt-Vorbek, Associate Consultant, Green Sky Consulting also shared her experience with attendees, having implemented food waste recycling services four times to different communities. She sees lots of opportunities to remove all food and green waste from landfill in Victoria by 2030 but highlighted some of the challenges that need to be overcome. Inconsistency of waste and recycling terms, differences in services across municipalities and responding quickly to the large number of community queries when services change all need to be addressed.

### **Panel discussion**

Rowan Millar (Senior Waste Officer, Monash City Council), Lisa Coffa (Senior Circular Economy Advisor, Yarra City Council) and Paul Shearman (Group Category Manager, MWRRG) then joined Jennifer and Natasza to share their experiences and answer questions put to them.

Lisa told attendees that her council found that engaging directly with community champions and leaders from multicultural communities was an effective approach for passing information on to their communities. Similarly, Rowan added that if waste and recycling communications are worth printing, they're worth printing in many languages to support a diverse community and encouraged attendees to 'go the extra mile' to produce materials in the languages required for their communities.

Rowan also mentioned Monash will be switching to a weekly FOGO with fortnightly garbage service from August 2022 to achieve a 75% waste diversion target. Council commenced its community engagement a year prior to service changes to help drive success for a smoother implementation. Council also chose to start the transition with single households, not multi unit dwellings to manage contamination. Rowan also said that it's important to consider the

composting facilities and end process as well as upgrading bins for those that really need them. Key is providing implementation, operational and customer service support.

Attendees were also interested to hear in response to a panel question that May and September are the best times of the year to launch a food waste recycling service. According to Natasza this is because these months avoid school and public holidays, and extremes in weather.

While compostable bags are convenient for users, they can present problems for processors explained Paul Shearman in response to another panel question. He said that bags can hide contamination and when they are tied in a knot take a lot longer to break down. Knotted bags can also be an OHS issue for pickers as bags may contain contaminants and other harmful items. He noted a paper bag trial being run by Hobsons Bay Council was showing some early promising results.

### Other items

The next and final MLGW Forum meeting will be held on 12 May 2022. Forum members have received calendar placeholders and updates regarding the meeting format and agenda will be provided closer to the meeting.

*For more information including a copy of the Forum meeting minutes listing attendees and agenda items, recordings, all presentations and tabled documents, visit the [Forum online portal](#) (login required).*

## COUNCIL RESOLUTION

**Moved:** Councillor Stone

**Seconded:** Councillor Mohamud

1. That Council:
  - (a) note this Delegate's Report.

**CARRIED UNANIMOUSLY**

## 13. General Business

### 13.1 Councillor Landes – Parklets in the City of Yarra

Start time: 8.45pm

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Landes

**Seconded:** Councillor Crossland

1. That Council:

- (a) notes that Officers have been seeking the views of the Department of Transport in respect to its position of the current *road closure parklets* in the City of Yarra, being the following:
  - (i) The Warm Hug Café: 163A Lennox Street, Richmond (closure on Cameron Street);
  - (ii) Ms Frankie: 24 Cremorne Street, Cremorne (closure is laneway behind venue);
  - (iii) La Manna and Sons: 98 Balmain Street, Cremorne, and
  - (iv) Molly Rose Brewing: 270 Wellington Street, Collingwood (Closure is laneway behind venue); and
- (b) notes that on 24 March, 2022 the Department of Transport has provided its 'no objection' to an extension of these 4 *road closure parklets* until end June 2022, and in this regard states that:
  - (i) *DoT has embraced the Outdoor Dining initiative to assist traders since the permits were first issued in December 2020. DoT has no objection to the proposed extension of the temporary road closures for the purpose of outdoor dining, until 30 June 2022;*
  - (ii) *Given the recent change in traffic volumes, the removal of density limits on traders, and community expectations on the future use of these roads, DoT will not be issuing additional extensions to CoY going into the future;*
  - (iii) *DoT deems the consents that has been issued to CoY to date, is of a sufficient length of time for council to form a long-term position; and*
  - (iv) *DoT requests that CoY inform Metro North West region of Council's position on permanent closures prior to 30 June 2022; and*
- (c) also notes that YCC officers are currently preparing extensions to these 4 *road closure parklets* up to end June 2022 as a further temporary period of the COVID recovery program of Council;
- (d) thanks Officers and the Department of Transport for their endeavours in this matter;
- (e) notes that for any ongoing continuation of the road closure parklets beyond end June 2022, that a formal 'Road Closure' process under the provisions of the Local Government Act and the Road Management Act would be required, as any continuation of the current situation would not be deemed to be a temporary arrangement as part of a COVID recovery program, but more-so, as a formal 'road closure' proposal for an extended period of time; and

- (f) in this regard, seeks officers to commence the necessary communications and stakeholder engagement, to form a more medium term position in respect of these *road closure parklets* up to the period ending 2023; and that Officers report back to Council on these processes once the engagement has occurred to enable Council to make determinations; and
- (g) note that the hospitality business in 571 Bridge Road (known as Niche) has today also requested to be able to continue trade in the temporary Road Closure in White's Place until end June 2022. In this regard, Council also request officers to seek the Department of Transport position regarding this current Road Closure and if this is also a non-objection for this period, that Council also extend the temporary Road Closure of White's Place to end June 2022.

**CARRIED UNANIMOUSLY**

**Conclusion**

The meeting concluded at 8.53pm.

Confirmed Tuesday 19 April 2022

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Mayor