



# Minutes

## Council Meeting

6.40pm, Tuesday 20 June 2023

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 Claudia Nguyen Mayor
- Cr Edward Crossland Deputy Mayor
- Cr Michael Glynatsis Councillor
- Cr Herschel Landes Councillor
- Cr Anab Mohamud Councillor
- Cr Bridgid O’Brien Councillor
- Cr Amanda Stone Councillor
- Cr Sophie Wade Councillor

#### Council staff

##### *Chief Executive Officer*

- Sue Wilkinson Chief Executive Officer

##### *General Managers*

- Brooke Colbert Governance, Communications and Customer Experience
- Sam Hewett Infrastructure and Environment
- Kerry McGrath Community Strengthening
- Mary Osman City Sustainability and Strategy
- Jenny Scicluna Corporate Services and Transformation

##### *Governance*

- Phil De Losa Manager Governance and Integrity
- Rhys Thomas Senior Governance Advisor
- Mel Nikou Governance Officer

#### Leave of absence

- Cr Stephen Jolly Councillor

### **COUNCIL RESOLUTION**

**Moved:** Councillor Wade

**Seconded:** Councillor O'Brien

That in accordance with section 35(4) of the Local Government Act 2020, Council grant leave to Cr Jolly to be absent from the Council Meeting on 20 June 2023.

**CARRIED UNANIMOUSLY**

## **3. Announcements**

### **Australian Honours**

The Kings Birthday 2023 Honours List was announced recently, and we congratulate recipients of awards across Australia. These awards recognise significant contributions to Australian communities that often go unrecognised.

On behalf of the Yarra City Council, I'd particularly like to congratulate those recipients from here in Yarra, and thank them for their contribution to our vibrant community.

Congratulations to all of Yarra's unsung heroes.

### **Vale Frank Hall-Bentick AM**

Yarra City Council is deeply saddened to learn of the recent passing of Frank Hall-Bentick AM.

Frank was a long time Yarra resident and a steadfast and passionate member and advocate on Yarra City Council's Disability Advisory Committee since its inception in 1998, representing 25 years of service.

On behalf of Yarra City Council, I extend our sincere sympathy to Frank's family and friends and acknowledge his life-long commitment to standing up for human rights and improving the lived experience of people with disability.

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

**Moved:** Councillor Stone

**Seconded:** Councillor O'Brien

That Council suspend standing orders to hear from any members of the Disability Advisory Group who wish to acknowledge Frank Hall-Bentick.

**CARRIED UNANIMOUSLY**

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

**Moved:** Councillor O'Brien

**Seconded:** Councillor Stone

That Council resume standing orders.

**CARRIED**

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

No declarations were made.

## 5. Confirmation of minutes

### COUNCIL RESOLUTION

**Moved:** Councillor Glynatsis

**Seconded:** Councillor Crossland

That the minutes of the Council Meeting held on Tuesday 16 May 2023 and the Extraordinary Meeting held on Monday 5 June 2023 be confirmed.

**CARRIED**

## 6. Question time

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## 9. Petitions and joint letters

Nil

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## 13. Urgent business

Nil

## 6. Question time

This record is provided as a summary of the questions asked by members of the public during Question Time. A recording of the Council Meeting 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.

The following questions were asked:

1. **Con Sakoulas:**

What has happened to the trial bike lane in Vere Street Abbotsford? It was a 12 month trial that should be coming to completion.

The General Manager Infrastructure and Environment provided the following response:

*The trial bike lane was implemented approximately 12 months ago and officers have been reviewing the trial over this period. Over the past 12 months, we are not aware of any significant road safety issues caused by the contra-flow bicycle lane. Officers believe this contra-flow bike lane has provided significant benefits, improves on the existing bike access in the street and should be retained as it improves cyclist safety, through better delineation of the roadway. We'll communicate this with residents in the coming weeks.*

2. **David Heath:**

Given that Yarra City Council and its officers have contributed to the unacceptable delays in the reopening of the Walmer St footbridge between Abbotsford and Kew, could councillors please let me know of any practical measures to enable access prior to February 2024?

The General Manager Infrastructure and Environment provided the following response:

*I understand Council officers contacted you last week and a meeting has been proposed. Council has worked with the developer and its contractor who are responsible for the bridge renewal to finalise plans for the works. Council received final plans in March 2023 and these were approved by officers in under 3 weeks. It is anticipated that works will commence shortly and will be complete by December 2023. Council continues to encourage the developer to provide timely updates to the community throughout the construction.*

3. **Shane Delphine:**

The Climate Emergency Plan and the Nature Strategy both span the period 2020-2024. While the 2023/24 Annual Plan outlines the steps being undertaken to develop the next iteration of the Climate Emergency Plan, it is conspicuously silent in relation to the next Nature Strategy. Could you please provide an update in relation to the status of the 2025-2028 Nature Strategy?

The General Manager Infrastructure and Environment provided the following response:

*The current Yarra Nature Strategy (YNS) is being implemented and significant progress is being made. The strategy concludes on 30 June 2025 and the 2024/25 Annual Plan will outline the development process and development stages of the next iteration of the Yarra Nature Strategy.*

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## 7.1 2023/24 Annual Plan

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**Reference** D23/208125  
**Author** Shane Looney - Corporate Planner  
**Authoriser** Chief Financial Officer

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**RECOMMENDATION** Start time: 7.08pm

1. That Council endorses the 2023/24 Annual Plan.

Public Submissions

*The following people addressed Council on the matter:*

*Meredith Kefford (YCAN); and*

*Shane Delphine (YCAN).*

**MOTION**

**Moved:** Councillor Wade **Seconded:** Councillor Crossland

1. That Council endorses the 2023/24 Annual Plan.

**AMENDMENT**

**Moved:** Councillor Stone

1. That Council endorses the 2023/24 Annual Plan, with the addition of an action under the Climate and Environment that Council continues advocacy on the zero carbon buildings and planning scheme amendment.

*The amendment was accepted by the mover and seconder and incorporated into the motion.*

**COUNCIL RESOLUTION**

**Moved:** Councillor Wade **Seconded:** Councillor Crossland

1. That Council endorses the 2023/24 Annual Plan, with the addition of an action under the Climate and Environment that Council continues advocacy on the zero carbon buildings and planning scheme amendment.

**CARRIED UNANIMOUSLY**

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## 7.2 Review of Council Order - under the Domestic Animal Act 1994

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**Reference** D23/170429  
**Author** Samantha Hall - Special Projects Officer  
**Authoriser** General Manager City Sustainability and Strategy

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**RECOMMENDATION** Start time: 7.29pm

1. That Council endorse all proposed changes to the Council Order as outlined in **Attachment One** for public consultation including:
  - (a) The introduction of a night time cat curfew (7pm to 7am the next day); and
  - (b) The new additions to clause 5 'Owner's obligations in a Designated Reserve' and the proposed changes to the Council Order.

Public Submission

*Shane Delphine (YCAN) addressed Council on the matter.*

**MOTION**

**Moved:** Councillor O'Brien                      **Seconded:** Councillor Glynatsis

1. That Council endorse all proposed changes to the Council Order as outlined in **Attachment One** for public consultation including:
  - (a) The introduction of a night time cat curfew (7pm to 7am the next day); and
  - (b) The new additions to clause 5 'Owner's obligations in a Designated Reserve' and the proposed changes to the Council Order.
2. Further that the public consultation include seeking community feedback on the following additional options:
  - (a) the potential for a 24/7 cat curfew in 12 months' time, or
  - (b) the potential for a 24/7 curfew for new cats purchased or adopted from the night time 7pm to 7am curfew with all cats included in a 24/7 curfew in 12 months.

**LOST**

**CALL FOR A DIVISION**

**For:** Councillors O'Brien and Glynatsis

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

**LOST**

**COUNCIL RESOLUTION**

**Moved:** Councillor Wade

**Seconded:** Councillor Crossland

1. That Council endorse all proposed changes to the Council Order as outlined in **Attachment One** for public consultation including:
  - (a) The introduction of a night time cat curfew (7pm to 7am the next day); and
  - (b) The new additions to clause 5 'Owner's obligations in a Designated Reserve' and the proposed changes to the Council Order.
2. That Council endorse an engagement approach that will provide opportunities for community members to provide alternate suggestions or opinions to what is being proposed and comment more broadly on our approach to cat management in Yarra, including with respect to a night time cat curfew.

**CARRIED UNANIMOUSLY**

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## 7.3 Grants Administration Guide Adoption

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**Reference** D23/175536  
**Author** Cristina Del Frate - Senior Coordinator Equity and Inclusion  
**Authoriser** Manager Equity and Community Development

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*Councillor O'Brien left the meeting at 7.48pm.*

**RECOMMENDATION** Start time: 7.48pm

1. That Council adopts the Grants Administration Guide at **Attachment One**.

### COUNCIL RESOLUTION

**Moved:** Councillor Wade                      **Seconded:** Councillor Stone

1. That Council adopts the Grants Administration Guide at **Attachment One**.

**CARRIED UNANIMOUSLY**



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## 7.5 Yarra Leisure Off Peak Fees and Charges

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**Reference** D23/84541  
**Author** Sally Jones - Manager Property and Leisure  
**Authoriser** General Manager Infrastructure and Environment

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**RECOMMENDATION** Start time: 7.53pm

1. That Council:
  - (a) note that the introduction of the new Yarra Leisure membership structure has been positive, including most notably in the 60 plus age bracket; and
  - (b) not pursue the introduction of Yarra Leisure off-peak casual access products.

**COUNCIL RESOLUTION**

**Moved:** Councillor Stone

**Seconded:** Councillor Crossland

1. That Council:
  - (a) note that the introduction of the new Yarra Leisure membership structure has been positive, including most notably in the 60 plus age bracket; and
  - (b) not pursue the introduction of Yarra Leisure off-peak casual access products.

**CARRIED**

*Councillor O'Brien returned to the meeting at 7.55pm.*

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## 7.6 Sportsground and Facilities Allocation Policy

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**Reference** D23/198648  
**Author** Jacksone Holland - Sport Operation and Development Officer  
**Authoriser** General Manager Infrastructure and Environment

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**RECOMMENDATION** Start time: 7.56pm

1. That Council notes the positive progress made in the first year of implementation of Yarra's Sportsgrounds and Facilities Allocation Policy.

**COUNCIL RESOLUTION**

**Moved:** Councillor Stone                      **Seconded:** Councillor Wade

1. That Council notes the positive progress made in the first year of implementation of Yarra's Sportsgrounds and Facilities Allocation Policy.

**CARRIED UNANIMOUSLY**

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## 7.7 Palmer Street Fitzroy streetscape proposal

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<b>Reference</b>	D23/193695
<b>Author</b>	Hayley McNicol - Senior Urban Designer
<b>Authoriser</b>	Senior Coordinator Design and Place Making

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### RECOMMENDATION

Start time: 8.06pm

1. That Council:
  - (a) note the proposal for Palmer Street, prepared by Blur Architecture and dated 23 November 2022;
  - (b) note the officer review of the proposal, which concludes that Palmer Street is not a priority street for this scale of project;
  - (c) note that minor opportunities for streetscape improvements may be available through a new Local Liveable Streets Program, subject to funding; and
  - (d) write to Blur Architecture and thank them for their submission.

### COUNCIL RESOLUTION

**Moved:** Councillor Mohamud

**Seconded:** Councillor Glynatsis

1. That Council:
  - (a) note the proposal for Palmer Street, prepared by Blur Architecture and dated 23 November 2022;
  - (b) note the officer review of the proposal, which concludes that Palmer Street is not a priority street for this scale of project;
  - (c) note that minor opportunities for streetscape improvements may be available through a new Local Liveable Streets Program, subject to funding; and
  - (d) write to Blur Architecture and thank them for their submission.

**CARRIED UNANIMOUSLY**

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## 7.8 PLN21/0984 - 492 Queens Parade, Fitzroy North

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<b>Reference</b>	D23/194613
<b>Author</b>	Lara Fiscalini - Principal Planner
<b>Authoriser</b>	General Manager City Sustainability and Strategy

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### **RECOMMENDATION** Start time: 8.07pm

That having considered the relevant planning policies, Council resolves to advise the Victorian Civil and Administrative Tribunal that it has amended its position of refusal to a position of support for the following:

*Partial demolition, the construction of a ground floor extension to the existing hotel including an outdoor covered courtyard and modifications to the red line plan, provision for live acoustic music, deletion of seven (7) car parking spaces (retention of two spaces) and a reduction in the statutory car parking and bicycle facilities rates at 492 Queens Parade, Fitzroy North, subject to the following;*

1. Before the development commences, amended plans to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the plans will be endorsed and will then form part of this permit. The plans must be drawn to scale with dimensions, and must be generally in accordance with the decision plans prepared by Burton & Carter Pty Ltd, TP00 to TP14, dated 1 August 2022 and 18 May 2023, but modified to show:
  - (a) The demolition plan updated to include the demolition of the two windows within the Queens Parade façade;
  - (b) The proposed east elevation updated to include the proposed colour of the new wall;
  - (c) Any changes required by the amended Sustainable Design Assessment at Condition 3 of this permit;
  - (d) Any changes required by the amended Acoustic Report at Condition 5 of this permit.
2. The development and sale and consumption of liquor as shown on the endorsed plans must not be altered (unless the Yarra Planning Scheme specifies that a permit is not required) without the prior written consent of the Responsible Authority.

### **Sustainable Management Plan**

3. Before the development commences, an amended Sustainable Design Assessment to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Sustainable Design Assessment will be endorsed and will form part of this permit. The amended Sustainable Design Assessment must be generally in accordance with the Sustainable Design Assessment prepared by GIW Environmental Solutions and dated 31 May 2022, but modified to include or show:
  - (a) All details updated to reflect the amended application;
  - (b) Clarification of any landscaping proposed on-site. If landscaping is proposed, a Landscape Plan should be provided;
  - (c) The provision of daylight modelling (computer or hand drawn) to support daylight access claims, taking into account the proposed window tinting;
  - (d) The design and operability of the tinted laminated glass, to support natural ventilation claims;
  - (e) The BESS report amended to include provision of bicycle parking spaces;

- (f) A Section J assessment that details how the development will meet (and consider exceeding) the NCC 2019 requirements and reduce energy and GHG emissions against a reference case;
  - (g) Demolition and construction waste target clarified (e.g. minimum 80%);
  - (h) Clarify evidence underpinning the assumptions that FOGO will only make up 10% of the waste generated on site. Given the land use as a food and beverage outlet, this is expected to be much higher. For example, NSW EPA estimates this at approximately 60%;
  - (i) Clarify external colour of new roof areas, with a recommendation to specify a high SRI (>50) finish to assist with urban cooling;
  - (j) Include details of the green wall within the Landscape Plan – noting that while the BESS credit has been claimed, a green wall system in BESS is a vertical system for growing vegetation on a wall; and,
  - (k) Provide a statement as to how the design has responded to and mitigates the urban heat island effect.
4. The provisions, recommendations and requirements of the endorsed Sustainable Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

#### **Acoustic Report**

5. Before the development commences, an amended Acoustic Report to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Acoustic Report will be endorsed and will form part of this permit. The amended Acoustic Report must be generally in accordance with the Acoustic Report prepared by Enfield Acoustic Consultants and dated 1 August 2022, but modified to include (or show, or address):
- (a) Clarification on whether 'acoustic' music includes any form of amplification;
  - (b) Additional details of the measurement position; including microphone height and distance from any reflective surfaces, preferably in the form of photographs; and
  - (c) Noise from the bin room, glass movements in the outdoor areas and waste collections assessed for any night period activities.
6. Within 3 months of the commencement of the increased area of the sale and consumption of liquor an Acoustic Report to the satisfaction of the Responsible Authority must be prepared by a suitably qualified acoustic engineer and must be submitted to and approved by the Responsible Authority. When approved, the Acoustic Report will be endorsed and will form part of this permit. The Acoustic Report must assess the following:
- (a) The compliance of the use and music levels and, where necessary, make recommendations to limit the noise impacts in accordance with Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement to the satisfaction of the Responsible Authority, as may be amended from time to time.
7. The provisions, recommendations and requirements of the endorsed Acoustic Report must be implemented and complied with to the satisfaction of the Responsible Authority.

#### **Noise and Amenity Action Plan**

8. The provisions recommendation and requirements of the endorsed Noise and Amenity Action Plan (dated May 2023) must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Waste Management Plan**

9. Before the development commences, an amended Waste Management Plan to the satisfaction of the Responsible Authority must be submitted to and approved by the Responsible Authority. When approved, the amended Waste Management Plan will be endorsed and will form part of this permit. The amended Waste Management Plan must be generally in accordance with the Waste Management Plan prepared by Sustainable Development Consultants and dated 22 July 2022 but modified to include:
  - (a) All details updated to reflect the amended application.
10. The provisions, recommendations and requirements of the endorsed Waste Management Plan must be implemented and complied with to the satisfaction of the Responsible Authority.

### **Sale and Consumption of liquor**

11. No more than 443 patrons are permitted on the land at any time liquor is being sold or consumed, with no more than 30 patrons permitted in the external area.
12. Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor within Areas 1, 2 and 3 may only occur between the following hours:
  - (a) Sunday – Between 10am and 11pm;
  - (b) Good Friday – Between 12 noon and 11pm;
  - (c) Anzac Day (not being Sunday) – Between 12 noon and 1am;
  - (d) On any other day – Between 7am and 1am.
13. Except with the prior written consent of the Responsible Authority, the sale and consumption of liquor within the external area may only occur between the following hours:
  - (a) Sunday – Between 10am and 10pm;
  - (b) Good Friday & Anzac Day– Between 12 noon and 10pm;
  - (c) On any other day – Between 7am and 10pm.
14. Except with the prior written consent of the Responsible Authority, live music must only be played in Areas 1, 2 and 3 between the following hours;
  - (a) 10pm Sundays and public holidays;
  - (b) 11pm Monday to Saturday.
15. Except with the prior written consent of the Responsible Authority, background music must only be played in Areas 1, 2 & 3 between until 1am all days.
16. No music (live or background) is to be played in the external area at any time.

### **Noise Limiter**

17. Prior to the increased sale and consumption of liquor authorised by this permit, a Noise Limiter must be installed on the land. The Noise Limiter must:
  - (a) be set at a level specified by a qualified acoustic engineer;
  - (b) ensure the emission of noise from amplified music does not exceed the levels specified in the Environment Protection Regulations under the Environment Protection Act 2017 and the incorporated Noise Protocol (Publication 1826.4, Environment Protection Authority, May 2021) or any other requirement; and
  - (c) be maintained and operated at all times.to the satisfaction of the Responsible Authority.
18. The amenity of the area must not be detrimentally affected by the use, including through:

- (a) the transport of materials, goods or commodities to or from land;
  - (b) the appearance of any buildings, works or materials;
  - (c) the emission of noise, artificial light, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or
  - (d) the presence of vermin,
- to the satisfaction of the Responsible Authority.
19. Speakers external to the building must not be erected or used.
20. Emptying of bottles and cans into bins may only occur between 7am and 10pm on any day.
21. The collection of waste from the site must be by private collection, unless with the prior written consent of the Responsible Authority.
22. Delivery and collection of goods to and from the land may only occur between 7am and 10pm Monday to Saturday, or after 9am on a Sunday or public holiday except for those allowed under any relevant local law.
23. Within 2 months of the completion of works, or by such later date as approved in writing by the Responsible Authority, any damage to Council infrastructure resulting from the development must be reinstated:
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
24. Except with the prior written consent of the Responsible Authority, Council assets must not be altered in any way.
25. The existing and proposed bicycle hoops must be relocated to a more suitable location that satisfies the siting requirements of Clause 52.34 and AS2890.3;
- (a) at the permit holder's cost; and
  - (b) to the satisfaction of the Responsible Authority.
26. Before the new areas of the building are occupied, or by such later date as approved in writing by the Responsible Authority, the area set aside on the endorsed plans for the car parking spaces, access lanes and associated works must be;
- (a) constructed and available for use in accordance with the endorsed plans;
  - (b) formed to such levels and drained so that they can be used in accordance with the endorsed plans;
  - (c) treated with an all-weather seal or some other durable surface;
  - (d) line-marked or provided with some adequate means of showing the car parking spaces; and
  - (e) to the satisfaction of the Responsible Authority.
27. Prior to the commencement of the development the Development Infrastructure Levy must be paid to Yarra City Council in accordance with the approved Development Contributions Plan; or the Owner must enter into an agreement with Yarra City Council to pay the Development Infrastructure Levy within a time specified in the agreement.
28. Except with the prior written consent of the Responsible Authority, demolition or construction works must not be carried out:
- (a) Monday-Friday (excluding public holidays) before 7 am or after 6 pm;
  - (b) Saturdays and public holidays (other than ANZAC Day, Christmas Day and Good Friday) before 9 am or after 3 pm; or
  - (c) Sundays, ANZAC Day, Christmas Day and Good Friday at any time.
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29. This permit will expire if:

- (a) the development is not commenced within two years of the date of this permit;
- (b) the development is not completed within four years of the date of this permit;
- (c) the sale and consumption of liquor within the extended floor area is not commenced within two years from the date of this permit;
- (d) the sale and consumption of liquor is discontinued for a period of two years.

The Responsible Authority may extend the periods referred to if a request is made in writing before the permit expires or within six months afterwards for commencement or within twelve months afterwards for completion.

Notes:

This site is subject to a Heritage Overlay. A planning permit may be required for any external works.

A building permit may be required before development is commenced. Please contact Council's Building Services on 9205 5555 to confirm.

A local law permit may be required for tree removal. Please contact Council's Compliance Branch on 9205 5555.

Provision must be made for drainage of the site to a legal point of discharge. Please contact Council's Building Services on 9205 5555 for further information.

All future employees working within the development approved under this permit will not be permitted to obtain employee or visitor parking permits.

A local law permit (e.g. Asset Protection Permit, Road Occupation Permit) may be required before development is commenced. Please contact Council's Construction Management Branch on Ph. 9205 5555 to confirm.

These premises will be required to comply with the *Food Act* 1984. The use must not commence until registration, or other approval, has been granted by Council's Health Protection Unit.

#### **REVISED RECOMMENDATION**

**Note:** *Officers tabled a revised recommendation at the meeting, which varied the preamble as follows:*

That having considered the relevant planning policies, Council resolves to advise the Victorian Civil and Administrative Tribunal that it has amended its position of refusal to a position of support for the following:

*Partial demolition, the construction of a ground floor extension to the existing hotel including an outdoor covered courtyard and modifications to the red line plan, provision for live acoustic music, increase operating hours in existing internal courtyard from 11 pm to 1 am (Monday to Saturday), deletion of seven (7) car parking spaces (retention of two spaces) and a reduction in the statutory car parking and bicycle facilities rates at 492 Queens Parade, Fitzroy North, subject to the following:*

**Followed on by the recommended recommendation.**

Public Submissions

The following people addressed Council on the matter:

Margaret Goding;

Penny Warner;

Margaret Goding spoke on behalf of Virginia Noonan;

Lester Rajapakse;

Jesse Bates;

David McCallum; and

Tomoko Hyakumura.

**COUNCIL RESOLUTION**

**Moved:** Councillor Stone

**Seconded:** Councillor O'Brien

That having considered the relevant planning policies, Council resolves to advise the Victorian Civil and Administrative Tribunal that it has amended its position of refusal as follows:

- The proposed increase in operating hours, floor area (and red-line plan), as well as the provision of live music, will result in unreasonable off-site amenity impacts to the surrounding residential land.

**CARRIED**

The Mayor adjourned the meeting at 8.41pm.

The meeting resumed at 8.53pm.

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## 7.9 Governance Report - June 2023

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**Reference** D23/182966  
**Author** Rhys Thomas - Senior Governance Advisor  
**Authoriser** Manager Governance and Integrity

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**RECOMMENDATION** Start time: 8.53pm

1. That Council note this Governance Report on:
  - (a) the Municipal Association of Victoria State Council – 19 May 2023.
2. That in the exercise of the powers conferred by s 147(4) of the Planning and Environment Act 1987, Council resolves that:
  - (a) Zac SUTTON; and
  - (b) Wayne BULLOCK;be appointed and authorised as set out in the instrument at **Attachment One**, with each instrument coming into force immediately it is signed by Council’s Chief Executive Officer, and remaining in force until Council determines to vary or revoke it.
3. That the City of Yarra Collection Policy at **Attachment Two** be updated by including an additional dot point under heading “3.11.1 Disposal” reading “Items donated under the Commonwealth Government Cultural Gift Program will not be returned to the donor if de-accessioned, having already received the benefit of tax deduction for the donation.”

### COUNCIL RESOLUTION

**Moved:** Councillor Landes                      **Seconded:** Councillor Mohamud

1. That Council note this Governance Report on:
  - (a) the Municipal Association of Victoria State Council – 19 May 2023.
2. That in the exercise of the powers conferred by s 147(4) of the Planning and Environment Act 1987, Council resolves that:
  - (a) Zac SUTTON; and
  - (b) Wayne BULLOCK;be appointed and authorised as set out in the instrument at **Attachment One**, with each instrument coming into force immediately it is signed by Council’s Chief Executive Officer, and remaining in force until Council determines to vary or revoke it.
3. That the City of Yarra Collection Policy at **Attachment Two** be updated by including an additional dot point under heading “3.11.1 Disposal” reading “Items donated under the Commonwealth Government Cultural Gift Program will not be returned to the donor if de-accessioned, having already received the benefit of tax deduction for the donation.”

**CARRIED UNANIMOUSLY**

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## 8. Notices of motion

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### 8.1 Notice of Motion No. 3 of 2023 - Department of Transport Delays

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**Reference** D23/212528

**Author** Sophie Wade - Councillor

**RECOMMENDATION** Start time: 8.54pm

1. That Council advocate to the state government to give councils an alternative approval pathway for certain types of pedestrian works in line with recent changes to transport delegations in NSW, including for:
  - (a) works to enable alfresco dining on a road (where there is no change to the number of continuous travel lanes);
  - (b) continuous footpaths;
  - (c) converting existing pedestrian ('zebra') crossings to raised pedestrian ('wombat') crossings;
  - (d) mid-block treatments to manage vehicle speed including road humps, road cushions, chicanes and slow points;
  - (e) pedestrian crossings;
  - (f) pedestrian refuges;
  - (g) 'No Stopping' controls at intersections;
  - (h) kerb buildouts to reduce intersection crossing distance or manage vehicle speed (where there is no change to the number of continuous travel lanes);
  - (i) kerb modifications for footpath improvements or tree planting (where there is no change to the number of continuous travel lanes); and
  - (j) associated changes to kerbside parking necessary to implement the proposal and to offset any parking impacts.
2. That the Mayor write to the Minister for Roads and Road Safety with respect to the above, and that officers otherwise advocate for this position in regular meetings with the Department of Transport and Planning.

**REVISED RECOMMENDATION**

1. That Council advocate to the state government to give councils an alternative approval pathway to the current *Authorisation of Traffic Control Devices* policy for certain types of street infrastructure interventions in line with recent changes to transport delegations in NSW, including for:
  - (a) works to enable alfresco dining on a road (where there is no change to the number of continuous travel lanes);
  - (b) continuous footpaths;
  - (c) converting existing pedestrian ('zebra') crossings to raised pedestrian ('wombat') crossings;
  - (d) pedestrian crossings;
  - (e) changes to or installation of new traffic signals on local streets;
  - (f) 'No Stopping' controls at intersections; and
  - (g) associated changes to kerbside parking necessary to implement the proposal and to offset any parking impacts.

2. That the Mayor write to the Minister for Roads and Road Safety with respect to the above, and that officers otherwise advocate for this position in regular meetings with the Department of Transport and Planning.

## COUNCIL RESOLUTION

**Moved:** Councillor Wade

**Seconded:** Councillor Landes

1. That Council advocate to the state government to give councils an alternative approval pathway to the current *Authorisation of Traffic Control Devices* policy for certain types of street infrastructure interventions in line with recent changes to transport delegations in NSW, including for:
  - (a) works to enable alfresco dining on a road (where there is no change to the number of continuous travel lanes);
  - (b) continuous footpaths;
  - (c) converting existing pedestrian ('zebra') crossings to raised pedestrian ('wombat') crossings;
  - (d) pedestrian crossings;
  - (e) changes to or installation of new traffic signals on local streets;
  - (f) 'No Stopping' controls at intersections; and
  - (g) associated changes to kerbside parking necessary to implement the proposal and to offset any parking impacts.
2. That the Mayor write to the Minister for Roads and Road Safety with respect to the above, and that officers otherwise advocate for this position in regular meetings with the Department of Transport and Planning.

**CARRIED UNANIMOUSLY**

## 9. Petitions and joint letters

Nil

## 10. Questions without notice

### 10.1 Councillor Landes - Richmond Football Club

Question:

The Richmond Football Club is very involved with the City of Yarra; they support the Melbourne Indigenous Training College in Richmond Hill and believe they are participating in an upcoming mentoring program as part of the festival for women. Over the last decade have brought a lot of civic pride and joy to the people of Richmond and had tremendous success. Richmond resident Peter O'Neil who has recently stepped down as president and coach Damian Hardwick who has recently decided to retire. Is there a way Mayor that we can congratulate Damian on his achievements and wish him all the very best for the future?

Response:

The Mayor suggested writing a joint letter with Cr Landes.

## 11. Delegates' reports

### 11.1 Councillor Stone - Active Ageing Advisory Committee

<b>Committee</b>	Active Ageing Advisory Committee
<b>Appointed Councillors</b>	Councillor Amanda Stone
<b>Date of Council Meeting</b>	Tuesday 20 June 2023
<b>Date of Report</b>	Tuesday 6 June 2023
<b>Report Author</b>	Cr Amanda Stone

#### DELEGATES REPORT

The Active Ageing Advisory Committee (“AAAC”) meeting was held on 24 May 2023, with the following issues being discussed.

#### 1. Climate Emergency Plan

The Sustainability Team attended seeking insight from committee members on their lived experience of the climate emergency. The purpose of this engagement was to help inform the direction of consultation activities which take place in the next financial year regarding the Climate Emergency Plan.

AAAC members identified a range of challenges and experiences relating to older people in the context of climate emergency. Heating/cooling in the homes of older people, transportation on days of extreme weather, the impact of climate emergency on mental health, and the need for health education were all cited by members as important issues. In terms of building community resilience, members suggested misting systems in community spaces, partnerships with businesses/spaces people can attend on days of extreme weather, and access to training for community groups.

#### 2. Aged Care Reforms

An update to members was provided on the Aged Care Reforms implementation, which has been delayed once more from June 2024 to June 2025.

#### 3. Minutes to Advisory Committee meetings are now available to access via the Yarra website

Members were advised that de-identified minutes from past meetings during the term of this committee have been uploaded onto the Yarra webpage, and are available for public access.

#### 4. Member Updates

Members reported on their respective networks. Updates included interest in the way e-scooters are policed, value of local social activities and neighbourhood houses, and concern around the extension of the aged care reforms.

#### COUNCIL RESOLUTION

**Moved:** Councillor Stone

**Seconded:** Councillor O'Brien

1. That Council note this Delegate's Report.

**CARRIED UNANIMOUSLY**

## 11.2 Councillor Stone - Northern Alliance for Greenhouse Action (NAGA)

<b>Committee</b>	Northern Alliance for Greenhouse Action (NAGA)
<b>Appointed Councillors</b>	Cr Amanda Stone
<b>Date of Council Meeting</b>	Tuesday 20 June 2023
<b>Date of Report</b>	Sunday 18 June 2023
<b>Report Author</b>	Cr Amanda Stone

The City of Yarra is a member of NAGA.

NAGA formed in 2002 as a network that shares information, coordinates emission reduction and adaptation activities and cooperates on the research and development of innovative projects. NAGA's goal is to substantially contribute to the transition to a low-carbon future by delivering effective programs and leveraging local government, community and business action.

The NAGA Executive comprises of a councillor from each of the 9 NAGA councils and relevant officers. The project work in the NAGA Strategic Plan (<https://www.naga.org.au/strategy.html>) is undertaken by officers within and across their councils.

NAGA's Review of the Year is available on the NAGA website, covering highlights from the work of the NAGA network during 2021-22.

### Projects Update 2022-2023

- NAGA has managed a number of projects:
  - **Zero emission fleet** transition plans were delivered for five member councils and a regional report was developed that identified areas for collaboration across the NAGA region to reduce fleet emissions to zero by 2030.
  - **Community Cooling Centres** aims to improve the heatwave resilience of community buildings. Working with all NAGA councils, 20 sites across the NAGA region have been selected for assessment to determine heatwave suitability and identify opportunities for upgrade. The assessments and accompanying reports will be completed by the end of October 2023. This work was funded by the DEECA Supporting our Regions to Adapt program.
  - NAGA has commissioned research to understand the issues and potential around councils developing **local offsets**. The research will be completed by the end of June 2023. Once this research is complete, it will inform the scope of any future projects.
- NAGA is involved in a number of cross-Greenhouse Alliance projects:
  - NAGA is on the Project Advisory Group for the WAGA-led **Victorian Climate Resilient Councils** program (VCRC) program, which will ultimately guide councils through a clear step-by-step process to reduce and manage climate risks and embed climate change adaptation across Local Government systems. The program is about to call for councils to be involved in Adaptive Capacity Assessments and a project to review Community Emergency Risk Assessments with climate change adaptation in mind.

- Following the NAGA-managed delivery of a cost-benefit analysis framework for Greater Melbourne councils to make decisions about future upgrading of assets in a changing climate, the EAGA-led part two of this project has carried out a hazard assessment for all councils across Metro Melbourne. The final report (<https://eaga.com.au/projects/adaptive-community-assets/>) was published in April and identified average annual damages from the climate hazards of flooding, bushfires and heatwaves are in the range of \$90-\$120 million, with these damages increasing to between \$210-\$300 million in the nearer future (~2050) and to between \$400-\$540 million in the more distant future (~2100).
- An **All Electric Councils Working Group** (AEC WG) is identifying collaboration opportunities to help councils move off gas in their own operations. This follows NAGA work on producing case studies of getting off gas [from NAGA councils](#). The AEC WG is also maintaining discussions with DCCEEW (Federal Department of Environment) about councils' specific needs for electrification and possible federal assistance.
- NAGA continues to support the local government renewable energy PPA – [VECO](#). Funds in VECO will cover costs for the host council for the duration of the contract and will also contribute to an Innovation Fund that is exploring other PPA-related projects that councils can work on.
- NAGA is supporting two cross-council projects:
  - City of Yarra is facilitating a renewable energy power purchase agreement amongst a number of businesses in the NAGA and EAGA regions. Yarra has identified lessons learnt from this pilot and will lead another round. They have recently invited councils across the state to be part of this second round.
  - City of Darebin is leading on a project with three NAGA councils to develop a tool for businesses in the region to self-assess sustainability performance, in order to celebrate the work they have done and progress further with sustainability actions. The tool will be accessible from the NAGA website. They aim to pilot the tool in the new financial year
- NAGA has worked with Women's Environmental Leadership Australia to deliver a leadership course for women in local government working in climate change. The short course ran in May 2023 and will be evaluated when it finishes.

### **Advocacy 2022-2023**

#### ***Planning for a Safe Climate***

- NAGA led cross-Greenhouse Alliance and CASBE advocacy for improvements to the Victorian planning system to deliver climate change mitigation and adaptation outcomes.
- Alliances and councils met with a number of Parliamentarians in the run-up to the 2022 state election, and had proactive support from the crossbench on our four key asks.
- The group is working with the MAV and the Planning Institute Australia to map out how advocacy on planning can continue.
- The report produced for NAGA by Hansen Partnerships for this campaign won an award at the Planning Institute Australia (PIA) Victoria state awards and a commendation at the **PIA National Awards for Excellence**.

### ***Submissions***

NAGA made submissions (<https://www.naga.org.au/submissions.html>) to the following consultations, jointly with the Greenhouse Alliances – all will be available on the NAGA website once submitted:

- Inquiry into the 2022 Flood Event in Victoria
- An Australian Fuel Efficiency Standard
- Australia's preparedness to host Commonwealth, Olympic and Paralympic Games
- National Electric Vehicle Strategy
- National Safeguard Mechanism
- Review of Australian Carbon Credit Units

### **Capacity Building**

#### ***Annual Victorian Greenhouse Alliances Conference***

The annual Victorian Greenhouse Alliances conference, attended in the past by over 300 officers and councillors from across local government, is on 4 August 2023 and tickets are now available. NAGA runs this conference every year on behalf of the Greenhouse Alliances.

#### ***Officer Working Groups***

NAGA continues to bring together officers who specialise in fleet management, economic development, and climate change adaptation to share ideas related to climate change and their area of expertise.

Finally, this month NAGA farewells Executive officer Karen Gardham after 6 years at NAGA. A new Executive Officer will be appointed in July.

### **COUNCIL RESOLUTION**

**Moved:** Councillor Stone

**Seconded:** Councillor O'Brien

1. That Council note this Delegate's Report.

**CARRIED UNANIMOUSLY**

## 12. General Business

### 12.1 Councillor O'Brien - Social Housing

#### **BACKGROUND**

Yarra City Council welcomes this weekend's announcement of a \$2 billion social housing fund by the Federal government.

We congratulate our local Federal member and their party for the work in negotiating this result.

We note the comments of the Prime Minister that a minimum of \$496 million from this fund would be earmarked for new social housing in Victoria and to upgrade existing stock.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor O'Brien

**Seconded:** Councillor Glynatsis

1. That Council:
  - (a) receive a report regarding the possibility of reopening a social housing project on the land Council owns next to Collingwood Town Hall following the announcement; and
  - (b) initiate discussions (through the Mayor and CEO) with the Federal and State governments regarding potential cooperation on this project and to report back to Councillors and Council as soon as possible.

**LOST**

#### **CALL FOR A DIVISION**

**For:** Councillor O'Brien, Nguyen and Glynatsis

**Against:** Councillor Crossland, Stone, Mohamud, Landes and Wade

**LOST**

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

**Moved:** Councillor Mohamud

**Seconded:** Councillor Crossland

That the meeting be adjourned for five minutes.

**CARRIED**

*The meeting resumed at 9.45pm.*

12.2 Councillor Mohamud - Social Housing

**COUNCIL RESOLUTION**

**Moved:** Councillor Mohamud

**Seconded:** Councillor Glynatsis

1. That Council:

- (a) welcomes this weekend's announcement of a \$2 billion social housing fund by the Federal government;
- (b) receive a report regarding issues and opportunities for new public housing on local-state-government owned land on sites including the following:
  - (i) Fitzroy Gasworks;
  - (ii) the Police warehouse on Wellington Street, Collingwood;
  - (iii) Provans warehouse in Clifton Hill; and
- (c) initiate discussions with the Federal and State governments with respect to the above.

**CARRIED**

**Conclusion**

The meeting concluded at 9.50pm.

Confirmed Tuesday 18 July 2023

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Mayor