



Ordinary Meeting of Council – Tuesday 12 December 2023

Meeting start – 6.32pm

Confirmation of minutes

COUNCIL RESOLUTION

Moved: Councillor Jolly **Seconded:** Councillor Landes

That the minutes of the Council Meeting held on Tuesday 14 November 2023 be confirmed.

Division

For: Cr O'Brien, Stone, Wade, Landes, Crossland, Glynatsis and Jolly

Against: Nil

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION

Moved: Councillor Wade **Seconded:** Councillor Glynatsis

That the minutes of the Council Meeting held on Wednesday 15 November 2023 be confirmed.

Division

For: Cr O'Brien, Stone, Wade, Landes, Crossland, Glynatsis and Jolly

Against: Nil

CARRIED UNANIMOUSLY

Council business reports

7.1 Amendment C273yara - Heidelberg Road Permanent Built Form Provisions - Consideration of Submissions

Reference	D23/454172
Author	Adam Quintiliani - Strategic Planner
Authoriser	General Manager City Sustainability and Strategy
Disclosure	The authoriser, having made enquiries with members of staff involved in the preparation of this report, asserts that they are not aware of any general or material conflicts of interest in relation to the matters presented.

RECOMMENDATION

Start time: 6.45pm

1. That Council:
 - (a) notes the officer report regarding draft Amendment C273yara in relation to the Heidelberg Road area;
 - (b) receives, notes and formally considers all submissions received in response to the public notice of draft Amendment C273yara completed in accordance with Stage 1 of the Yarra Activity Centres Standing Advisory Committee Terms of Reference dated 10/06/2021;
 - (c) notes and adopts the officer response to the issues raised by submissions as outlined in this report and Attachments 1 and 2;
 - (d) adopts the recommended changes to draft Amendment C273yara, as outlined in this report and Attachments 1, 2 and 3 for the purposes of Council's advocacy position before the Yarra Activity Centres Standing Advisory Committee;
 - (e) refers all submissions, response to those submissions and preferred draft Amendment C273yara as outlined in (d) above to the Minister for Planning with a request to refer the draft Amendment to the Standing Advisory Committee in accordance with Clause 28 of the Yarra Activity Centres Standing Advisory Committee Terms of Reference dated 10/06/2021;
 - (f) writes to all landowners and occupiers directly affected by the recommended changes depicted in paragraph (c) and (d) to the DDO schedule and to all submitters to:
 - (i) advise of Council's decision to request the Minister for Planning to refer draft Amendment C273yara to the *Yarra Activity Centres Standing Advisory Committee*;
 - (ii) advise of Council's position as stated in paragraph (c) and (d); and
 - (iii) advise that if they make a submission in relation to the recommended changes depicted in paragraph (c) and (d) prior to the Standing Advisory Committee commencing its hearing into the draft Amendment C273yara, the new or varied submission will be referred to the Minister with a request that it be referred to the Standing Advisory Committee;
 - (g) notes that officers will provide a further report to Council following the receipt of the Standing Advisory Committee Report; and

- (h) authorise the CEO to make any minor adjustments required to meet the intent of Resolution 1 of this report.

Public Submissions

The following people addressed Council on the matter.

Peter Fry;

Panayota Miller;

Giovanni John Sorrentino; and

Bob Firth.

7.1 - COUNCIL RESOLUTION

Moved: Councillor O'Brien

Seconded: Councillor Jolly

1. That Council:

- (a) notes the officer report regarding draft Amendment C273yara in relation to the Heidelberg Road area;
- (b) receives, notes and formally considers all submissions received in response to the public notice of draft Amendment C273yara completed in accordance with Stage 1 of the Yarra Activity Centres Standing Advisory Committee Terms of Reference dated 10/06/2021;
- (c) notes and adopts the officer response to the issues raised by submissions as outlined in this report and Attachments 1 and 2;
- (d) adopts the recommended changes to draft Amendment C273yara, as outlined in this report and Attachments 1, 2 and 3 for the purposes of Council's advocacy position before the Yarra Activity Centres Standing Advisory Committee with the following changes to apply:
 - (i) In Attachment 3 Design and Development Overlay Schedule 18, at Clause 2.2.4 Interface and rear setback requirements, amend the first requirement relating to the maximum rear wall height from 8 metres to 5 metres for Precinct 2.
- (e) refers all submissions, response to those submissions and preferred draft Amendment C273yara as outlined in (d) above to the Minister for Planning with a request to refer the draft Amendment to the Standing Advisory Committee in accordance with Clause 28 of the Yarra Activity Centres Standing Advisory Committee Terms of Reference dated 10/06/2021;
- (f) writes to all landowners and occupiers directly affected by the recommended changes depicted in paragraph (c) and (d) to the DDO schedule and to all submitters to:
 - (i) advise of Council's decision to request the Minister for Planning to refer draft Amendment C273yara to the *Yarra Activity Centres Standing Advisory Committee*;
 - (ii) advise of Council's position as stated in paragraph (c) and (d); and
 - (iii) advise that if they make a submission in relation to the recommended changes depicted in paragraph (c) and (d) prior to the Standing Advisory Committee commencing its hearing into the draft Amendment C273yara, the new or varied submission will be referred to the Minister with a request that it be referred to the Standing Advisory Committee;



- (g) notes that officers will provide a further report to Council following the receipt of the Standing Advisory Committee Report; and
- (h) authorise the CEO to make any minor adjustments required to meet the intent of Resolution 1 of this report.

Division

For: Cr O'Brien, Stone, Wade, Landes, Crossland, Mohamud, Glynatsis and Jolly

Against: Nil

CARRIED UNANIMOUSLY