Minutes

Council Meeting

7.02pm, Tuesday 6 December 2022

Ms Teams

www.yarracity.vic.gov.au

1. Acknowledgement of Country

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

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

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

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

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

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

• Cr Claudia Nguyen	Mayor
• Cr Edward Crossland	Deputy Mayor
• Cr Herschel Landes	Councillor
• Cr Anab Mohamud	Councillor
• Cr Bridgid O'Brien	Councillor
• Cr Sophie Wade	Councillor

Council officers

• Sue Wilkinson	Chief Executive Officer
• Brooke Colbert	Group Manager Advocacy and Engagement
• Malcolm Foard	Director Community Wellbeing
• Chris Leivers	Director City Works and Assets
• Wei Chen	Director Corporate, Business and Finance
• Mary Osman	Director Planning and Place Making
• Rhys Thomas	Senior Governance Advisor
• Mel Nikou	Governance Officer

Apologies

• Cr Gabrielle de Vietri	Councillor
• Cr Amanda Stone	Councillor
• Cr Stephen Jolly	Councillor

3. Announcements

No announcements were made

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

Councillor Wade declared a conflict of interest on item 8.1

Councillor Mohamud declared a conflict of interest on item 8.2

Senior Governance Advisor Rhys Thomas declared a conflict of interest on item 8.1

8.1 Draft Amendment C271 - permanent DDOs for Fitzroy and Collingwood

Reference	D22/311820
Author	Joerg Langeloh - Project and Policy Coordinator
Authoriser	Director Planning and Place Making

Councillor Wade left the meeting due to a conflict of interest at 7.09pm

RECOMMENDATION Start time: 7.09pm

1. That Council:

   (a) notes the officer report and Attachments 1-25 introducing proposed permanent provisions for the activity centres and associated mixed-use zone areas in Fitzroy and Collingwood;

   (b) Adopts the built form framework reports, heritage built form review and recommendation reports and traffic engineering assessment reports as background documents, as listed in Table 1 of this report and as in Attachments 1-16 and 21, as the general basis for Amendment C271 to the Yarra Planning Scheme;

   (c) Adopts the amendment documentation for proposed Amendment C271, including proposed local planning policy in Clause 11.03-1L Activity Centres (or to be placed in Clause 21.12 Local Areas should C269 not be approved at the time of the exhibition), new permanent Design and Development Overlay Schedules 29 to 40, new Heritage Overlays 506 and 507 and their Statements of Significance with relevant updates to the Schedule to Clause 43.01 Heritage Overlay, and relevant updates to the Schedule to Clause 72.04 Incorporated Documents and 72.08 Background Documents at Attachments 20 and 22-25 as the basis for draft Amendment C271;

   (d) Requests consent from the Minister for Planning to prepare and exhibit draft Amendment C271 as per the Terms of Reference for the Yarra Activity Centre Standing Advisory Committee, appointed under Section 151 of the Planning and Environment Act 1987;

   (e) Determines that should the Minister for Planning decide not to provide consent under the Terms of Reference for the Yarra Activity Centre Standing Advisory Committee, Council as the Planning Authority, apply to the Minister for Planning (Minister) under section 8A of the Planning and Environment Act 1987, for 'authorisation to prepare and exhibit the Amendment';

   (f) Requests the Minister for Planning to prepare, adopt and approve Amendment C313yara to the Yarra Planning Scheme, in accordance with the Minister's powers under sections 8(1)(b) and section 20(4) of the Planning and Environment Act 1987 to extend the expiry dates for the Design and Development Overlays Schedules 30, 35, 36, 37, 38, 39 and 40, on an interim basis for 12 months while the permanent provisions are formally considered;

   (g) Authorises officers to consult with the Minister, in accordance with sections 8(1)(b) and 20(4) of the Act, to assist the Minister to prepare, adopt and approve the Amendment to extend the interim provisions; and

   (h) Authorises the CEO to make any minor adjustments required to meet the intent of the resolution.

Public Submissions

The following people addressed Council on the matter:

Dawn Trainor;

Glen McCallum;

Rachel Axton;

Anne Horrigan-Dixon; and

Ben McMahon.

MOTION

Mover: Councillor Crossland **Seconder:** Councillor Mohamud

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      (i) In maps of DDO 32 Johnston Street West and DDO36 Johnston Street North and Fitzroy East, reducing the street wall heights along Johnston Street from 4 storeys to 3 storeys (Johnston Street only);
      (ii) In all DDOs that include preferred building height requirements in Clause 2.5 Building Height Requirements, adding the following to the preferred height requirements:
         a. "*provision of end-of-trip facilities, including secure bicycle parking, locker and shower facilities and change rooms in excess of the requirements of Clause 52.34;*
         b. *housing for diverse household types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations; and*
         c. *accessibility provision objective that exceeds the minimum standards in Clauses 55.07 and/or 58 as relevant*;"
      (iii) In all DDOs that include overshadowing requirements for open space in Clause 2.7 Overshadowing and Solar Access Requirements, changing the open space overshadowing requirement from preferred to mandatory;
      (iv) In all DDOs, adding the following requirement to Clause 2.9 Other Design Requirements: "*New development considers opportunities for lot consolidation to achieve high quality design and heritage outcomes*."

(v) In all DDOs, replacing the following requirement in Clause 2.10 Access, Parking and Loading Bay Requirements:

"*Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses*."

with:

"*Resident and staff bicycle parking should be located, preferably at ground floor, and designed to be secure and conveniently accessible from the street and associated uses.*"

(vi) In Clause 11.03-1L Activity Centres – Major Activity Centres, under both Brunswick Street and Smith Street, include the following policy: "*Consider further opportunities for quality shared zones, enhancements to the laneway network and vehicle access outcomes that will provide safe pedestrian and cycle friendly linkages*";

(d) Requests consent from the Minister for Planning to prepare and exhibit draft Amendment C271 as per the Terms of Reference for the Yarra Activity Centre Standing Advisory Committee, appointed under Section 151 of the Planning and Environment Act 1987;

(e) Determines that should the Minister for Planning decide not to provide consent under the Terms of Reference for the Yarra Activity Centre Standing Advisory Committee, Council as the Planning Authority, apply to the Minister for Planning (Minister) under section 8A of the Planning and Environment Act 1987, for 'authorisation to prepare and exhibit the Amendment';

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(g) Authorises officers to consult with the Minister, in accordance with sections 8(1)(b) and 20(4) of the Act, to assist the Minister to prepare, adopt and approve the Amendment to extend the interim provisions; and

(h) Authorises the CEO to make any minor adjustments required to meet the intent of the resolution.

AMENDMENT

Mover: Councillor O'Brien

Delete paragraph 1 (c) (iv) as stated below:

In all DDOs, adding the following requirement to Clause 2.9 Other Design Requirements: "*New development considers opportunities for lot consolidation to achieve high quality design and heritage outcomes*."

Motion lapsed for want of a seconder.

COUNCIL RESOLUTION

Moved: Councillor Crossland **Seconded:** Councillor Mohamud

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         b. *housing for diverse household types, including people with disability, older persons, and families, through the inclusion of varying dwelling sizes and configurations; and*

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      (iv) In all DDOs, adding the following requirement to Clause 2.9 Other Design Requirements: "*New development considers opportunities for lot consolidation to achieve high quality design and heritage outcomes*."

      (v) In all DDOs, replacing the following requirement in Clause 2.10 Access, Parking and Loading Bay Requirements:

      "*Resident and staff bicycle parking should be located and designed to be secure and conveniently accessible from the street and associated uses*."

      with:

      "*Resident and staff bicycle parking should be located, preferably at ground floor, and designed to be secure and conveniently accessible from the street and associated uses.*"

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(h) Authorises the CEO to make any minor adjustments required to meet the intent of the resolution.

CARRIED

CALL FOR A DIVISION

For: Councillors Crossland, Mohamud, Nguyen, Landes and Wade

Against: Councillor O'Brien