



Ordinary Meeting of Council Minutes

**held on Tuesday 16 May 2017 at 7.00pm
Richmond Town Hall**

www.yarracity.vic.gov.au

1. Statement of Recognition of Wurundjeri Land

"Welcome to the City of Yarra."

"Yarra City Council acknowledges the Wurundjeri as the Traditional Owners of this country, pays tribute to all Aboriginal and Torres Strait Islander people in Yarra and gives respect to the Elders past and present."

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

- Cr Amanda Stone (Mayor)
- Cr Danae Bosler
- Cr Mi-Lin Chen Yi Mei
- Cr Misha Coleman
- Cr Jackie Fristacky
- Cr Mike McEvoy
- Cr Daniel Nguyen

Council officers

- Ivan Gilbert (Acting Chief Executive Officer)
- Ange Marshall (Acting Director - Corporate, Business and Finance)
- Chris Leivers (Director - Community Wellbeing)
- Joanne Murdoch (Director - Advocacy and Engagement)
- Jane Waldock (Acting Director - Planning and Place making)
- Guy Wilson-Browne (Director - City Works and Assets)
- Fred Warner (Group Manager – People, Culture and Community)
- Mel Nikou (Governance Officer)

Leave of absence

- Cr James Searle

Apology

- Cr Stephen Jolly

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

Nil

4. Confidential business reports

Nil

5. Confirmation of minutes

COUNCIL RESOLUTION

Moved: Councillor Bosler

Seconded: Councillor Chen Yi Mei

That the amended minutes of the Ordinary Council Meeting held on Tuesday 2 May 2017 be confirmed.

CARRIED

Councillor Coleman abstained

6. Petitions and joint letters

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13. Urgent business

Nil

6. Petitions and joint letters

6.1 Waste Service Charge

Reference: D17/60092

A joint letter containing 79 signatures from Yarra residents are objecting to Council's proposal to impose a separate waste service charge on top of the general rates. Residents regard waste collection as a basic component of the rates that they are already paying and object to the overcoming the 2% rate cap implemented by the State Government.

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Fristacky

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

CARRIED

6.2 Bin the Bin Tax

Reference: D17/59504

A joint letter containing 104 signatures from Yarra residents are requesting that Councillors reject the proposed budget as residents believe the budget should do more to respect the intent of the "Fair Go" rate cap, introduced to constrain Council spending and cap the cost of living expenses for ratepayers before a new waste levy is introduced.

Residents also believe rate payers are being asked to raise the \$8.5m through a new waste levy to help Council's \$45m debt as part of the Council's 2017/18 budget.

COUNCIL RESOLUTION

Moved: Councillor Chen Yi Mei

Seconded: Councillor Bosler

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

CARRIED

7. Public question time

- 7.1 Mr Christopher Belford, South Fitzroy Protection Group - re No protection on the north side of Victoria Parade

Question:

Victoria Parade is one of Melbourne's premier tree line boulevards and it is under threat. The south side is protected at least to some extent by the planning restrictions set by the City of Melbourne. There is no such protection on the north side. Some of the threats to Victoria Parade include: St Vincents Private Hospital want to build a multistorey building destroying important heritage, the Australian Catholic University want to build a sixty meter building that would destroy heritage, elm trees and the amenity of Napier Street, as well as compromise the bike route on Napier Street.

Will Council commit to the process required to give the north side of Victoria Parade the sort of protection that the City of Melbourne has provided on the south side?

Response:

The Mayor advised that it would need a Council Resolution however did advise that Councillors would commit in principal to protecting the boulevard of Victoria Parade, however the actual mechanism for that would require many steps.

The Acting Director Planning and Place Making took the question on notice, however would provide an indication of when officers would be able to do that piece of work.

Cr Chen Yi Mei – Could we get some advice on what protection the City of Melbourne are offering that the City of Yarra is not offering?

- 7.2 Mr Mark Waters - Richmond Senior Citizens Centre at Hosie Street Richmond

Question:

I recently visited the Richmond Senior Citizens Centre and was told the facility is dirty for the exercise classes, the kitchen is filthy and the seating is stained and I can certainly say the windows looked unwashed. The men's toilets are a step-up urinal, not appropriate for the senior centre. A 92 year old lady told me that they cannot use the commercial kitchen so they buy junk food instead. Loughnan Hall is also covered in what I believe is called 'morning glory' and an asbestos roof. In comparison, across from Hosie Street is 345 Bridge Road, the toilets on level 1 are beautiful.

When will facilities for seniors match facilities that are provided to Yarra staff?

Response:

The Director Community Wellbeing advised that Council have a range of senior facilities some of which have had more recent works than others, some of the facilities could use with some investment and there is a long term plan to do that. Council are currently doing works on the Collingwood Senior Citizens Centre, we have an investment in the draft budget for the Mark Street Hall which is used by seniors and seniors operating out of the new Bargoonga Nganjin North Fitzroy Library that has recently opened, so there is investment in facilities for seniors, not to the level that we would like to all of our facilities, but are on our forward program to do so. We are looking at Loughnan Hall and Hosie Street as priorities but we don't have large funds allocated to those in the next 12 months and whilst we don't have major capital funds allocated we will continue to renew them and keep them on track

through our maintenance budget.

Cr Fristacky – Can we get an undertaking to do a thorough clean of the facilities described particularly at Hosie Street?

The Director Community Wellbeing advised that staff will inspect the facility and if there is a need, staff will address the cleanliness.

Cr McEvoy – Can we get a ball park figure of what kind of investment would be required to rejuvenate those facilities? What kind of amount would we want to try and get into the budget if we were going to do that work?

The Director Community Wellbeing advised the intent is to bring a report to Council in the second half of the year dealing with Hosie Street and Loughnan Hall, Loughnan Hall as an example has been a facility that Council has considered in previous years and have a range of options there, it is not as simply as do we invest or not, there are a range of options for the facility. As an estimate, if we wanted to do a major refurbishment to get that to standard, that would be around \$700k. Council may want to do more or less depending on the outcome their seeking.

8. General business

8.1 Morang Railway Line Bridge - Lighting

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor McEvoy

That the Mayor write to the Minister for Public Transport seeking a meeting with Yarra's Mayor and CEO on representations to ensure that lighting is installed on the pedestrian bridge attached to the railway bridge over the Merri Creek between Rushall Station in Yarra and Merri Station in Darebin.

CARRIED UNANIMOUSLY

Background

Submission by Fitzroy North Resident to Council - City of Yarra

Dear Councillor Fristacky

Thank you for the opportunity to present my letter to Council requesting support and intervention in this matter of placing night lights. There have been ongoing correspondence and discussions with Minister for Public Transport, Council and the PTV regarding the provision of night lights over the Rushall Bridge at the end of Holden St., Fitzroy North.

Put simply, the rail bridge over the Merri Creek has an attached pedestrian bridge which was added at some date after the original bridge was constructed. The bridge is a major access point used by locals and people wishing to cross the Merri Creek and go to Westgarth and up to the High Street shops.

There are NO night lights across the bridge so it is quite dark at night (See the photos below) and has become a security risk for people crossing the bridge. A number of women have been attacked at night in recent years in the vicinity of the bridge.

If this pedestrian bridge were built now, it would include lights but standards were different in the past.

I initially requested Council to place night lighting across the bridge and help make the area safer but was informed by Council officers that the bridge was the property of Metro Trains and the matter should be referred to that agency.

I followed this up with numerous letters to the Minister and PTV. The Minister initially informed me that the PTV would install lights across the bridge, but later withdrew that advice indicating it was all a mistake and that she had been misinformed by the PTV staff (Council officers have copies of the Ministerial correspondence).

So after six months of discussion and correspondence, the community is no better off and the bureaucrats have washed their hands of the matter. Winter is almost here, and the nights are darker earlier so the risk of women being attacked in vicinity of the bridge increases.

I request that the City of Yarra pursue this matter, with the Mayor writing to the Minister seeking a meeting of the Minister with Yarra's Mayor and CEO to ensure ensuring the lighting is installed.

I am happy to provide further information as needed or participate in any future meeting organised on this matter.

8.2 2017-18 Budget and Long Term Financial Strategy

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Bosler

1. That officers prepare an alternate Budget 2017-2018 and Long Term Financial Strategy that does not include a new waste service charge, to present to Council, in addition to the advertised budget, on 6 June.
2. That officers also provide a consultation plan for any alternate proposed budget which might be adopted in principle by Council on 6 June.

CARRIED UNANIMOUSLY

9. Delegates' reports

9.1 Councillor McEvoy - Metropolitan Local Government Waste Forum

Councillor McEvoy reported the following:

Denise Thorson, Principal Planner, Plan Melbourne Refresh, DELWP and Emily Hillebrand, Director, Urban Renewal, Victorian Planning Authority spoke about Plan Melbourne and its implementation. Julie Garbutt, Acting Director of Strategy and Projects at MWRRG spoke about the Metropolitan Implementation Plan. A panel also discussed land use planning and Local Government. The number of times the word 'plan' was used in that sentence is telling.

Significantly, members of the forum raised questions about the distribution of the Municipal and Industrial Landfill Levy collected by State Government.

Cr Jim Child moved a motion to write to the Minister for Energy, Environment,

Climate Change regarding the use of landfill levies. Two amendments were made to this original motion.

The consolidated and carried motion is:

That councillors seek their council's consideration of the Metropolitan Local Government Waste Forum writing to the Minister for Energy, Environment, Climate Change requesting that funds generated through the collection of the Municipal and Industrial Landfill Levy be constrained to the purposes for which the Levy was introduced and raising concerns with the Levy funds currently being allocated to supplement Parks Victoria initiatives not related to the original purposes of the Levy.

Should councils support this action, councils should provide their own data on the amount of levy they have contributed and received back to provide a solid evidence base.

Background to the motion from Cr Jim Child

It has been identified in the State Government Budget that funds have been allocated to Parks Victoria for the purpose of providing additional resources to ensure safe and equitable access to parks, which includes the redevelopment of the Parks Victoria website and a new asset management system that will replace the large asset base of Parks Victoria.

Funding is also provided to Parks Victoria to start the process of acquiring land to establish three new metropolitan parks in Melbourne's growth areas, and Anglesea Heath will be incorporated into the Great Otway National Park. It has been stated that these initiatives will be funded from the Municipal and Industrial Landfill Levy.

The landfill levy which member Councils contribute to annually was established to provide funding assistance to establish waste management infrastructure, support programs for industry, education programs and the resourcing of the bodies responsible for waste planning and management in Victoria. The levy also acts as an incentive to minimise the generation of waste and promote investment in developing alternatives to disposal to landfill.

It is considered that the items outlined in the budget paper for Parks Victoria do not meet the intent of the allocation of this fund.

COUNCIL RESOLUTION

Moved: Councillor McEvoy

Seconded: Councillor Chen Yi Mei

1. That Council:
 - (a) note the report;
 - (b) express support for Metropolitan Local Government Waste Forum's advocacy to the Minister for Energy, Environment, Climate Change requesting that funds generated through the collection of the Municipal and Industrial Landfill Levy be constrained to the purposes for which the Levy was introduced and that innovative waste and resource recovery projects initiated by Local Councils be supported as a priority; and
 - (c) request officers to provide to Councillors Yarra's data on the amount of levy Council has contributed and received back in time for the next MLGWF meeting.

CARRIED UNANIMOUSLY

9.2 Councillor McEvoy - Yarra Libraries Advisory Committee

Councillor McEvoy reported the following:

The LAC meeting was held in the recently opened Bargoonga Nganjin and members received a tour of the new facility. The main agenda item was a workshop to review the role, function and performance of LAC. It was agreed that;

- The LAC is 'refreshed' with an improved focus on using assisting with ongoing community engagement and strategic considerations for the library service.
- The committee could expand to ten people to ensure quorum for meetings, and diversity of representation.
- The TOR will be refreshed and regularly reviewed.

COUNCIL RESOLUTION

Moved: Councillor McEvoy

Seconded: Councillor Fristacky

That Council note the Delegates' report.

CARRIED UNANIMOUSLY

9.3 Councillor McEvoy - Visit to Melbourne Zoo to inspect their HotRot organic waste recycling unit

Councillor McEvoy reported the following:

On Monday 8th May, 2017 Cr McEvoy and Cr Chen Yi Mei toured Melbourne Zoo's organic waste recycling facility and were briefed by Melbourne Zoo staff on the operation and functionality of the HotRot technology to recycle organic waste.

The HotRot is a composting system for processing organic waste on-site and is designed to compost large amounts of putrescible waste that produces a compost by-product. It has been in operation at the Zoo for 5 years. As an early adopter, Melbourne Zoo has successfully assessed and addressed teething problems of the technology and is now skilled in capitalising its efficiency.

A Melbourne Zoo staff member gave us a step-by-step guided tour through the processes and systems employed by Melbourne Zoo to manage their on-site self-contained organic waste recycling using the HotRot to compost the Zoo's green and food waste.

Melbourne Zoo reports to have saved a significant amount* (to be noted later in the minutes if possible) by reducing the amount of waste sent to landfill. Further, a modest income from the sale of the compost by-product generated by the process has been sold at approximately \$25 per cubic metre.

The environmental benefits of closing the loop on the organic waste disposal was discussed. Significantly, it was noted that the investment in the HotRot by Melbourne Zoo has reduced the Zoo's carbon footprint by reducing the releases of methane produced by rotting food waste in landfills, as well as the reduction in the use of trucks to transport food waste to landfill.

It was discussed that if Council decides to invest in a HotRot to service the municipality, Council will have the benefit of the learning's and experience of Melbourne Zoo as well as the systems adopted including lessons concerning behaviour change and education required to reduce contamination. Significantly, Melbourne Zoo indicated that they would be available to support Yarra's staff by sharing knowledge and lessons learned. It is noted that Yarra proposes to trial 5000 participating households.

Approximately 45% of household waste in Yarra is food waste. When green waste is added to this, organic waste amounts to over 50% of the waste sent to landfill. Given the rising cost of waste management, both financially and environmentally, organic waste represents a significant opportunity for Council. The trial alone will help divert 910 tonnes of organic waste from landfill and save the equivalent greenhouse gas emissions to those generated by the Richmond Leisure Centre.

Council has included funds to support this project in the 2017/18 Draft Budget. We have also applied for an Infrastructure Grant from Sustainability Victoria's Resource Recovery Infrastructure Fund.

COUNCIL RESOLUTION

Moved: Councillor McEvoy

Seconded: Councillor Chen Yi Mei

1. That Council:

- (a) note the report and thank staff at Melbourne Zoo for their time; and
- (b) receive a briefing from Sustainability Officers on the organic waste recycling project including;
 - (i) the viability of Burnley Depot and other potential locations for the HotRot;
 - (ii) alternative funding options should the grant application to Sustainability Victoria be unsuccessful; and
 - (iii) the potential for Council to reduce bin sizes and/or waste collection frequency in the future.

CARRIED

10. Questions without notice

10.1 Councillor Coleman - Increased charges for Willowview

Question:

Residents have requested information in regards to the increased charges for the Willowview scheme which came through about five weeks ago. The resident alerted Councillors to the fact that the Willowview scheme charges were going from \$7 to \$34 and also related whether that increase would be picked up by NDIS or other means.

Can you please provide a response?

Response:

The Director Community Wellbeing took the question on notice.

The Acting Director Corporate Business and Finance took the question on notice.

10.2 Councillor McEvoy - Interim Controls re Queens Parade DDO

Question:

The interim controls have been issued by the Planning Minister for the southern section of Queens Parade DDO and the work is underway by the Strategic Planners at Yarra for the northern section of that precinct.

What is the progress on the remaining two stages of the Queens Parade DDO?

Response:

The Acting Director Planning and Place Making took the question on notice.

10.3 Councillor Stone - Timeline's on the Design Development Overlays

Question:

There have been a number of resident groups interested in a number of pieces of strategic work and we had another one introduced a new idea tonight.

Is it possible for Councillors to have a list of the timelines for all of those pieces of strategic works and when they are expected to be completed?

Response:

The Acting Director Planning and Place Making advised that the information will be provided.

10.4 Councillor McEvoy - Passenger Vehicles in Yarra Fleet

Question:

With the number of passenger vehicles that are in our fleet, how often they are simultaneously in use and how often do they sit idle?

Response:

The Director City Works and Assets advised to provide Councillors with that information. Officers do fleet utilisation data and studies and part of the improvement review in the last twelve months has been to reduce the size of the fleet and moving towards fuel efficient vehicles.

11.1 Planning Fees for Solar Panel Applications

Trim Record Number: D17/50983

Responsible Officer: Director Planning and Place Making

RECOMMENDATION

1. That Council note the officer report in relation to the statutory planning fees for solar panels.
2. That Council note that solar panels are only one form of environmentally sustainable design elements that can be used to improve the sustainability of buildings.
3. That in this regard, Council resolve to not waive or lower the fee for solar panels as that would create an inconsistency with other development applications that include other forms of Environmentally Sustainable Design elements.

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Fristacky

1. That the report be deferred to the next Council Meeting for consideration of the alternate amended motion.

CARRIED

11.2 Quarterly Financial Report - March 2017

Trim Record Number: D17/54909

Responsible Officer: Director Corporate, Business and Finance

Councillor Nguyen arrived at 8.13pm

Councillor Bosler left the meeting at 8.35pm

Councillor Bosler returned to the meeting at 8.37pm.

RECOMMENDATION

1. That Council approves and adopts the quarterly financial report for the period ending 31 March 2017, in accordance with sections 137 & 138 of the *Local Government Act 1989*.

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Fristacky

1. That Council approves and adopts the quarterly financial report for the period ending 31 March 2017, in accordance with sections 137 & 138 of the *Local Government Act 1989*.

CARRIED UNANIMOUSLY

11.3 Annual Plan Quarterly Progress Report - March 2017

Trim Record Number: D17/57598

Responsible Officer: Manager Corporate Performance

RECOMMENDATION

1. That Council note the Yarra City Council Annual Plan Quarterly Progress Report – March 2017, attached to this report as Attachment 1.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor McEvoy

1. That Council note the Yarra City Council Annual Plan Quarterly Progress Report – March 2017, attached to this report as Attachment 1.

CARRIED

12.1 Notice of Motion No 12 of 2017 – “Making Renting Fair Campaign”

Trim Record Number: D17/58696

Responsible Officer: Group Manager Chief Executive's Office

COUNCIL RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor Bosler

1. That Council:
 - (a) note that the Victorian Government is currently reviewing the *Residential Tenancies Act 1997* (the Act), which controls safety, security and privacy for some 1.2 million people across the state;
 - (b) note the request from the Tenant's Union of Victoria seeking Council's support to:
 - (i) securing fair rental laws in Victoria as part of the Victorian Government's current review of the Act; and
 - (ii) the "Make Renting Fair Campaign" which seeks:
 - a. removal of 'no reason' eviction notices;
 - b. reforming of unjust tenancy database practices;
 - c. introduction of minimum property standards that address health, safety and energy efficiency;
 - d. creation of incentives for landlords to undertake necessary repairs;
 - e. prevention of unwanted visits and photography;
 - f. allowing tenants to undertake reasonable modifications;
 - g. prevention of unreasonable evictions;
 - h. implementation of the recommendations of the Royal Commission into Family Violence;
 - i. maintenance of existing protections for vulnerable tenants;
 - j. rejection of punitive measures currently under consideration, including:
 - i. making evictions quicker and easier;
 - ii. enforcing onerous and unfair lease terms;
 - iii. introducing new bond payments for pet owners; and
 - iv. restricting stays by guests and family; and
 - (c) promote its support of the Make Renting Fair Campaign within the municipality and write to the Minister for Consumer Affairs, The Hon. Marlene Kairouz, advocating for fair rental laws as outlined above.

CARRIED UNANIMOUSLY

Conclusion

The meeting concluded at 8.44pm.

Confirmed Tuesday 6 June 2017

Mayor