



# **Ordinary Meeting of Council Minutes**

**held on Tuesday 5 August 2014 at 7.00 pm  
at the Richmond Town Hall**

**[www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au)**

## 1. Statement of Recognition of Wurundjeri Land

*“Welcome to the City of Yarra. Council acknowledges the Wurundjeri community as the first owners of this country. Today, they are still the custodians of the cultural heritage of this land. Further to this, Council acknowledges there are other Aboriginal and Torres Strait Islander people who have lived, worked and contributed to the cultural heritage of Yarra.”*

### 1a Mayor’s Acknowledgement

The Mayor acknowledged the 100 year anniversary of the outbreak of World War 1.

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

### Attendance

#### Councillors

- Cr Jackie Fristacky (Mayor)
- Cr Geoff Barbour
- Cr Roberto Colanzi
- Cr Misha Coleman
- Cr Sam Gaylard
- Cr Simon Huggins
- Cr Stephen Jolly
- Cr Amanda Stone
- Cr Phillip Vlahogiannis

#### Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Jack Crawford (Director Corporate and Financial Services)
- Ivan Gilbert (Executive Manager Governance)
- Craig Kenny (Director Community Programs)
- Bruce Phillips (Director City Development)
- Guy Wilson-Browne (Director Infrastructure Services)
- Mel Nikou (Governance Officer)

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

Nil

## 4. Confidential business reports

### Item

- 4.1 Contractual matters
- 4.2 Contractual matters
- 4.3 Contractual matters

## 5. Confirmation of minutes

### COUNCIL RESOLUTION

**Moved:** Councillor Colanzi

**Seconded:** Councillor Barbour

That the minutes of the Special Council Meeting on Monday 21 July and the corrected minutes of the Ordinary Council Meeting held on Tuesday 22 July 2014 be confirmed.

**CARRIED**

## 6. Petitions and joint letters

Nil

## 7. Public question time

Nil

## 8. General business

Nil

## 9. Delegates' reports

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## **12. Notices of motion**

Nil

## **13. Urgent business**

Nil

## Confidential business reports

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 89 (2) of the *Local Government Act 1989*. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

### COUNCIL RESOLUTION

**Moved:** Councillor Barbour

**Seconded:** Councillor Jolly

1. That the meeting be closed to members of the public, in accordance with section 89 (2) of the *Local Government Act 1989*, to allow consideration of contractual matters.
2. That all information contained within the Confidential Business Reports section of this agenda and reproduced as Council Minutes be treated as being and remaining strictly confidential in accordance with the provisions of sections 77 and 89 of the *Local Government Act 1989* until Council resolves otherwise.

**CARRIED**

Following consideration of Confidential business, the meeting resumed in open session.

## 6. Petitions and joint letters

Nil

## 7. Public question time

Nil

## 8. General business

Nil

## 9. Delegates' reports

- 9.1 Councillor Amanda Stone - Friends of Bacau - Victorian Local Governance Association Conference - Working Together with Timor-Leste - The Next 10 Years

Councillor Amanda Stone reported the following:

Friends of Bacau recently sponsored and hosted four local officials from Bacau District to attend the "Working Together with Timor-Leste – the next 10 Years" conference run by the Victorian Local Governance Association, 24-26 July.

The conference was the fourth such conference since Timor-Leste voted for

independence 14 years ago, and the beginnings of various friendship relationships were established. In 2000, Xanana Gusmao signed a “Statement of Principles for Victoria Local Governments Working in East Timor”. The first friendship conference was held later that year, and all but one have since been held in Timor-Leste. So it was significant that this conference was held in Melbourne and more so that four councils, including Yarra, signed Municipal Agreements with the Minister of State and President of the Timor-Leste Council of Ministers, Sr Agio Pereira. These agreements provide for social, cultural, economic and educational exchanges between local government areas and, in particular, providing support to the relevant district in Timor-Leste in their move to local government structures and local capacity building. For Yarra, this can strengthen the relationship between our LGA and the Bacau District.

There are over 40 friendship relationships linking Australian local governments and their communities with districts, subdistricts and succos in Timor-Leste. The conference heard from Timor-Leste leaders about the decentralisation process, not as an administrative end in itself, but as a means to boosting capacity building at the local level, improving skills of civil servants, increasing and improving democratic participation in government and ensuring free, fair and transparent local elections.

There can be a role for local governments in Australia through the municipal agreements, to support skill development to ensure the transition to local government in Timor-Leste is successful.

### **Victorian Local Governance Association Report on “Working with Timor-Leste” Conference**

As previously mentioned in this newsletter the Victorian and Timor-Leste governments have signed a bilateral protocol of cooperation to work together to support the decentralisation process in Timor-Leste. This week an exciting milestone was reached when four Victorian municipalities signed an agreement at an international conference in Melbourne to support this important process.

The initial agreements are between Yarra and Darebin councils and the district of Bacau, the City of Ballarat and Ainaro and the Rural City of Wangaratta and Oecussi. A further 11 Victorian municipalities are currently considering Timor-Leste Government’s request for partnership at the whole of district level.

Speaking at the *Working Together With Timor-Leste – The Next Ten Years* conference on 26 July 2014 Local Government Minister Tim Bull formally released *Partners in Government*, a review of the collaboration between Victoria and Timor-Leste over the past 10 years.

Other speakers at the conference – Samuel Mendonca, Secretary of State for Local Development and Directors General Abilio Caetano and Miguel Carvalho – outlined progress in the Timor-Leste Government’s decentralisation program. They stressed the importance of Australian Friendship Groups working within the framework of the National Program for Village Development and the broader process of decentralisation outlined at the conference.

Under this program, each suku (village) is developing its own priorities to allocate \$75,000 (USD) which the Timor-Leste Government has allocated recurrently to local development.

As agreed at the conference the Victorian Local Governance Association will continue to support Timor-Leste Friendship Groups and provide more information as the process of administrative decentralisation and government to government cooperation is finalised.

### **COUNCIL RESOLUTION**

**Moved:** Councillor Stone

**Seconded:** Councillor Coleman

That the delegate's report be accepted.

**CARRIED**

## **10. Questions without notice**

### 10.1 Councillor Roberto Colanzi - Queens Parade Plane Trees

Question:

Queens Parade Plane Trees – Heritage overlay and the various conditions with regards to the works that are about to start on those trees.

What is the situation now and with regards to obtaining the relevant permits to undertake works and then in turn, issues with consulting with residents about what is being proposed?

*Response*

*The Director Infrastructure Services advised:*

- (a) thirty mature plane trees have been removed in Queens Parade, from George Street up to Alexandra Parade;*
- (b) internal and independent arborists reported that the trees were at the end of their life and as a result would be dying soon and therefore needed to be replaced;*
- (c) officers entered into an extensive consultation processes, notifying over 600 residents and in response to that only received five submissions, no objections were received to the removal of the plane trees and two submissions that officers should be replacing the trees with native trees and not exotics;*
- (d) the removal of trees occurred in June this year and were replaced with Turkey Oaks in July;*
- (e) both the relevant managers and myself signed off on the process before the works commenced, officers had not appreciated that the trees were part of the heritage overlay;*
- (f) they are noted in the heritage overlay as being local trees of local significance due to the fact they are an avenue of trees, they are not an avenue of honour or planted by any notable historic persons, although it should have been picked up at the time by referral to the planning department to check whether*

*or not these trees were in a heritage overlay. It was an oversight and the process should have been to apply for a planning permit which would have allowed anyone to make an objection and if so the matter could have been referred to Internal Development Approvals Committee or Victorian Civil and Administrative Tribunal;*

- (g) officers believe given consultation that there would not have been any objections and as the responsible Director I accept accountability and apologise for the oversight; and*
- (h) the trees needed to be removed and replacement trees have been planted.*

10.2 Councillor Roberto Colanzi - Signage at Edinburgh Gardens

Question:

Installation of new signage at the shared bike path in Edinburgh Gardens. A number of residents are confused by the sign as they are not sure what it means. It seems to indicate slowing down of cyclists with regard to the shared pathway, is that correct and is that why it has been installed?

Response:

*The Director Infrastructure Services took the question on notice.*

10.3 Councillor Sam Gaylard - Solar Panels

Question:

Why has scaffolding been installed around the solar panels on three of Council's buildings including the Holden Street Neighbourhood House?

Will works be put on hold until a report is provided to the next meeting of Council?

Response:

*The Director Infrastructure Services undertook to provide a report to Council.*

10.4 Councillor Jackie Fristacky - Queens Parade Plane Trees

Question:

In relation to the trees in Queens Parade, what steps are in place to implement a checklist to ensure street trees with heritage significance are not removed?

Response:

*The Director Infrastructure Services advised:*

- (a) the process is being finalised with a tree register that includes a geographical record of all Council's trees that will be part of the GIS system that will have data and information about all Council's trees;*
- (b) any future removal or any works on a tree will require reference to the tree register. The tree register will have a flag for significant trees as well as trees under a heritage overlay; and*
- (c) officers will also be referencing that procedure in the new Street Tree Policy that is coming to Council in the next couple of months, so both the policy and street tree register will provide a safeguard to ensure this oversight does not occur again.*

10.5 Councillor Amanda Stone - Urban Forest Strategy and Heritage Trees

Question:

Given officers are in the process of developing the Urban Forest Strategy and that some of the heritage trees will need to be replaced at some stage. How is it planned to engage with various heritage groups and people with an interest in heritage as part of that process?

Response:

*The Director Infrastructure Services advised:*

- (a) once the Tree Register is complete, it will be converted into a Tree Asset Management Plan which will include:
  - (i) expected life of tree;*
  - (ii) when tree replacement will occur etc.; and*
  - (iii) consulting with all key stake holders, including heritage groups; and**
- (b) the Tree Asset Management Plan will be put out for exhibition for any feedback, followed by a report to Councillors seeking endorsement, before going back for consultation.*

10.6 Councillor Misha Coleman - Secondary School Study Final Report

Question:

Secondary School Study Final Report – What is the timeframe for the implementation of the 9 recommendations that Council adopted on Tuesday 8 July.

*Response:*

*The Director Community Programs took the question on notice.*

## 11. Council business reports

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### 11.1 Updated ESD Buildings Policy

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Trim Record Number: D14/87267

Responsible Officer: Director City Development

#### RECOMMENDATION

1. That Council:
  - (a) notes the officer report regarding the review of the Environmentally Sustainable Design Building (ESD) Policy; and
  - (b) endorses the updated Draft ESD Buildings Policy.
2. The effectiveness of the policy is to be reviewed 24 months after endorsement, and reported back to Council.

*Councillor Jolly left the meeting at 7.41pm.*

*Councillor Jolly returned to the meeting at 7.43pm.*

#### COUNCIL RESOLUTION

**Moved:** Councillor Gaylard

**Seconded:** Councillor Stone

1. That Council:
  - (a) notes the officer report regarding the review of the Environmentally Sustainable Design Building (ESD) Policy; and
  - (b) endorses the updated Draft ESD Buildings Policy.
2. That the effectiveness of the policy is to be reviewed 24 months after endorsement, and reported back to Council.
3. That officers report in November providing a list of Council buildings capable of supporting more solar panels and costs per site and the greenhouse gas saved.

**CARRIED**

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**11.2 Yarra Economic Development Strategy 2015 - 2020**

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Trim Record Number: D14/107577  
Responsible Officer: Manager City Strategy

**RECOMMENDATION**

1. That Council:
  - (a) notes the officer report regarding the preparation of a draft Economic Development Strategy;
  - (b) approves the public release of the Economic Development Strategy Background Report;
  - (c) approves placing the draft Economic Development Strategy on exhibition for four weeks from 18 August to 15 September 2014 to seek community feedback; and
  - (d) receives a further report to Council, following the consultation period, on the outcomes of the consultation process.

**COUNCIL RESOLUTION**

**Moved:** Councillor Colanzi

**Seconded:** Councillor Vlahogiannis

1. That Council:
  - (a) notes the officer report regarding the preparation of a draft Economic Development Strategy as amended;
  - (b) approves the public release of the Economic Development Strategy Background Report;
  - (c) approves placing the draft Economic Development Strategy on exhibition for four weeks from 18 August to 15 September 2014 to seek community feedback; and
  - (d) receives a further report to Council, following the consultation period, on the outcomes of the consultation process.

**CARRIED**

**Conclusion**

The meeting concluded at 7.57pm.

Confirmed Tuesday 19 August 2014

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Mayor