



# **Ordinary Meeting of Council Minutes**

**held on Tuesday 19 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 Comments

The Mayor noted that on 27 July 2014, Mr Scott Thornton of the Fitzroy Learning Network had passed away. Ms Anne Horrigan-Dixon, a former employee of the centre has arranged a memorial in Scott’s honour at the Fitzroy Town Hall on Sunday 31 August at 2.00pm.

## 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 – Chief Executive’s Office)
- Adrian Murphy (Acting Director Community Programs)
- Bruce Phillips (Director City Development)
- Guy Wilson-Browne (Director Infrastructure Services)
- Margaret Elvey (Governance Officer)
- Mel Nikou (Governance Officer)

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

Councillor Stone declared a conflict of interest on item 11.10 Municipal Agreement Between Yarra City Council and District of Baucau.

Councillor Gaylard declared a conflict of interest on confidential item 4.1.

#### 4. Confidential business reports

**Item**

- 4.1 Contractual matters
- 4.2 Matters prejudicial to Council and/or any person; AND Matters relating to legal advice
- 4.3 Matters prejudicial to Council and/or any person

#### 5. Confirmation of minutes

**COUNCIL RESOLUTION**

**Moved:** Councillor Vlahogiannis                      **Seconded:** Councillor Stone

That the minutes of the Ordinary Council Meeting held on Tuesday 5 August 2014 be confirmed.

**CARRIED**

#### 6. Petitions and joint letters

<b>Item</b>	<b>Page</b>
6.1 Temporary Use of Williams Reserve	7
6.2 Save Cubbies - Fitzroy Adventure Playground - Condell Street, Fitzroy	7

#### 7. Public question time

<b>Item</b>	<b>Page</b>
7.1 Mr Phillip Campbell - Planning Permit Application PLN14/0419	8

#### 8. General business

Nil

## **9. Delegates' reports**

<b>Item</b>		<b>Page</b>
9.1	Councillor Misha Coleman - Metropolitan Waste Management Group	8
9.2	Councillor Jackie Fristacky - Metropolitan Transport Forum	9

## **10. Questions without notice**

<b>Item</b>		<b>Page</b>
10.1	Councillor Misha Coleman - Secondary School Final Report	10
10.2	Councillor Amanda Stone - Delivery Trucks to Woolworths Fitzroy	11

## 11. Council business reports

Item		Page	Res. Page
11.1	2013/14 Annual Financial Statements and Performance Statement Adoption 'In Principle'	12	12
11.2	2014 Graffiti Management Framework: Policy and Strategy	13	13
11.3	River of Life Positive Ageing Strategy - Draft Stage Two Action Plan (Final)	14	14
11.4	Best Street Urban Design	15	15
11.5	Determination on Request to Name a Street in Honour of Jack Dyer	16	16
11.6	Appointment of Authorised Officers - Planning and Environment Act 1987	17	17
11.7	Draft Urban Agriculture Strategy	19	19
11.8	Planning and Logistics for New Year's Eve 2014/15	20	22
11.9	Cubbies Adventure Playground - Future Funding Options	23	24
11.10	Municipal Agreement Between Yarra City Council and District of Baucau	25	25

## 12. Notices of motion

Item		Page	Res. Page
12.1	Notice of Motion No 6 of 2014 - Funding for Midsumma – Councillor Simon Huggins	26	26

## 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 Huggins

**Seconded:** Councillor Vlahogiannis

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:
  - (a) contractual matters;
  - (b) matters prejudicial to Council and/or any person; and
  - (c) matters relating to legal advice.
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

### 6.1 Temporary Use of Williams Reserve

A joint letter and a petition containing 9 and 46 signatures respectively have been received from residents requesting that Council reject any use of Williams Reserve for construction purposes.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Coleman

**Seconded:** Councillor Barbour

That the joint letter and a petition be received and referred to the appropriate Officer for action.

**CARRIED**

### 6.2 Save Cubbies - Fitzroy Adventure Playground - Condell Street, Fitzroy

A petition containing 318 signatures has been received from residents requesting that Council increase their financial support for Fitzroy Adventure Playground – Cubbies, to ensure the continuity of this safe play and learning space for the benefit of local children, their families and the wider community.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Barbour

**Seconded:** Councillor Stone

That the petition be received and referred to the appropriate Officer for action.

**CARRIED**

## 7. Public question time

### 7.1 Mr Phillip Campbell - Planning Permit Application PLN14/0419

Question:

PLN14/0419 166 – 182 Gertrude Street, Fitzroy – Is Council going to insist on a public consultation process in relation to the proposed development (PLN14/0419)?

Is Council going to insist on the application of Australian Standard 2890 to the parking associated with that development?

Response:

*The Mayor advised that if there are six objections or more then the matter does go to a planning consultation meeting and objectors will be able to present their views on the objection to the developer applicant to take into account those comments and have the opportunity to modify the planning application.*

*The Mayor also noted that in relation to parking, it would be considered during the planning application assessment.*

*The Director City Development confirmed the Mayor's comments and noted that the planning scheme provides the parameters and considerations that Council must have regard to with the parking matter.*

*The Mayor noted that further to the planning consultation meeting, assuming the objections are continued, and the application is not refused by officers after consideration of the matter, the matter would go to an Internal Development Approvals Committee which consists of three councillors and there would be opportunity for further submissions.*

## 8. General business

Nil

## 9. Delegates' reports

### 9.1 Councillor Misha Coleman - Metropolitan Waste Management Group

Councillor Misha Coleman, as Council's delegate, reported on her attendance at the Metropolitan Waste Management Group Meeting held on Thursday 14 August.

The Metro Waste Forum was asked to consider Council's position with regard to the Landfill Levy. Despite a request made by Councillor Coleman directly to the Minister in early 2013 through the Forum, there is still no information about the quantum of fees collected by the State Government through this levy, nor what the full quantum of revenue collected is spent on. The statement of accounts for the Landfill Levy has still not been made public.



At the meeting Councillor Coleman moved the following motion which was supported 14 votes to 2:

- (a) that the Metro Waste Forum authorise the Chair to write to the Minister, requesting that the income and expenditure data related to the landfill levy be provided to the Forum within 2 months of the 14/8/14. This detail is requested from the commencement of the 08/09 financial year until now;
- (b) if the income and expenditure data is not provided in full within 2 months from Thursday 14 August 2014, that the Chair write to the Victorian Auditor-General requesting that an audit be conducted of the landfill levy, from the commencement of the 08/09 financial year until now;
- (c) that the Secretariat of the Metro Waste Forum reports back to the next forum with a report that outlines options for furthering the issues articulated in the paper presented tonight, and the subsequent suggestions and discussions from the floor, including reconsidering the current funding process that occurs through grant requests, that is:
  - (i) the timelines;
  - (ii) co-contributors;
  - (iii) the scope (needs to be broadened) on delivery of projects;
  - (iv) the provision of funding to replicate successful demonstration projects;
  - (v) increase the incentives to increase resource recovery and to reduce landfill; and
  - (vi) expand funding to Councils, to educate the community on recycling.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Coleman

**Seconded:** Councillor Gaylard

That the delegate's report be accepted.

**CARRIED**

#### 9.2 Councillor Jackie Fristacky - Metropolitan Transport Forum

Councillor Jackie Fristacky as Council's delegate to the Metropolitan Transport Forum reported that that 14 town hall meetings are being held by the MTF in conjunction with the Leader newspapers.

Successful meetings held last week:

1. City of Banyule - Tuesday 12 August – 160 attendees
2. City of Port Phillip - Wednesday 13 August – 150 attendees

3. Melbourne City Council - Thursday 14 August – approximately 400 attendees to hear Minister Terry Mulder, Shadow Minister, Jill Hennessy and Greens Spokesman, Greg Barber speaking on transport policies, chaired by Melbourne Lord Mayor, Robert Doyle.

Other Forums scheduled by the MTF are:

1. Whitehorse – Monday 25 August
2. Stonnington – Tuesday 26 August
3. Moonee Valley – Thursday 28 August
4. Whittlesea – Sunday 7 September
5. Yarra – Monday 8 September
6. Darebin – Tuesday 9 September
7. Glen Eria – Wednesday 10 September
8. Frankston – Thursday 11 September
9. Moreland – Monday 29 September
10. Western Suburbs Summit – Minister Mulder, Jill Hennessy and Colleen Harland – Wednesday 1 October
11. Melbourne (electorate) – Thursday 2 October
12. Monash – TBA

The Leader reported on Monday 28 August that it was proud to be joining MTF's twenty-three (23) Councils under the MTF banner to present these town hall meeting on transport.

These town hall meetings follow the highly successful similar meetings with candidates, held in 2010 by the MTF with the Leader prior the last State election.

The meetings provide the opportunity for community members to hear the key candidates and test the political aspirants on their transport policies in meeting community needs.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Fristacky

**Seconded:** Councillor Colanzi

That the delegate's report be accepted.

**CARRIED**

## **10. Questions without notice**

### **10.1 Councillor Misha Coleman - Secondary School Final Report**

Question:

When will officers provide advice on what is the timeframe for the implementation of the 9 recommendations adopted by Council on 8 July 2014?

*Response:*

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

10.2 Councillor Amanda Stone - Delivery Trucks to Woolworths Fitzroy

Question:

In relation to the practices of delivery trucks to Woolworths in Fitzroy and the complaints of local residents about the manoeuvres that the trucks take and the fact that they are apparently not complying with their planning permit. What further action can Council take to ensure that they do behave as good corporate citizens?

*Response:*

*Executive Manager Governance – Chief Executive’s Office advised that planning enforcement officers have been instructed to monitor that particular premises on a regular basis which they have been doing and he understood that officers made three visits on different times during the day on Saturday. Further to that, the company has been advised that the officers will not continue to issue penalties rather officers will take prosecutorial action.*

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**11.1 2013/14 Annual Financial Statements and Performance Statement Adoption 'In Principle'**


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Trim Record Number: D14/115181

Responsible Officer: Director Corporate and Financial Services

### RECOMMENDATION

1. That Council:
  - (a) notes the accompanying 2013/14 Annual Financial Statements (Financial Report and Standard Statements) and Performance Statement, and receives the endorsement of Council's Audit Committee;
  - (b) adopts the 2013/14 Annual Financial Statements and Performance Statement "in principle" prior to them being provided to the Victorian Auditor-General's Office for audit sign off;
  - (c) nominates the Mayor, Councillor Fristacky, Audit Committee member and Councillor Colanzi, Audit Committee member, as the two Councillors to certify the Annual Financial Statements and Performance Statement;
  - (d) authorises the nominated Councillors to accept any further recommended changes by the Victorian Auditor-General's Office; and
  - (e) designates Philip Mason, Manager Finance, as Principal Accounting Officer to certify the Annual Financial Statements and Performance Statement, as required by the *Local Government Act 1989* and *Local Government (Planning and Reporting) Regulations 2014*.

### COUNCIL RESOLUTION

**Moved:** Councillor Colanzi

**Seconded:** Councillor Stone

1. That Council:
  - (a) notes the accompanying 2013/14 Annual Financial Statements (Financial Report and Standard Statements) and Performance Statement, and receives the endorsement of Council's Audit Committee;
  - (b) adopts the 2013/14 Annual Financial Statements and Performance Statement "in principle" prior to them being provided to the Victorian Auditor-General's Office for audit sign off;
  - (c) nominates the Mayor, Councillor Fristacky, Audit Committee member and Councillor Colanzi, Audit Committee member, as the two Councillors to certify the Annual Financial Statements and Performance Statement;
  - (d) authorises the nominated Councillors to accept any further recommended changes by the Victorian Auditor-General's Office; and
  - (e) designates Philip Mason, Manager Finance, as Principal Accounting Officer to certify the Annual Financial Statements and Performance Statement, as required by the *Local Government Act 1989* and *Local Government (Planning and Reporting) Regulations 2014*.

**CARRIED**

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**11.2 2014 Graffiti Management Framework: Policy and Strategy**

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Trim Record Number: D14/93674

Responsible Officer: Manager Corporate Planning

**RECOMMENDATION**

That Council endorses the release of Draft Graffiti Management Framework (Policy and Strategy) for public consultation.

**COUNCIL RESOLUTION**

**Moved:** Councillor Coleman

**Seconded:** Councillor Barbour

That Council endorses the release of Draft Graffiti Management Framework (Policy and Strategy) for public consultation.

**CARRIED**

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**11.3 River of Life Positive Ageing Strategy - Draft Stage Two Action Plan (Final)**

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Trim Record Number: D14/104721

Responsible Officer: Manager Aged and Disability Services

**RECOMMENDATION**

1. That Council:
  - (a) notes the submissions received in response to the public exhibition phase (see Attachment 1);
  - (b) adopts the River of Life – City of Yarra Stage Two Action Plan 2014 - 2017 (refer Attachment 2); and
  - (c) acknowledges the significant contribution of the Active Ageing Advisory Group to the planning process and at every phase of development of the Plan.

**COUNCIL RESOLUTION**

**Moved:** Councillor Coleman

**Seconded:** Councillor Barbour

1. That Council:
  - (a) notes the submissions received in response to the public exhibition phase (see Attachment 1);
  - (b) adopts the River of Life – City of Yarra Stage Two Action Plan 2014 - 2017 (refer Attachment 2); and
  - (c) acknowledges the significant contribution of the Active Ageing Advisory Group to the planning process and at every phase of development of the Plan.

**CARRIED**

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## **11.4 Best Street Urban Design**

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Trim Record Number: D14/109076

Responsible Officer: Director City Development

### **RECOMMENDATION**

1. That
  - (a) Council endorse the draft design of Best Street urban design improvements (Attachment 3) for the purpose of undertaking a public exhibition and community consultation process in 2014; and
  - (b) Officers report back to Council on the feedback from the public consultation.

### **COUNCIL RESOLUTION**

**Moved:** Councillor Coleman

**Seconded:** Councillor Barbour

1. That
  - (a) Council endorse the draft design of Best Street urban design improvements (Attachment 3) for the purpose of undertaking a public exhibition and community consultation process in 2014; and
  - (b) Officers report back to Council on the feedback from the public consultation.

**CARRIED**

## 11.5 Determination on Request to Name a Street in Honour of Jack Dyer

Trim Record Number: D14/114071

Responsible Officer: Executive Manager - Chief Executive's Office

### RECOMMENDATION

That Council:

1. Having undertaken its naming process and considered all submissions received, hereby resolves that the yet to be transferred unnamed road in Stage 2 of the Jaques Development, Richmond (which will run between Coppin Street and Griffiths Street, near Palmer Street end of the development- refer attachment) be named "Dyer Street" in honour of the late Jack Dyer.
2. Request the Chief Executive Officer to:
  - (a) make application with the Office of Geographic Names to have the name "Dyer Street" assigned to the road identified in 1 above; and
  - (b) arrange for the installation of the new street name sign and historical marker, upon receipt of street name registration (from the Office of Geographic Names) and the formal transfer of the road (from the developers of the Jaques site) to Council.

### Public Submissions

The following people addressed Council regarding this matter:

Ms Suzana Talevski; and

Mr Terry Lonergan.

### COUNCIL RESOLUTION

**Moved:** Councillor Vlahogiannis

**Seconded:** Councillor Jolly

That Council:

1. Having undertaken its naming process and considered all submissions received, hereby resolves that the yet to be transferred unnamed road in Stage 2 of the Jaques Development, Richmond (which will run between Coppin Street and Griffiths Street, near Palmer Street end of the development- refer attachment) be named "Dyer Street" in honour of the late Jack Dyer.
2. Request the Chief Executive Officer to:
  - (a) make application with the Office of Geographic Names to have the name "Dyer Street" assigned to the road identified in 1 above; and
  - (b) arrange for the installation of the new street name sign and historical marker, upon receipt of street name registration (from the Office of Geographic Names) and the formal transfer of the road (from the developers of the Jaques site) to Council.

**CARRIED**



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## 11.6 Appointment of Authorised Officers - Planning and Environment Act 1987

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Trim Record Number: D14/113954

Responsible Officer: Executive Manager - Chief Executive's Office

### RECOMMENDATION

That Council:

- (a) formally appoints the following officers as Authorised Officers pursuant to Section 147(4) of the *Planning and Environment Act 1987* and Section 232 of the *Local Government Act 1989*:
  - (i) Liz Mackevicius
  - (ii) David Walmsley
  - (iii) Colm Connolly
  - (iv) Peter Moran
  - (v) Robert Prowd
  - (vi) Simon Van Den Berg
  - (vii) Ronan Doherty
  - (viii) Vince Gerace
  - (ix) John Guilfoyle
  - (x) Ciaran Maher
  - (xi) Troy Mason
  - (xii) Liz O'Farrell
  - (xiii) Anthony Surbey
- (b) requests that the relevant Instruments of Appointment and Authorisation for the Officers listed in a) above, be duly executed by the Chief Executive Officer.

### COUNCIL RESOLUTION

**Moved:** Councillor Coleman

**Seconded:** Councillor Barbour

That Council:

- (a) formally appoints the following officers as Authorised Officers pursuant to Section 147(4) of the *Planning and Environment Act 1987* and Section 232 of the *Local Government Act 1989*:
  - (i) Liz Mackevicius
  - (ii) David Walmsley
  - (iii) Colm Connolly
  - (iv) Peter Moran
  - (v) Robert Prowd
  - (vi) Simon Van Den Berg
  - (vii) Ronan Doherty
  - (viii) Vince Gerace
  - (ix) John Guilfoyle

- (x) Ciaran Maher
  - (xi) Troy Mason
  - (xii) Liz O'Farrell
  - (xiii) Anthony Surbey
- (b) requests that the relevant Instruments of Appointment and Authorisation for the Officers listed in (a) above, be duly executed by the Chief Executive Officer.

**CARRIED**

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**11.7 Draft Urban Agriculture Strategy 2014 - 2018**

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Trim Record Number: D14/114893

Responsible Officer: Waste Minimisation Coordinator

**RECOMMENDATION**

1. That Council:
  - (a) notes the report and the attached draft Yarra Urban Agriculture Strategy 2014 – 2018;
  - (b) resolves to place the draft Yarra Urban Agriculture Strategy 2014 - 2018 on public exhibition from 20 August to 20 September 2014.
  - (c) receive a further report in November 2014 following the submission period.

*Councillor Jolly left the meeting at 10:26pm.*

*Councillor Jolly returned to the meeting at 10:35pm.*

**COUNCIL RESOLUTION**

**Moved:** Councillor Gaylard

**Seconded:** Councillor Stone

1. That Council:
  - (a) notes the report and the attached draft Yarra Urban Agriculture Strategy 2014 – 2018;
  - (b) resolves to place the draft Yarra Urban Agriculture Strategy 2014 - 2018 on public exhibition from 20 August to 20 September 2014; and
  - (c) receive a further report in November 2014 following the submission period.

**CARRIED**

**CALL FOR A DIVISION**

**For:** Councillors Barbour, Colanzi, Coleman, Fristacky, Gaylard, Huggins, Jolly and Stone

**Against:** Councillor Vlahogiannis

**CARRIED**

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**11.8 Planning and Logistics for New Year's Eve 2014/15**

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Trim Record Number: D14/115026

Responsible Officer: Director Community Programs

**RECOMMENDATION**

1. That Council:
  - (a) acknowledge the contribution of the Edinburgh Gardens 2014/15 Community Reference Group and in particular, note the key principles that were agreed to and which will be used to guide Council in its planning for and management of Edinburgh Gardens on New Year's Eve;
  - (b) note the advice from Victoria Police and Ambulance Victoria regarding planning and logistics for the New Year's Eve 2014/15 and the advice that the period should be declared alcohol free;
  - (c) note the advice from senior officers and Council's insurance and risk management advisors regarding the introduction of an alcohol free period around New Year's Eve 2014/15;
  - (d) resolve using Part Two, Clause 8 of Local Law 8 (2009) to declare all public places (roads, parks and other public places) throughout the entire municipality as 'alcohol free' from 9.00 pm 30 December 2014 until 9.00 am on 1 January 2015;
  - (e) request Officers provide a report to Council in December on arrangements for the effective management of New Year's Eve activities in the municipality for 2014/15, together with a detailed budget estimate; and
  - (f) request a further report be presented to Council in March 2015 on the following matters:
    - (i) an evaluation of NYE 2014/15;
    - (ii) options for entertainment for 2015/16 New Year's Eve; and
    - (iii) options for Council consideration in the 2015/16 budget process.

*Councillor Jolly left the meeting at 7:34pm.*

*Councillor Jolly returned to the meeting at 7:44pm.*

*Councillor Gaylard left the meeting at 7:38pm.*

*Councillor Gaylard returned to the meeting at 7:41pm.*

**Public Submissions**

*The following people addressed Council regarding this matter:*

*Assistant Commissioner – Andrew Crisp;*

*Ms Lou Clayton;*

*Mr Philip Gardner;*

*Ms Barbara Matheson;*

*Mr David Trimboli; and*

*Ms Elly Symons.*

## MOTION

**Moved:** Councillor Colanzi

**Seconded:** Councillor Gaylard

1. That Council:

- (a) acknowledge the contribution of the Edinburgh Gardens 2014/15 Community Reference Group and in particular, note the key principles that were agreed to and which will be used to guide Council in its planning for and management of Edinburgh Gardens on New Year's Eve;
- (b) note the advice from Victoria Police, Police Association and Ambulance Victoria regarding planning and logistics for the New Year's Eve 2014/15 and the advice that the period should be declared alcohol free;
- (c) note the advice from senior officers and Council's insurance and risk management advisors regarding the introduction of an alcohol free period around New Year's Eve 2014/15;
- (d) resolve using Part Two, Clause 8 of Local Law 8 (2009) to declare all public places (roads, parks and other public places) throughout the entire municipality as 'alcohol free' from 9.00 pm 30 December 2014 until 9.00 am on 1 January 2015;
- (e) receive a report in the first Council meeting of September setting out the Council's media and information dissemination strategy(ies) to inform residents, visitors to Yarra and other relevant parties of Council's decision as set out in clause (d), to include timelines for the promulgation of that information from September 2014;
- (f) request Officers provide a report to Council in December on arrangements for the effective management of New Year's Eve activities in the municipality for 2014/15, together with a detailed budget estimate; and
- (g) request a further report be presented to Council in March 2015 on the following matters:
  - (i) an evaluation of NYE 2014/15;
  - (ii) options for entertainment for 2015/16 New Year's Eve; and
  - (iii) options for Council consideration in the 2015/16 budget process.

## AMENDMENT

**Moved:** Councillor Stone

1. That Council:

- (e) receive a report in the second Council meeting of September setting out the Council's media and information dissemination strategy(ies) to inform residents, visitors to Yarra and other relevant parties of Council's decision as set out in clause (d), to include timelines for the promulgation of that information from September 2014 and that this report include advice on the provision of permits for any form of music or cultural activity in accordance with Local Law 3;

*As the amendment was acceptable to the mover and seconder, it was incorporated into the substantive motion. It was then put, as below:*

## COUNCIL RESOLUTION

**Moved:** Councillor Colanzi

**Seconded:** Councillor Gaylard

- (f) That Council:
- (h) acknowledge the contribution of the Edinburgh Gardens 2014/15 Community Reference Group and in particular, note the key principles that were agreed to and which will be used to guide Council in its planning for and management of Edinburgh Gardens on New Year's Eve;
  - (i) note the advice from Victoria Police, Police Association and Ambulance Victoria regarding planning and logistics for the New Year's Eve 2014/15 and the advice that the period should be declared alcohol free;
  - (j) note the advice from senior officers and Council's insurance and risk management advisors regarding the introduction of an alcohol free period around New Year's Eve 2014/15;
  - (k) resolve using Part Two, Clause 8 of Local Law 8 (2009) to declare all public places (roads, parks and other public places) throughout the entire municipality as 'alcohol free' from 9.00 pm 30 December 2014 until 9.00 am on 1 January 2015;
  - (l) receive a report in the second Council meeting of September setting out the Council's media and information dissemination strategy(ies) to inform residents, visitors to Yarra and other relevant parties of Council's decision as set out in clause (d), to include timelines for the promulgation of that information from September 2014 and that this report include advice on the provision of permits for any form of music or cultural activity in accordance with Local Law 3;
  - (m) request Officers provide a report to Council in December on arrangements for the effective management of New Year's Eve activities in the municipality for 2014/15, together with a detailed budget estimate; and
  - (n) request a further report be presented to Council in March 2015 on the following matters:
    - (iv) an evaluation of NYE 2014/15;
    - (v) options for entertainment for 2015/16 New Year's Eve; and
    - (vi) options for Council consideration in the 2015/16 budget process.

**CARRIED**

## CALL FOR A DIVISION

**For:** Councillors Barbour, Colanzi, Coleman, Fristacky, Gaylard, Huggins, Stone and Vlahogiannis

**Against:** Councillor Jolly

**CARRIED**

*Councillor Huggins left the meeting at 8:53pm.*

*Councillor Huggins returned to the meeting at 8:54pm.*

*Councillor Vlahogiannis left the meeting at 8:53pm.*

*Councillor Vlahogiannis returned to the meeting at 8:57pm.*

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## 11.9 Cubbies Adventure Playground - Future Funding Options

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Trim Record Number: D14/115027

Responsible Officer: Acting Director Community Programs

### RECOMMENDATION

1. That Council:
  - (a) note the request for financial assistance from the Fitzroy Adventure Playground Committee of Management;
  - (b) adopt funding Option C and provide additional funding of \$35,000 in 2014/15 as well as the existing 'partnership' grants to bring Council's contribution in 2014/15 to \$80,000;
  - (c) note that provision of this intermediate funding will allow:
    - (i) follow up on alternative avenues of funding; and
    - (ii) exploration of potential partnerships;
  - (d) resolve that the additional funding commitment is contingent on finalising and executing a lease for the site of the Fitzroy Adventure Playground;
  - (e) resolve that the term of the lease should be amended to reflect the duration of committed core funding of the Cubbies and that the lease be amended to contain a provision to allow termination at Council's discretion if sustainable funding is not achieved;
  - (f) direct officers undertake the service review which examines the model proposed by the FAP as well as alternate means of delivering the service, including:
    - (i) a comprehensive process, outcome and impact evaluation of the program;
    - (ii) a needs analysis to identify current needs and emerging issues; and
    - (iii) a review of best practice playground models both in Australia and internationally (including governance structures and risk management); and
  - (g) receive a further report in March 2015 with outcomes of the service review and future funding options for the Fitzroy Adventure Playground.

Councillor Jolly left the meeting at 9.04pm.

Councillor Jolly returned to the meeting at 9.06pm.

Councillor Coleman left the meeting at 9.03pm.

Councillor Coleman returned to the meeting at 9.06pm.

Councillor Vlahogiannis left the meeting at 9.06pm.

Councillor Vlahogiannis returned to the meeting at 9.10pm.

### Public Submissions

*The following people addressed Council regarding this matter:*

*Mr David Weston – Chairman, Committee of Management - Fitzroy Adventure Playground;*

*Mr Glen Morris – Volunteer Fitzroy Adventure Playground;*

*Mr Peter Brown - General Manager Fitzroy Adventure Playground; and*

*Mr Jerry Morris – Volunteer Fitzroy Adventure Playground.*

## COUNCIL RESOLUTION

**Moved:** Councillor Barbour

**Seconded:** Councillor Colanzi

1. That Council:
  - (a) note the request for financial assistance from the Fitzroy Adventure Playground Committee of Management;
  - (b) adopt funding Option D and provide additional funding of \$120,000 in 2014/15 as well as the existing 'partnership' grants to bring Council's contribution in 2014/15 to \$165,000;
  - (c) note that provision of this intermediate funding will allow:
    - (i) follow up on alternative avenues of funding; and
    - (ii) exploration of potential partnerships;
  - (d) resolve that the additional funding commitment is contingent on finalising and executing a lease for the site of the Fitzroy Adventure Playground;
  - (e) resolve that the term of the lease should be amended to reflect the duration of committed core funding of the Cubbies and that the lease be amended to contain a provision to allow termination at Council's discretion if sustainable funding is not achieved;
  - (f) direct officers undertake the service review which examines the model proposed by the Fitzroy Adventure Playground as well as alternate means of delivering the service, including:
    - (i) a comprehensive process, outcome and impact evaluation of the program;
    - (ii) a needs analysis to identify current needs and emerging issues; and
    - (iii) a review of best practice playground models both in Australia and internationally (including governance structures and risk management); and
  - (g) receive a further report in March 2015 with outcomes of the service review and future funding options for the Fitzroy Adventure Playground.

**CARRIED**

## CALL FOR A DIVISION

**For:** Councillors Barbour, Colanzi, Coleman, Fristacky, Huggins, Jolly and Vlahogiannis

**Against:** Councillors Gaylard and Stone

**CARRIED**



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**11.10 Municipal Agreement Between Yarra City Council and District of Baucau**

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Trim Record Number: D14/116213

Responsible Officer: Executive Manager - Chief Executive's Office

**RECOMMENDATION**

1. That Council:
  - (a) formally receive the invitation from Tomas do Rosario Cabral, Secretary of State for Administrative Decentralisation, Democratic Republic of Timor-Leste for representatives of Yarra City Council to visit Baucau for the purpose of allowing Council to better know the Timorese Municipalities with whom they are going to work with;
  - (b) having recently entered into the Municipal Agreement, determine to accept the invitation; and
  - (c) in accordance with the Councillors Expense Entitlement Policy, approve The Mayor and Cr Stone (as representative on the Friends of Baucau Committee) visiting Baucau in September.

*Councillor Stone declared a conflict of interest in the following item and left the meeting at 10:36pm.*

**COUNCIL RESOLUTION**

**Moved:** Councillor Gaylard

**Seconded:** Councillor Coleman

1. That Council:
  - (a) formally receive the invitation from Tomas do Rosario Cabral, Secretary of State for Administrative Decentralisation, Democratic Republic of Timor-Leste for representatives of Yarra City Council to visit Baucau for the purpose of allowing Council to better know the Timorese Municipalities with whom they are going to work with;
  - (b) having recently entered into the Municipal Agreement, determine to accept the invitation;
  - (c) approve Councillor Stone in accordance with the Councillor Expense Entitlement Policy to visit Baucau; and
  - (d) request the Chief Executive Officer to nominate an appropriate officer to visit Baucau.

**CARRIED**

*Councillor Stone returned to the meeting at 10:48pm.*

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**12.1 Notice of Motion No 6 of 2014 - Funding for Midsumma**

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Trim Record Number: D14/115389

Responsible Officer: Executive Manager - Chief Executive's Office

**RECOMMENDATION**

“That Council:

- (a) note:
  - (i) the Midsumma Festival funding contribution was initially part of the long-term Community Partnerships – Arts Festivals Grants Program which ceased in 2012/2013;
  - (ii) the new funding program Creative Yarra Grants 2014-2016, is a competitive program;
  - (iii) the Midsumma application was unsuccessful in the 2014 Annual Grants program;
  - (iv) the Midsumma Festival is an iconic Yarra event and strongly supported by a significant group of the municipality’s population; and
  - (v) the support to the recent AIDS 2014 Conference activities in Melbourne and Yarra; and
- (b) request officers to bring forward a report on how Council could provide support funding for the Midsumma Festival next year.”

**COUNCIL RESOLUTION**

**Moved:** Councillor Huggins

**Seconded:** Councillor Vlahogiannis

That Council:

- (a) note:
  - (i) the Midsumma Festival funding contribution was initially part of the long-term Community Partnerships – Arts Festivals Grants Program which ceased in 2012/2013;
  - (ii) the new funding program Creative Yarra Grants 2014-2016, is a competitive program;
  - (iii) the Midsumma application was unsuccessful in the 2014 Annual Grants program;
  - (iv) the Midsumma Festival is an iconic Yarra event and strongly supported by a significant group of the municipality’s population; and
  - (v) the support to the recent AIDS 2014 Conference activities in Melbourne and Yarra; and
- (b) request officers to bring forward a report on how Council could provide support funding for the Midsumma Festival next year.

**CARRIED**

Councillor Stone abstained

**CONCLUSION**

The meeting concluded at 10:53pm.

Confirmed Tuesday 2 September 2014

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Mayor