



Ordinary Meeting of Council Minutes

**held on Tuesday 2 September 2014 at 7.18 pm
at the Fitzroy Town Hall**

*Corrected by resolution of Council on Tuesday 16 September 2014

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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. Presentation to Officers in Receipt of Recent Awards

The Mayor noted that:

- (a) Yarra Council, last week, won the Award for Open Space Planning at the 2014 Parks and Leisure Australia Awards;
- (b) the award recognises innovative efforts to reclaim roads and car parks to create new neighbourhood open spaces; and
- (c) four new parks have been created since the program started in 2009, including Peel Street Park in Collingwood (formerly a car park site) Oxford Street Park, also in Collingwood (formerly road space), Richmond Terrace Park (formerly an intersection) and Lennox Street Park (formerly a vacant plot of land).

The Mayor expressly thanked the Directors of City Development and Infrastructure and the projects’ officers, Justin Hanrahan, Joanna Bush, Kevin Ayrey, Carrie Lindsay and Fiona O’Byrne.

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 Amanda Stone
- Cr Phillip Vlahogiannis

Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Jack Crawford (Director Corporate and Financial Services)
- Ivan Gilbert (Executive Manager Governance)
- 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)

Apology

- Cr Stephen Jolly

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

Nil

4. Confidential business reports

Item

4.1 Personnel matters

4.2 Contractual matters

5. Confirmation of minutes

COUNCIL RESOLUTION

Moved: Councillor Barbour

Seconded: Councillor Stone

That the minutes of the Ordinary Council Meeting held on Tuesday 19 August 2014 be confirmed.

CARRIED

6. Petitions and joint letters

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7. Public question time

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8. General business

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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 Stone

Seconded: Councillor Barbour

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; and
 - (b) personnel 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

6.1 Objection to PLN14/0419 - 182 Gertrude Street Fitzroy

Record No: D14/124618

A petition containing 28 signatures has been received from residents requesting that Council does not approve planning application PLN14/0419 – 166 – 182 Gertrude Street Fitzroy on the following grounds:

- (a) the height and bulk of the building is out of character in a heritage street;
- (b) a convenience store is inappropriate given one exists directly opposite; and
- (c) the building will increase already difficult parking problems in the area.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Barbour

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

CARRIED

7. Public question time

7.1 Mr Michael Merrett, Disability Advisory Committee - Tram Stops and Disability Discrimination Act 1992 Compliance

Question:

The Bridge Road tram stops have been completed. When will stops 19 and 20 on Victoria Street be complete?

Response:

The Mayor responded that this is not the responsibility of the Yarra City Council.

The Manager Sustainability and Strategic Transport noted that officers will continue to work with VicRoads and Public Transport Victoria (PTV) to ensure tram stops are Disability Discrimination Act 1992 (DDA) compliant.

The Mayor invited the CEO of PTV, present at the meeting for Item 11.6, to respond. He advised that:

- (a) *there is a list of tram stops scheduled for enhancements to make them DDA compliant;*
- (b) *all of the listed stops have the funding to go ahead and Victoria Street is on that list; and*
- (c) *PTV need to speak to all stakeholders involved before PTV start upgrading these stops.*

8. General business

Nil

9. Delegates' reports

9.1 Councillor Phillip Vlahogiannis - Yarra Libraries Advisory Committee

Councillor Vlahogiannis, as Council's delegate to the Yarra Libraries Advisory Committee tabled the following report:

Yarra Libraries Learning Framework August 2014

The development of a framework designed to guide the ongoing growth and evaluation of library programs and partnerships that support lifelong learning for our community is currently underway.

Community and stakeholder consultation features an online multi language survey in Yarra's core community languages, workshops designed to engage internal and external stakeholders, and a video booth where library users record their thoughts and ideas around what they love about Yarra Libraries and what they would like to see in the future.

The online survey was emailed to 32,247 library users with over 1,217 online responses received to date in English and a range of community languages. A number of CALD community groups will be engaged to ensure that the research is representative of the community. A further 70 library users have opted to provide input via the video booth. This footage will form the basis of a YouTube clip which will be used by Yarra Libraries to promote and advocate on behalf of the service in the future.

Creative Communities: The cultural benefits of Victoria's public libraries.

The State Library of Victoria has launched a new report titled 'Creative Communities: The cultural benefits of Victoria's public libraries'. The report examines public libraries place as significant 'culture making social entities' or places where culture is celebrated, examined, developed, reinterpreted, transformed and adapted.

The Yarra community had the opportunity to have direct input into the development of this research through their participation in an online survey and workshops. The final report records the depth and breadth of cultural activities currently taking place in libraries across the state and features two case studies which highlight the Richmond Library as an early creative hub and the ongoing partnership between Youth Services and the library aimed at engaging local youth through creative programs at the Fitzroy library.

This is a ground breaking report which is already receiving recognition within international library networks.

Local History at Yarra

Yarra Libraries has recently undertaken a reprint of two popular local history publications which are now available for sale across all Yarra library branches. Fitzroy Melbourne's First Suburb is a comprehensive history of Fitzroy produced by the Cutten History Committee of the Fitzroy Society originally published in 1989 and is now available for purchase at \$55.

Copping it Sweet: Shared Memories of Richmond written by Catherine Watson is a social history of Richmond tracing change from the late nineteenth century through to the twentieth century. *Copping it sweet* draws on the memories of those who have lived their lives in Richmond to create a picture of an ever changing community as it passes through the wars, depression, and post war boom and into the 1980s. Available for purchase at \$29.95.

COUNCIL RESOLUTION

Moved: Councillor Vlahogiannis **Seconded:** Councillor Coleman
That the delegate's report be accepted.

CARRIED

10. Questions without notice

- 10.1 Councillor Roberto Colanzi - Artwork on the corner of Lester and 396 Brunswick Streets

Record No: D14/123641

Question:

Can officers advise surrounding residents and businesses before artwork is proposed to be installed?

Response:

The Director Infrastructure Services advised that the process is currently being reviewed by officers and undertook to provide an update to the Councillors E-Bulletin.

- 10.2 Councillor Roberto Colanzi - Wording on path at Edinburgh Gardens

Question:

Near the bocce court at Edinburgh Gardens, words have been stencilled on the footpath. A number of residents have asked what this is about, what does it mean and why is it happening?

Response:

The Director Infrastructure was not aware of the project and took the question on notice.

The Mayor advised that the wording is in different languages. Subtle measures to encourage people to be careful at intersections for bikes.

11.1 Planning Scheme Amendment C178 - Incorporated Plan (Planning Permit Exemptions for Minor Works Under the Heritage Overlay)

Trim Record Number: D14/90683
Responsible Officer: Coordinator Strategic Planning

RECOMMENDATION

1. That Council:
 - (a) notes the officer report recommending exemptions for minor works from heritage controls;
 - (b) note the attached *Draft Incorporated Plan* which is recommended for inclusion into the *Yarra Planning Scheme*;
 - (c) resolves to endorse the attached *Draft Incorporated Plan*; and
 - (d) resolves to request that the Minister for Planning process and approve Amendment C178 to the *Yarra Planning Scheme*, pursuant to Section 20(4) of the *Planning and Environment Act 1987*.

COUNCIL RESOLUTION

Moved: Councillor Gaylard

Seconded: Councillor Stone

1. That Council:
 - (a) notes the officer report recommending exemptions for minor works from heritage controls;
 - (b) note the attached *Draft Incorporated Plan* which is recommended for inclusion into the *Yarra Planning Scheme*;
 - (c) resolves to endorse the attached *Draft Incorporated Plan*; and
 - (d) resolves to request that the Minister for Planning process and approve Amendment C178 to the *Yarra Planning Scheme*, pursuant to Section 20(4) of the *Planning and Environment Act 1987*.

CARRIED

11.2 Significant Tree Register

Trim Record Number: D13/99015

Responsible Officer: Director City Development

RECOMMENDATION

1. That Council:
 - (a) note the report on the development of a Significant Tree Register and procedures for receiving and processing applications related to significant trees;
 - (b) adopt the attached register of Significant Trees under Local Law 3, noting that as a "living document" it will be updated by Council from time to time;
 - (c) adopt the "Guidelines for the consideration of applications under Council's Local Law No. 3 (i.e. assessing applications for removal/lopping/trimming of significant trees)";
 - (d) notify the owners and occupiers of private land which have a tree nominated for registration and/or registered on the Yarra City Council Significant Tree Register, and provide a copy of the "Guidelines for the consideration of applications under Local Law No. 3"; and
 - (e) note that having regard to privacy requirements, photographs of significant trees on private property will not be published in the public version of the Significant Tree Register.

Councillor Coleman left the meeting at 9.49pm

Councillor Coleman returned to the meeting at 9.54pm

Councillor Gaylard left the meeting at 10.00pm

Councillor Gaylard returned to the meeting at 10.02pm

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Colanzi

1. That Council:
 - (a) note the report on the development of a Significant Tree Register and procedures for receiving and processing applications related to significant trees;
 - (b) adopt the attached register of Significant Trees under Local Law 3, noting that as a "living document" it will be updated by Council from time to time;
 - (c) adopt the "Guidelines for the consideration of applications under Council's Local Law No. 3 (i.e. assessing applications for removal/lopping/trimming of significant trees)";
 - (d) notify the owners and occupiers of private land which have a tree nominated for registration and/or registered on the Yarra City Council Significant Tree Register, and provide a copy of the "Guidelines for the consideration of applications under Local Law No. 3"; and
 - (e) note that having regard to privacy requirements, photographs of significant trees on private property will not be published in the public version of the Significant Tree Register.
2. That Council note that the Significant Tree Register can be added to over time following receipt of nominations, considerations of the nominated tree against the criteria for assessing significant trees and following a Council resolution that it be added to the register.

3. Further, that information be provided on the Council web site on the Significant Tree Register and how further trees can be nominated. That a template for nomination be provided as well as information on the process by which those nominations will be assessed, leading to formal Council consideration of the nominated tree for inclusion into the Significant Tree Register.
4. That officers provide further advice on how a grievance from a third party in relation to permit assessment might be dealt with.

CARRIED

CALL FOR A DIVISION

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

Against: Councillor Vlahogiannis

CARRIED

11.3 Local Area Traffic Management 12 (Collingwood Precinct)

Trim Record Number: D14/115759
Responsible Officer: Coordinator Traffic

*Councillor Coleman left the meeting 9.01pm
Councillor Coleman returned to the meeting 9.04pm*

*Councillor Gaylard left the meeting at 9.03pm
Councillor Gaylard returned to the meeting at 9.10pm*

*Councillor Huggins left the meeting at 9.12pm
Councillor Huggins returned to the meeting at 9.14pm*

RECOMMENDATION

1. That Council:
 - (a) endorses the recommended Plan for Collingwood Precinct (LATM 12) as outlined in Attachment 4;
 - (b) includes information on Council's website advising of the outcomes of the study and the adopted Plan;
 - (c) authorises officers to commence works identified in Stage 1 of the Final Plan of \$128,000 as part of the 2014/2015 Capital Works Program;
 - (d) refers Stage 2 budget of the Final Plan of \$115,000 to the 2015/16 Budget process for consideration by Council;
 - (e) includes additional ongoing maintenance costs of \$15,000 per year in Council's road maintenance budget commencing 2016/2017;
 - (f) notes that 12 months after completion of Stage 1 works the results will be evaluated and advised to Councillors and posted on Council's web site;
 - (g) authorises officers to write to VicRoads seeking approval for a 40km/h speed zone in Hoddle Street adjacent to Collingwood College to operate during school times and to widen the pedestrian fencing to accommodate more people in the median. In addition, seek approval to remove a turning lane (Gipps Street western approach to Hoddle Street) to provide a bicycle lane to the intersection and to improve the efficiency at this intersection;
 - (h) authorises an assessment of the value and acceptance of the one-way proposal in McCutcheon Way at the 12 month evaluation of stage one works;
 - (i) authorises an assessment of the necessity of a road hump adjacent to No.33 and No.108 Peel Street at the 12 month evaluation of the road hump at No.22 and No.64 Peel Street; and
 - (j) authorises an assessment of the necessity for road humps in Oxford and Cambridge Streets between Peel Street and Stanley Street at the 12 month evaluation of stage one works.

Public Submissions

The following people addressed Council regarding this matter:

Mr Rainer Schnittler; and

Mr Max May.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Barbour

1. That Council:
 - (a) endorses the recommended Plan for Collingwood Precinct (LATM 12) as outlined in Attachment 4;
 - (b) includes information on Council's website advising of the outcomes of the study and the adopted Plan;
 - (c) authorises officers to commence works identified in Stage 1 of the Final Plan of \$128,000 as part of the 2014/2015 Capital Works Program;
 - (d) refers Stage 2 budget of the Final Plan of \$115,000 to the 2015/16 Budget process for consideration by Council;
 - (e) includes additional ongoing maintenance costs of \$15,000 per year in Council's road maintenance budget commencing 2016/2017;
 - (f) notes that 12 months after completion of Stage 1 works the results will be evaluated and advised to Councillors and posted on Council's web site;
 - (g) authorises officers to write to VicRoads seeking approval for a 40km/h speed zone in Hoddle Street adjacent to Collingwood College to operate during school times and to widen the pedestrian fencing to accommodate more people in the median. In addition, seek approval to remove a turning lane (Gipps Street western approach to Hoddle Street) to provide a bicycle lane to the intersection and to improve the efficiency at this intersection;
 - (h) authorises an assessment of the value and acceptance of the one-way proposal in McCutcheon Way at the 12 month evaluation of stage one works;
 - (i) authorises an assessment of the necessity of a road hump adjacent to No.33 and No.108 Peel Street at the 12 month evaluation of the road hump at No.22 and No.64 Peel Street; and
 - (j) authorises an assessment of the necessity for road humps in Oxford and Cambridge Streets between Peel Street and Stanley Street at the 12 month evaluation of stage one works.

CARRIED

11.4 2013/14 Annual Plan Quarterly Progress Report - June

Trim Record Number: D14/117740

Responsible Officer: Manager Community and Corporate Planning

RECOMMENDATION

That Council note the report.

COUNCIL RESOLUTION

Moved: Councillor Huggins

Seconded: Councillor Coleman

That Council note the report.

CARRIED

11.5 2014/15 Annual Plan

Trim Record Number: D14/119352

Responsible Officer: Manager Community and Corporate Planning

RECOMMENDATION

That Council endorse the 2014/15 Annual Plan.

COUNCIL RESOLUTION

Moved: Councillor Huggins

Seconded: Councillor Coleman

That Council endorse the 2014/15 Annual Plan.

CARRIED

11.6 Tram Route 96 Upgrade: Nicholson Village Tram Stops

Trim Record Number: D14/106742

Responsible Officer: Director City Development

RECOMMENDATION

1. That Council:
 - (a) approves *in principle* the Public Transport Victoria (PTV) concept design for the upgrade of stop 22;
 - (b) approves *in principle* the PTV concept design for the consolidation of stops 20 and 21 south of Scotchmer/Pigdon Streets, on the basis that PTV investigates shifting the stop closer to the Scotchmer Street/Pigdon Streets intersection during the functional and detailed design process;
 - (c) notes the expected loss of approximately 16 (non-metered) parking spaces on Nicholson Street associated with the consolidation of stops 20 and 21, and a further net loss of up to four spaces associated the upgrade of stop 22;
 - (d) officers work with PTV Officers to investigate urban design improvements, such as soft landscaping and street furniture that can be implemented by PTV as part of the Tram Route 96 upgrade project;
 - (e) officers work with PTV Officers in consulting further with VicRoads in relation to implementing off-peak parking bays on Nicholson Street and the reduction of the speed limit from 60km/hr. to 40km/hr. in the Nicholson Village area;
 - (f) reaffirm with PTV that they will contact directly affected residents / business owners (including Maria's Pasta to and the Nicholson Gardens Owners Corporation) to discuss the proposed changes and associated impacts, and to seek views regarding issues such as access to loading bays and parking redistribution opportunities, and that where possible, Council support PTV and VicRoads; and
 - (g) notes that officers will work with PTV in relation to the widening of the existing Capital City Trail signalised pedestrian/cyclist crossing point to allow for separation between cyclists and pedestrians as part of the detailed design process for the upgrade of stop 22.
2. That Public Transport Victoria (PTV) is advised that it will need to submit the necessary planning permit applications to Council for formal consideration.

Public Submissions

The following people addressed Council regarding this matter:

Mr Martin Leckey – Disability Advisory Committee;

Mr Peter Canals – Nicholson Village Traders;

Mr Nick Velisaris;

Ms Kerry Echberg - YCAN;

Mr Jeff Walker;

Mr David Brant – Disability Advisory Committee;

Mr Mark Wild - CEO PTV;

Mr Duncan Smith – Yarra Trams – Acting CEO.

COUNCIL MOTION

Moved: Councillor Gaylard

Seconded: Councillor Stone

1. That Council:
 - (a) approves *in principle* the Public Transport Victoria (PTV) concept design for the upgrade of stop 22;
 - (b) approves *in principle* the PTV concept design for stop 21 south of Scotchmer/Pigdon Streets, on the basis that PTV investigates shifting the stop closer to the Scotchmer Street/Pigdon Streets intersection during the functional and detailed design process;
 - (c) notes the expected loss of approximately 16 (non-metered) parking spaces on Nicholson Street associated with the consolidation of stop 21, and a further net loss of up to four spaces associated the upgrade of stop 22;
 - (d) officers work with PTV Officers to investigate urban design improvements, such as soft landscaping and street furniture that can be implemented by PTV as part of the Tram Route 96 upgrade project;
 - (e) officers work with PTV Officers in consulting further with VicRoads in relation to implementing off-peak parking bays on Nicholson Street and the reduction of the speed limit from 60km/hr. to 40km/hr. in the Nicholson Village area;
 - (f) reaffirm with PTV that they will contact directly affected residents / business owners (including Maria's Pasta to and the Nicholson Gardens Owners Corporation) to discuss the proposed changes and associated impacts, and to seek views regarding issues such as access to loading bays and parking redistribution opportunities, and that where possible, Council support PTV and VicRoads; and
 - (g) notes that officers will work with PTV in relation to the widening of the existing Capital City Trail signalised pedestrian/cyclist crossing point to allow for separation between cyclists and pedestrians as part of the detailed design process for the upgrade of stop 22.
2. That Council:
 - (a) requests that detailed design for all Nicholson Street tram stops which were approved "in principle" in November 2013, include maximum provision of parking spaces during off-peak periods, and that for outbound lanes, the peak period be between 4pm and 6:30pm Monday – Friday; and that for the inbound lanes, the peak period be between 7am and 9am Monday to Friday. Any extensions to these period must be supported by evidence of traffic volumes exceeding safe carrying limits;
 - (b) also requests that VicRoads reduce the speed limit to 40kph where possible along Nicholson Street, reflecting the high volumes of pedestrians and public transport users in Nicholson Street, and the closeness of the front wall of many homes to traffic lanes; and
 - (c) requires that officers advise all the required agencies of the above.
3. That officers provide to the next Council meeting an assessment of the significant issues for the installation of a Disability Discrimination Act 1992 (DDA) compliant tram stop in the vicinity of Reid Street/Richardson Street.
4. That Public Transport Victoria (PTV) is advised that it will need to submit the necessary planning permit applications to Council for formal consideration.

AMENDMENT

Moved: Councillor Colanzi

3. That Council call for a further report in two weeks considering options for the tram stop/stops to replace current stops 20 to 21.

The amendment was not accepted by the mover.

COUNCIL RESOLUTION

Moved: Councillor Gaylard

Seconded: Councillor Stone

1. That Council:
 - (a) approves *in principle* the Public Transport Victoria (PTV) concept design for the upgrade of stop 22;
 - (b) approves *in principle* the PTV concept design for stop 21 south of Scotchmer/Pigdon Streets, on the basis that PTV investigates shifting the stop closer to the Scotchmer Street/Pigdon Streets intersection during the functional and detailed design process;
 - (c) notes the expected loss of approximately 16 (non-metered) parking spaces on Nicholson Street associated with the consolidation of stop 21, and a further net loss of up to four spaces associated the upgrade of stop 22;
 - (d) officers work with PTV Officers to investigate urban design improvements, such as soft landscaping and street furniture that can be implemented by PTV as part of the Tram Route 96 upgrade project;
 - (e) officers work with PTV Officers in consulting further with VicRoads in relation to implementing off-peak parking bays on Nicholson Street and the reduction of the speed limit from 60km/hr. to 40km/hr. in the Nicholson Village area;
 - (f) reaffirm with PTV that they will contact directly affected residents / business owners (including Maria's Pasta to and the Nicholson Gardens Owners Corporation) to discuss the proposed changes and associated impacts, and to seek views regarding issues such as access to loading bays and parking redistribution opportunities, and that where possible, Council support PTV and VicRoads; and
 - (g) notes that officers will work with PTV in relation to the widening of the existing Capital City Trail signalised pedestrian/cyclist crossing point to allow for separation between cyclists and pedestrians as part of the detailed design process for the upgrade of stop 22.
2. That Council:
 - (a) requests that detailed design for all Nicholson Street tram stops which were approved "in principle" in November 2013, include maximum provision of parking spaces during off-peak periods, and that for outbound lanes, the peak period be between 4pm and 6:30pm Monday – Friday; and that for the inbound lanes, the peak period be between 7am and 9am Monday to Friday. Any extensions to these period must be supported by evidence of traffic volumes exceeding safe carrying limits;
 - (b) also requests that VicRoads reduce the speed limit to 40kph where possible along Nicholson Street, reflecting the high volumes of pedestrians and public transport users in Nicholson Street, and the closeness of the front wall of many homes to traffic lanes; and
 - (c) requires that officers advise all the required agencies of the above.
3. That officers provide to the next Council meeting an assessment of the significant issues for the installation of a Disability Discrimination Act 1992 (DDA) compliant tram stop in the vicinity of Reid Street/Richardson Street.

4. That Public Transport Victoria (PTV) is advised that it will need to submit the necessary planning permit applications to Council for formal consideration.

CARRIED

12.1 Notice of Motion No 7 of 2014 - Former Collingwood TAFE as Arts Precinct

Trim Record Number: D14/122599

Responsible Officer: Executive Manager - Chief Executive's Office

I, Councillor Amanda Stone, hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on 2 September 2014:

“That the Mayor write to the Minister for the Arts, Heidi Victoria, and Arts Victoria, to request a report on progress towards the development of the former Collingwood TAFE site in Johnston Street, Collingwood, as an arts precinct, and specifically, the location on this site of Gertrude Contemporary Arts and Centre for Contemporary Photography.”

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Barbour

That the Mayor write to the Minister for the Arts, Heidi Victoria, and Arts Victoria, to request a report on progress towards the development of the former Collingwood TAFE site in Johnston Street, Collingwood, as an arts precinct, and specifically, the location on this site of Gertrude Contemporary Arts and Centre for Contemporary Photography.

CARRIED

13.1 Proposed Motions for MAV State Council October 2014

Trim Record Number: D14/116030

Responsible Officer: Executive Manager - Chief Executive's Office

RECOMMENDATION

1. That Council endorse the listed motions as detailed in *Attachment 1*, for submission to the Municipal Association of Victoria State Council, 24 October 2014.

COUNCIL RESOLUTION

Moved: Councillor Colanzi

Seconded: Councillor Stone

1. That Council endorse the listed motions as detailed in *Attachment 1*, as amended, for submission to the Municipal Association of Victoria State Council, 24 October 2014.

CARRIED

Attachment No 1

Proposed Motions for submission to the MAV State Council October 2014

Motion No 1 – Appropriate Standards for Apartment & Units

MOTION:

“That this State Council determine that the MAV request the State Government to develop appropriate standards for apartments and units, addressing at least:

- (a) size;
- (b) cross ventilation for airflow;
- (c) access to natural light;
- (d) investigate provision for food waste Processing Units;
- (e) access to suitable Open Space; and
- (f) ceiling heights.

RATIONALE:

1. The rapid growth in apartment development across Victoria has seen a significant number of apartments being constructed in many innovative locations and situations.
2. This includes conversion of existing buildings and endeavours to construct the maximum number of apartments into available spaces.
3. The current outcome is that there are increasing numbers of apartments which are extremely small and likely to lead to under-standard developments and potential slums of the future.
4. It is considered highly desirable that the State develop and apply appropriate standards for apartments/flats/units based upon say the number of bedrooms.

Motion No 2 – State Congestion Levy

MOTION:

That this State Council determine that the MAV request the State Government to annually contribute at least 15% of the proceeds of the Melbourne Congestion Parking Levy proceeds back to the respective generating municipality to assist the promotion, development and construction of new local sustainable transport infrastructure and services.”

RATIONALE:

1. The State Government has recently expanded the Melbourne Congestion Parking Levy area.
2. The new category 2 zoning now incorporates parts of the cities of Moreland, Yarra, Port Phillip, Darebin and Moonee Valley.
3. The new charge will have significant impacts on Council off-street car parks in the Levy area with resulting political and strategic ramifications impacting business permits, car share bays, work zones etc.
4. Whilst Yarra City Council supports the concept of this levy as a means to encourage more sustainable transport options the Council still be required to investigate and address alternative transport services.
5. Council believes that MAV should negotiate an agreement with the State Government similar to that which was established between the State Revenue Office and the City of Melbourne when the charge was initially imposed for category 1 area.
6. The desired outcome is that at least 15% of the levy proceeds be allocated back to the relevant Councils to assist in funding such services.

Motion No 3 – Defer Proposed East West Link Contract Until After Election

MOTION:

“That this State Council:

- (a) insists that any contracts to build the East West Link not be let until the Victorian electorate has had the opportunity to express its views at the Victorian general election in five weeks' time; and
- (b) insists that, in the interests of good governance, all parties seek a mandate at the upcoming Victorian general election for any major transport projects they wish to pursue in the 58th Parliament.”

RATIONALE:

1. The current State Government took a strong commitment to investing in public transport to the last election where it won office. It has since announced the State's biggest road transport project in a generation, the \$8-18bn East West Link, without having announced this expenditure prior to an election. Given the very significant impacts this project would have in terms of:
 - (a) social impacts to those in the path of the road, including those who will lose their homes;
 - (b) environmental impacts in induced traffic;
 - (c) impacts on the soon-to-be-heritage listed Royal Park;
 - (d) financial impacts on the State which will carry the financial risk of the project; and
 - (e) opportunity costs with significant funds potentially directed away from more sustainable transport investment, health and education.

It is in the interest of democracy, transparency and proper process that such a project should have a mandate delivered by an election.

Motion No 4 -- Marriage Equity

MOTION:

“That this State Council determine to:

- (a) publicly support marriage equality, irrespective of sex or gender identity; and
- (b) write to all local State and Federal Members of Parliament, the Victorian Equal Opportunity and Human Rights Commission and the Commonwealth Human Rights and Equal Opportunity Commission;

advising them of that support.”

RATIONALE:

1. Article 16 of the Universal Charter of Human Rights, states –

“Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.”

2. Under the *Marriage Act* 1961 (Cwth), marriage is defined as “the union of a man and a woman”. This definition discriminates against same-sex couples by denying them the right to marry. In addition, trans people who are already married are not able to amend their birth certificates to reflect their true gender identity and still remain married to their spouse.
3. Many Council’s include in their Council Plan, such objectives as:

“Achieving social justice and fostering community inclusion, in order to build and support a diverse and cohesive community”.

13.2 Naming of Roads, Features and Localities Policy

Trim Record Number: D14/125227

Responsible Officer: Executive Manager - Chief Executive's Office

RECOMMENDATION

That Council:

- (a) note that having been guided by two separate policies with different origins for some time, it is timely that Council should now adopt a new, all-encompassing policy document which more clearly prescribes Council's intentions; and
- (b) formally adopt the "Naming of Roads, Features and Localities Policy" as detailed in **Attachment 1** hereto.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Colanzi

That Council:

- (a) note that having been guided by two separate policies with different origins for some time, it is timely that Council should now adopt a new, all-encompassing policy document which more clearly prescribes Council's intentions; and
- (b) formally adopt the "Naming of Roads, Features and Localities Policy" as detailed in **Attachment 1** hereto.

CARRIED

ATTACHMENT 1

Naming of Roads, Features and Localities Policy

Policy and Procedure is compliant with the Charter of Human Rights legislation

Purpose

To record Council's policy and procedure in respect of the selection and allocation of names for Roads, Features and Localities within the City of Yarra.

Scope

1. Council shall assign names for Roads, Features and Localities in accordance with the requirements of:
 - (a) Schedule 10 Section 5 of the *Local Government Act 1989*;
 - (b) the *Geographic Places Names Act 1998*; and
 - (c) the Victorian Guidelines for Geographic Names 2010 Version 2.
2. Council shall also have regard to any of its relevant formally adopted Policies, Strategies or Plans in the selection and assignment of Road, Feature and Locality names. Current examples specifically include:

- (a) Council's Aboriginal Partnership Plan (*noting specific preference to using Woiwurrung words in selecting names*); and
- (b) the Council Plan 2013-2017 (*noting the recognition of the contributions of its diverse cultural communities in selecting names*).

Definitions

Term / Abbreviation	Definition
Road	As defined in the <i>Geographic Places Names Act 1998</i> and the Victorian Guidelines for Geographic Names 2010.
Feature	As defined in the <i>Geographic Places Names Act 1998</i> and the Victorian Guidelines for Geographic Names 2010.
Locality	As defined in the <i>Geographic Places Names Act 1998</i> and the Victorian Guidelines for Geographic Names 2010.

Policy statement

1. Whilst ensuring compliance with the legislative and policy requirements outlined in the Scope above, the Council shall however give priority in the selection of names for roads, features and locations within the City of Yarra, to sourcing Woiwurrung names from the Wurrundjeri community as part of Council's recognition of the Traditional Ownership of the Land.
2. The Council shall endeavour to initiate the process for allocating a name to each road, feature or location as soon as it is demonstrated that such a road, feature or location should be duly named.
3. In the event that a request for naming a road, feature or location is submitted by an Officer, a community member or group or the Council itself, **that request shall not be acted upon until the procedures outlined below are completed and a formal report submitted to Council for determination.**

Procedure

Upon any of:

- (a) the identification of a road, feature or location requiring the allocation of a name; OR
- (b) the receipt of a proposal from an Officer, a community member or group or a Councillor re the naming of a road, feature or location; OR
- (c) a resolution of the Council proposing a name for a road, feature or location;

no formal determination on the allocation of a name shall be made until the procedures noted hereunder are implemented in sequence by the Responsible Officer, and a report is submitted for formal determination.

The Responsible Council Officer shall upon receipt of a proposal to name, forthwith implement the following procedures:

1. **Firstly**, if the proposal to name a road, feature or location is received from:
 - (a) an Officer;
 - (b) a community source; and
 - (c) a Councillor or by formal Council resolution;

formally acknowledge the proposal and advise the proposer of Council's procedure for the naming of roads, features or locations within the municipality; AND

2. **Secondly**, initiate a written communication with the Wurrundjeri community in accordance with the Victorian Guidelines for Geographic Names 2010, inviting them to submit an appropriate name for Council's consideration; AND
3. **Thirdly**, initiate written communication with the relevant local Historical Society in accordance with the Victorian Guidelines for Geographic Names 2010, inviting them to submit an appropriate name for Council's consideration; AND
4. **Fourthly**, place a public notice both on Council's public website and newspapers circulating in the neighbourhood, in accordance with the Victorian Guidelines for Geographic Names 2010, inviting the community to submit an appropriate name for Council's consideration; AND
5. **Fifthly**, prepare a formal report for consideration, taking into account:
 - (a) the initial proposed name for the road, feature or location;
 - (b) responses from each of:
 - (i) the Wurrundjeri community;
 - (ii) the local Historical Society; and
 - (iii) any community submission/s; and
 - (c) the obligations on Council from the Legislation, Guidelines, Policies and Plans which apply to the selection of names for roads, features or locations, noting in particular, the differing format requirements for names which may be allocated to roads as distinct from features and locations.
6. Council shall upon consideration of the submitted report, formally resolve on the proposed name for the subject road, feature or location.
7. In the instance where the name for a **road** is an indigenous name proposed by the Wurrundjeri community AND:
 - (a) no other submissions have been received from Council, the local Historical Society or from the community as a result of the invitation and public notice/s; AND
 - (b) the name and format proposed, accords with the obligations placed on Council by way of the aforementioned Legislation, Guidelines and Policies;

the Responsible Council Officer may determine and allocate the proposed indigenous name to the **road**.
8. **All determinations in respect of naming a Feature or Location shall be submitted to Council for formal resolution.**
9. Following selection of the name (*whether by Council or the Authorised Officer*), the proposed name shall be publicly advertised for a period of 28 days in accordance with the Victorian Guidelines for Geographic Names 2010 Version 2.
10. In the event of an objection/s being received, such objection/s shall be considered by Council in accordance with the Victorian Guidelines for Geographic Names 2010 Version 2. (*In this regard, the naming authority need only consider objections that relate to concerns of non-conformance to the principles of the Guidelines*).
11. Following the Council's determination on any objections, the Council shall submit the finally adopted name to the Registrar VICNAMES for consideration. (*Council must provide to the Registrar, details of any objections received and how they have been dealt with by Council*).
12. Council must then write to objectors informing them:
 - (a) of the outcomes of the naming proposal;
 - (b) that the matter has been submitted to the Registrar VICNAMES; and

- (c) that if objectors wish to appeal the name/s selected, they must within 30 days, lodge an appeal to the Registrar of Geographic Names; (*VICNAMES will only consider objections that relate to concerns of non-conformance to the principles of the Guidelines*).
13. Only after the Council receives notification from the Registrar that an official naming has been registered in VICNAMES, can Council notify affected members of the immediate and/or extended community and other interested stakeholders.
 14. Within 30 days of a proposal's approval, the Office of Geographic Names will publish a notice on the webpage at www.dse.vic.gov.au/namingplaces and send notification to the naming authority.

Related documents and attachments

- (a) Schedule 10 Section 5 of the *Local Government Act* 1989; and
- (b) the *Geographic Places Names Act* 1998; and
- (c) the Victorian Guidelines for Geographic Names 2010 Version 2;
- (d) Council's Aboriginal Partnership Plan; and
- (e) The Council Plan 2013-2017.

This policy replaces:

Governance – Naming of Roads Policy (D09/51645)

Governance – Geographic Place Names Policy (D09/51615)

This policy and procedure applies to all Officers and Councillors.

13.3 Richmond Football Club – AFL Finals Series

COUNCIL RESOLUTION

Moved: Councillor Vlahogiannis

Seconded: Councillor Coleman

That Council:

- (a) note that the Richmond Football Club has qualified to play in the 2014 AFL Final series; and
- (b) request the Mayor write to the Club:
 - (i) congratulating them for their great achievements this season; and
 - (ii) wishing the Club further success as they participate in the Finals series.

CARRIED

13.4 Trains Not Tollroads Campaign - Banners

COUNCIL RESOLUTION

Moved: Councillor Gaylard

Seconded: Councillor Coleman

That Council:

- (a) continue to publicise its opposition to the East West Link proposal;
- (b) resolve to place a “Trains Not Tollroads” Banner opposing the State Government's East West Link on the front building of the Fitzroy Swimming Pool and Leisure Centre where it is clearly visible to passing motorists; and
- (c) request that Officers investigate other viable locations along the current freeway route with City of Yarra (fences, parks or leased Council buildings) and if appropriate erect further signs or banners visible to passing motorists.

CARRIED

CONCLUSION

The meeting concluded at 10.40pm.

Confirmed Tuesday 16 September 2014

Mayor