



# Ordinary Meeting of Council Minutes

held on Tuesday 19 March 2019 at 7.00pm  
Fitzroy 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.”*

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

### 1A. Announcement

*The Mayor announced that the City of Yarra wishes to pay its respects to Christchurch, and is thinking of our Kiwi brothers and sisters and especially our friends in the Muslim community and on behalf of the City of Yarra she reaffirmed Yarra’s commitment to reject and resist racism and all other forms of hatred in Yarra.*

**Moved** Councillor Bosler

**Seconded** Councillor Coleman

That the Mayor write to Christchurch Mayor, Lianne Dalziel to express Council’s condolence and its support for the city and people of Christchurch.

**CARRIED UNANIMOUSLY**

*Following the motion, the Mayor led the meeting in one minute’s silence.*

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

### Attendance

#### Councillors

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

#### Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Ivan Gilbert (Group Manager – Chief Executive’s Office)
- Lucas Gosling (Director - Community Wellbeing)
- Gracie Karabinis (Group Manager – People, Culture and Community)
- Chris Leivers (Director – City Works and Assets)
- Bruce Phillips (Director - Planning and Place Making)
- Rhys Thomas (Senior Governance Advisor)

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

Nil

### 4. Confidential business reports

#### Item

- 4.1 Matters relating to the security of Council property; AND Matters prejudicial to Council and/or any person
- 4.2 Contractual matters

#### 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 McEvoy

**Seconded:** Councillor Chen Yi Mei

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) Matters relating to the security of Council property
  - (b) Matters prejudicial to Council and/or any person
  - (c) 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.

### 5. Confirmation of minutes

#### COUNCIL RESOLUTION

**Moved:** Councillor Searle

**Seconded:** Councillor Jolly

That the minutes of the Ordinary Council Meeting held on Tuesday 5 March 2019 be altered to correct an error at item 11.2 and record that Cr McEvoy voted in favour and Cr Searle abstained, and that with this change, the minutes be confirmed.

**CARRIED UNANIMOUSLY**

## **COUNCIL RESOLUTION**

**Moved:** Councillor Searle

**Seconded:** Councillor Jolly

That the minutes of the Special Council Meeting held on Tuesday 12 March 2019 be confirmed.

**CARRIED UNANIMOUSLY**

### **6. Petitions and joint letters**

Nil

### **7. Public question time**

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### **8. General business**

Nil

### **9. Delegates' reports**

Nil

### **10. Questions without notice**

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## 11. Council business reports

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## 12. Notices of motion

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## 13. Urgent business

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## 6. Petitions and joint letters

Nil

## 7. Public question time

This record is provided as a summary of the questions asked by members of the public during Public Question Time at a meeting of the Yarra City Council. This summary includes the names of questioners, the subject matter of questions, the name of the person providing a response and whether or not an answer was provided. An audio recording of the Council Meeting (including Public Question Time) is available on Council's website for twelve months following the meeting.

### 7.1 Anne Mullins

Question:

*As Anne Mullins was unable to attend the meeting in person, the Mayor read her questions as follows:*

What are the anticipated impacts on traffic movement in North Fitzroy local streets north and south of Holden Street from the Route 96 tram stop upgrades on Nicholson Street; and the major residential developments north and south of Glenlyon Road; and

How have these impacts been taken into account in resolutions made by Council this month in relation to traffic movement in North Fitzroy, particularly those will affect Barkly, Rae and Dean Streets?

*Response:*

*The Director City Works and Assets that there are no long term impacts anticipated from the tram works, with no changes proposed to traffic movements in or out of Miller Street, Clausen Street or Barkly Street. He explained that during construction, there may be a temporary impact due to traffic diversions, but that will be only during the construction period. He explained that Council officers have yet to enter into a dialogue with officers from Moreland City Council about housing developments north of Glenlyon road, but explained that this will happen in due course.*

*In response to the second question, the Director City Works and Assets explained that he cannot speak to what Council considered in reaching their decision, but did explain that officers had been directed to undertake further engagement with key agencies prior to commencing the trial of central medians at Miller and Rae Streets.*

### 7.2 Diane Morgan

Question:

This LAPMS process for Scotchmer Precinct 3 has been flawed and inconsistent with Council Policy, leading to lack of trust in the consultative process and community involvement. How will Council rebuild public trust in the LAPM consultative process?

I ask that council conduct a formal investigation into this flawed process to ensure that the decisions made by Council have not been compromised by the process and the policy and processes are reviewed and amended to ensure transparency and consistency.

*Response:*

*The Mayor thanked the questioner for the feedback. She noted that the recent process has been the only one in her experience that has proved to be divisive in the community, and previous processes have been very unifying.*

*The Director City Works and Assets responded officers undertook the process in an open-minded fashion with a view to engaging the community. He explained that the recent process has been long and complicated and acknowledged that it has been trying for the community at times. He explained that it is Council's intention to have a process that produces a good outcome for all parties and explained that it is intended to review the process over the next twelve months.*

*The Mayor offered to meet with the questioner to discuss further.*

7.3 Robyn Smith

Question:

What is the order of priority and expected timeframes for implementing the measures and trials approved in the Fitzroy North LAPM (3) plan - particularly in light of the imminent Nicholson St tram works that will have immediate impacts on local streets?

What is the plan for assessing the success (or not) of the trial median closures and other place-making changes – including the timeframes, the scope and the specific detail of measures to be used?

*Response:*

*The Director City Works and Assets explained that the trial of the median islands at Miller/Rae Streets and Holden St/Brunswick St North are proposed for October/November 2019 at the earliest. The right turn peak hour ban from Holden St into Brunswick Street north is expected to commence in 3 to 4 weeks and will run for six months. The remaining measures have yet to be scheduled.*

*As to the measurement of the success or otherwise of the measures, The Director City Works and Assets explained that Council will engage an external consultant to undertake a traffic impact assessment, but he cannot yet say exactly what that will entail.*

7.4 Trevor Jenkins

Question:

Given the fact that the amendment to the resolution moved at the last meeting (in relation to the Precinct 3 LAPM) has added considerably to the cost, how is that going to be covered, considering that there are 7 threshold treatments, median strips and signage.

Given the proviso that the remaining works will be subject to allocation in future budget, what certainty is there that the budget provision will be made in future budgets without compromising the project.

*Response:*

*The Director City Works and Assets explained that the project outlined a proposed funding allocation over a number of years, but that as Council budgets are adopted annually, funding for projects of this type is always dealt with on a year by year basis. Officers will draft a budget that will include an allocation for those works. He further explained that subject to compliance with requirements of the Local Government Act, Council Officers will recommend that the project continue to be funded to completion and include the necessary funding allocation in draft budgets.*

## **8. General business**

Nil

## **9. Delegates' reports**

Nil

## **10. Questions without notice**

### **10.1 Edinburgh Gardens**

Cr Fristacky asked about the health and progress of the jacaranda trees in Edinburgh Gardens and whether Council's arborist can inspect them to see whether anything can be done to improve their health.

The Director City Works and Assets took the question on notice.

### **10.2 Victoria Street CCTV**

Cr Stone asked about the situation at the intersection of Victoria St and Lennox St and what information is available about the effectiveness of the CCTV cameras that were installed approximately 12 months ago.

The Director Community Wellbeing replied that we have not received formal advice regarding the effectiveness of the cameras as a deterrent. He explained that while the CCTV footage is used for prosecution purposes, its effectiveness as a deterrent is currently unknown. He undertook to seek additional advice and provide it to Councillors.

Cr Stone further passed on that there is anecdotal evidence that drug dealing activity has been displaced into local streets, and that it would be good to understand whether this issue is being monitored or addressed.

The Director Community Wellbeing undertook to have discussions with the Department of Health and Human Services and Victoria Police on that issue.

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## 11.1 Rushall Reserve Shared Path - Update

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Trim Record Number: D19/25372

Responsible Officer: Director Planning and Place Making

### RECOMMENDATION

1. That Council, note the extensive history of the proposed shared path project at Rushall Reserve, North Fitzroy, including:
  - (a) officer reports, recommendations and Council determinations;
  - (b) the very substantial and disparate interests expressed by local and regional communities through the various consultation phases; and
  - (c) the substantial cost escalations and the significant risks presented to date, in particular on land not owned by the Council,
2. That Council, in the context of the report, the remaining uncertainties, the probability of further cost escalations and the inherent difficulties of delivery on other agencies' land, resolve to:
  - (a) not proceed with the project and determine to withdraw the current planning permit application; and
  - (b) direct Officers to advise relevant parties accordingly.

### The following people spoke on this matter:

Clinton Kitt  
Nick Legge  
Kenneth Gomez  
Anne Horigan-Dixon  
Paul Jackson  
Fiona Bell, Protectors of Public Lands Inc.  
Lou Baxter

*Cr Jolly left the meeting at 7.55pm and returned to the meeting at 7.59pm*

### MOTION

**Moved:** Councillor McEvoy

**Seconded:** Councillor Stone

1. That Council notes:
  - a) the officer report and referral advice received during the planning permit application process;
  - b) that the ability to construct a shared path located between South Morang railway line and Merri Creek cliff face has become more complex and costly due to:
    - i) the need for geological testing of the cliff face;
    - ii) the proximity to railway and power company infrastructure;
    - iii) the financial risks associated with potential disruption to railway operations.

2. That Council acknowledges:
  - a) the history of the proposed Rushall Reserve Shared path project;
  - b) the significant effort of Council officers to undertake design work, community and stakeholder consultation;
  - c) those community members who have participated in the consultation processes over a number of years;
  - d) the continuing need for improvements to the Merri Creek trail as a significant off-road cycling path in Yarra;
  - e) the continuing need for pedestrian access from the Southern end of Rushall Reserve.
3. That Council resolves to:
  - a) suspend the current Rushall Reserve Shared Path project;
  - b) withdraw the current planning permit application;
  - c) direct officers to advise relevant parties;
  - d) continue its commitment to fund and deliver improvements to Yarra's off-road shared path network.
4. That in relation to Council resolutions concerning other improvement works at the Reserve, Council note:
  - a) that the proposed drinking fountains, new seating and the intended landscape improvements processes along the creek are being progressed consistent with previous Council resolutions: and
  - b) Officers will provide a further report to Council within the next three months regarding a process for engagement with the local community concerning other possible general and specific amenity improvement opportunities to the Reserve, such report to include:
    - i) an outline of appropriate community engagement options to gather broad community opinions on desirable improvements for Council consideration;
    - ii) a review of appropriate improvements to directional and interpretive signage, appropriate new plantings/revegetation and drainage aspects, and
    - iii) a review of whether or not the existing asphalt path through the Reserve should be removed, or rather, retained, extended or replaced with turf.
5. That Council directs officers to report to Council in the August 2019 meeting cycle on:
  - a) the viability of other off-road cycling projects on the Merri Creek trail;
  - b) the viability and environmental impact of alternative options for users of the Merri Creek trail to avoid the DDA non-compliant underpass at Rushall Station including, but not limited to:
    - i) collaboration with Darebin Council on creek-level bridges that connect to Rushall Reserve;
    - ii) a connection under the rail bridge at Queens Parade and Brennand Street, and widening the path on the western side of the railway to Rushall Station;
  - c) the viability, feasibility and environmental impact of an improved gravel walking track between the South Morang railway line and Merri Creek cliff face from Rushall Station to Rushall Reserve given the constraints listed in 1b.

**LOST**

## CALL FOR A DIVISION

**For:** Crs Stone, McEvoy and Searle

**Against:** Crs Coleman, Fristacky, Jolly, Chen Yi Mei, Bosler and Nguyen

**LOST**

## COUNCIL RESOLUTION

**Moved:** Councillor Coleman

**Seconded:** Councillor McEvoy

1. That Council notes:
  - a) the officer report and referral advice received during the planning permit application process;
  - b) that the ability to construct a shared path located between South Morang railway line and Merri Creek cliff face has become more complex and costly due to:
    - i) the need for geological testing of the cliff face;
    - ii) the proximity to railway and power company infrastructure;
    - iii) the financial risks associated with potential disruption to railway operations.
2. That Council acknowledges:
  - a) the history of the proposed Rushall Reserve Shared path project;
  - b) the significant effort of Council officers to undertake design work, community and stakeholder consultation;
  - c) those community members who have participated in the consultation processes over a number of years;
  - d) the continuing need for improvements to the Merri Creek trail as a significant off-road cycling path in Yarra;
  - e) the continuing need for pedestrian access from the Southern end of Rushall Reserve.
3. That Council resolves to:
  - a) suspend the current Rushall Reserve Shared Path project;
  - b) withdraw the current planning permit application;
  - c) direct officers to advise relevant parties;
  - d) continue its commitment to fund and deliver improvements to Yarra's off-road shared path network.
4. That in relation to Council resolutions concerning other improvement works at the Reserve, Council note:
  - a) that the proposed drinking fountains, new seating and the intended landscape improvements processes along the creek should be progressed as soon as possible, consistent with previous Council resolutions: and
  - b) Officers will provide a further report to Council within the next three months regarding a process for engagement with the local community concerning other possible general and specific amenity improvement opportunities to the Reserve, such report to include:
    - i) an outline of appropriate community engagement options to gather broad community opinions on desirable improvements for Council consideration;
    - ii) a review of appropriate improvements to directional and interpretive signage, appropriate new plantings/revegetation and drainage aspects, and

- iii) a review of whether or not the existing asphalt path through the Reserve should be removed, or rather, retained, extended or replaced with turf.
- 5. That Council directs officers to report to Council in the August 2019 meeting cycle on the viability of other off-road cycling projects on the Merri Creek trail with advice from the Bicycle Advisory Committee and being consistent with the 2016 Bicycle Refresh Strategy.
- 6. That Council, in advising VicTrack of its decision not to proceed with the shared path, refer VicTrack to concerns raised by the community regarding the use of the informal goat track on VicTrack land and requests it to deal with those through appropriate safety mechanisms including protection along the escarpment.

**CARRIED**

**CALL FOR A DIVISION**

**For:** Crs Coleman, Fristacky, McEvoy, Searle and Stone  
**Against:** Crs Bosler, Chen Yi Mei and Nguyen  
**Abstained:** Cr Jolly

**CARRIED**

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## 11.2 Panther Pavilion, Boat Storage and Precinct Planning

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Trim Record Number: D19/39855  
Responsible Officer: Kerry Irwin

### RECOMMENDATION

1. That:
  - (a) Council support an integrated approach to the future planning, development and management of the Panther Pavilion and Amphitheatre Storage and Change Room Pavilion area including canoe storage facility options;
  - (b) Officers advise the Ivanhoe Northcote Canoe Club that the proposal they submitted in relation to the redevelopment of the Panther Pavilion was received and noted;
  - (c) The canoe storage facility project with a 2018/19 council budget allocation of \$50,000 does not proceed in favour of an integrated approach to the sites planning and development. The remaining \$45,000 be redirected to commence work to better investigate the needs and options for an integrated site approach to inform the concepts and design work proposed in 2019/20;
  - (d) Officers advise the Ivanhoe Northcote Canoe Club officers that the canoe storage facility project will not proceed in 2018/19;
  - (e) Council considers a budget allocation in 2019/20 for \$315,000 to commence the integrated precinct concept plan and design for a refurbishment of the Panther Pavilion and Amphitheatre Storage and Change Room Pavilion area including canoe storage; and
  - (f) With Council support, officers establish a Project Control group to commence the planning and design process for this project.

The following people spoke on this matter:

Debbie Bennett, Ivanhoe Northcote Canoe Club

### COUNCIL RESOLUTION

**Moved:** Councillor Stone

**Seconded:** Councillor Jolly

1. That Council defer consideration of this matter for two weeks and request officers to provide further information on:
  - (a) what heritage constraints exist to providing a short term storage solution for canoes and kayaks;
  - (b) whether the Fairfield Park Master Plan needs to be reviewed in light of its omission of any future plans for canoe and kayaking facilities;
  - (c) what short to medium term options are possible to improve storage for canoes and kayaks; and
  - (d) what arrangements would be made for canoe and kayak users during any reconstructions of the current facility or a new facility.

**CARRIED UNANIMOUSLY**

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### 11.3 An update on Yarra's response to Family Violence

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Trim Record Number: D19/22652

Responsible Officer: Group Manager People, Culture and Community

#### RECOMMENDATION

1. That:
  - (a) Council note the report and support ongoing work in this space.

*The Chief Executive Officer, Vijaya Vaidyanath left the meeting during the debate on this item.*

#### COUNCIL RESOLUTION

**Moved:** Councillor Bosler

**Seconded:** Councillor Coleman

1. That:
  - (a) Council note the report and support ongoing work in this space, which includes:
    - (i) The initial action plan for Yarra's Gender Equity Strategy 2016 - 2021 has ended and a new action plan is due for launch in March 2019. The strategy continues to be largely internally focused but does help build conversation and capacity across the organisation around gender equity and family violence.
    - (ii) Relevant activities in recent months include but are not limited to:
      - development and publication of a family violence statement of commitment;
      - ongoing active participation in networks addressing family violence and violence against women;
      - ongoing support to staff experiencing family violence;
      - gender equity training for children's services staff;
      - programs focusing on gender equity in areas including Children, Youth & Family Services, Libraries, Leisure and Recreation; and
      - Family Services continue to support local families experiencing family violence.

**CARRIED UNANIMOUSLY**

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**11.4 Report on Assemblies of Councillors**

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Trim Record Number: D19/18236

Responsible Officer: Group Manager Chief Executive's Office

**RECOMMENDATION**

1. That Council formally note and record the Assemblies of Councillors report as detailed in ***Attachment 1*** hereto.

**COUNCIL RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor McEvoy

1. That Council formally note and record the Assemblies of Councillors report as detailed in ***Attachment 1*** hereto, with the addition of Cr McEvoy as being recorded as present at the Bicycle Advisory Committee on 20 February 2019.

**CARRIED UNANIMOUSLY**

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**12.1 Notice of Motion No 3 of 2019 - Heritage Council Permit Review P30169 for VHR H0149, Arbirlot at 11 Brunswick Street, Fitzroy**

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Trim Record Number: D19/39810

Responsible Officer: Group Manager Chief Executive's Office

**COUNCIL RECOMMENDATION**

1. That in the matter of the Heritage Council hearing on 1 May being held for Permit Review P30169 of the refusal by the Executive Director of Heritage Victoria of permit application P26809 for VHR H0149, Arbirlot at 11 Brunswick Street Fitzroy:
  - (a) Yarra City Council write to Heritage Victoria to indicate its support for the Executive Director's refusal of the permit application P26809 for partial demolition, alterations, and additions including construction of a seven storey addition at the rear of the existing building at 11 Brunswick Street Fitzroy; and
  - (b) notes that Council's support is based on the following heritage grounds:
    - (i) the applicant's proposal is not appropriate within the setting of the place;
    - (ii) the loss of significant built fabric is not justifiable in the circumstances, and:
    - (iii) no circumstances have been identified by the applicant that support approving this proposal;
2. That Council notifies Heritage Victoria of this resolution together with the details to the grounds of support to the Director's refusal as listed in (d) (i), (ii), (iii) in the background below by Wednesday 3 April and, that Council does not wish to make a verbal submission at the hearing.

The following people addressed the meeting:

Louise Elliot

**COUNCIL RESOLUTION**

**Moved:** Cr Bosler

**Seconded:** Cr Jolly

1. That in the matter of the Heritage Council hearing on 1 May being held for Permit Review P30169 of the refusal by the Executive Director of Heritage Victoria of permit application P26809 for VHR H0149, Arbirlot at 11 Brunswick Street Fitzroy:
  - (a) Yarra City Council write to Heritage Victoria to indicate its support for the Executive Director's refusal of the permit application P26809 for partial demolition, alterations, and additions including construction of a seven storey addition at the rear of the existing building at 11 Brunswick Street Fitzroy; and
  - (b) notes that Council's support is based on the following heritage grounds:
    - (i) the applicant's proposal is not appropriate within the setting of the place;
    - (ii) the loss of significant built fabric is not justifiable in the circumstances, and:
    - (iii) no circumstances have been identified by the applicant that support approving this proposal;
2. That Council notifies Heritage Victoria of this resolution together with the details to the grounds of support to the Director's refusal as listed in (d) (i), (ii), (iii) in the background below by Wednesday 3 April and, that Council does not wish to make a verbal submission at the hearing.

**CARRIED UNANIMOUSLY**

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**13.1 ALGA National General Assembly 2019**


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**COUNCIL RESOLUTION****Moved:** Councillor Fristacky**Seconded:** Councillor Coleman

1. That Council endorse the following motions for submission to the Australian Local Government Association (ALGA) 2019 National General Assembly to be held on 16-19 June 2019:

*"1. That ALGA recognise that:*

- (a) we are in a state of climate emergency that requires urgent action by all levels of government;*
- (b) the effects of human induced climate change are already being felt and will continue to worsen as the temperature increases; and*
- (c) rapid and far-reaching action now needed at emergency scale and speed to reduce these impacts; and*

*2. That ALGA lobby each of the federal and respective state governments to both formally:*

- (a) recognise that we are in a state of climate emergency; and*
- (b) commit to urgent action on climate change, at a national scale."*

2. and

*"1. That the National General Assembly calls on the Federal Government to:*

- (a) Establish a Royal Commission into the gambling industry and the \$24 billion in annual gambling losses nationally, the highest in the world in per capita terms; and*
- (b) Embrace national harm minimisation policies to reduce gambling harm in Australia such as:*
  - (i) following the lead of the UK Labour Party in supporting a ban on credit card usage with Australian licensed online gambling companies;*
  - (ii) introducing further restrictions on gambling advertising, emulating the approach taken with the tobacco industry;*
  - (iii) establishing a national ombudsman scheme to process consumer complaints and resolve customer disputes with online gambling companies; and*
  - (iv) introducing a ban on federally registered political parties from owning gambling licences issued by Australian governments, including for the operation of poker machine venues."*

**CARRIED**

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**13.2      Rushall Reserve**

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**MOTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Coleman

1. That Council's motion at Item 11.1 earlier at this meeting regarding Rushall Reserve be rescinded

**PROCEDURAL MOTION**

**Moved:** Councillor Coleman

**Seconded:** Councillor Fristacky

1. That the question now be put.

**CARRIED**

**COUNCIL RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Coleman

1. That Council's motion at Item 11.1 earlier at this meeting regarding Rushall Reserve be rescinded

**CARRIED**

**CALL FOR A DIVISION**

**For:** Crs Chen Yi Mei, Coleman, Fristacky, Jolly and Nguyen

**Against:** Crs Bosler, McEvoy, Searle and Stone

**CARRIED**

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**13.3 Rushall Reserve**

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**COUNCIL RESOLUTION****Moved:** Councillor Coleman**Seconded:** Councillor Fristacky

1. That Council notes:
  - a) the officer report and referral advice received during the planning permit application process;
  - b) that the ability to construct a shared path located between South Morang railway line and Merri Creek cliff face has become more complex and costly due to:
    - i) the need for geological testing of the cliff face;
    - ii) the proximity to railway and power company infrastructure;
    - iii) the financial risks associated with potential disruption to railway operations.
2. That Council acknowledges:
  - a) the history of the proposed Rushall Reserve Shared path project;
  - b) the significant effort of Council officers to undertake design work, community and stakeholder consultation;
  - c) those community members who have participated in the consultation processes over a number of years;
  - d) the continuing need for improvements to the Merri Creek trail as a significant off-road cycling path in Yarra;
  - e) the continuing need for pedestrian access from the Southern end of Rushall Reserve.
3. That Council resolves to:
  - a) not proceed with the current Rushall Reserve Shared Path project;
  - b) withdraw the current planning permit application;
  - c) direct officers to advise relevant parties;
  - d) continue its commitment to fund and deliver improvements to Yarra's off-road shared path network.
4. That in relation to Council resolutions concerning other improvement works at the Reserve, Council note:
  - a) that the proposed drinking fountains, new seating and the intended landscape improvements processes along the creek should be progressed as soon as possible, consistent with previous Council resolutions: and
  - b) Officers will provide a further report to Council within the next three months regarding a process for engagement with the local community concerning other possible general and specific amenity improvement opportunities to the Reserve, such report to include:

- i) an outline of appropriate community engagement options to gather broad community opinions on desirable improvements for Council consideration;
  - ii) a review of appropriate improvements to directional and interpretive signage, appropriate new plantings/revegetation and drainage aspects, and
  - iii) a review of whether or not the existing asphalt path through the Reserve should be removed, or rather, retained, extended or replaced with turf.
5. That Council directs officers to report to Council in the August 2019 meeting cycle on the viability of other off-road cycling projects on the Merri Creek trail with advice from the Bicycle Advisory Committee and being consistent with the 2016 Bicycle Refresh Strategy.
  6. That Council, in advising VicTrack of its decision not to proceed with the shared path, refer VicTrack to concerns raised by the community regarding the use of the informal goat track on VicTrack land and requests it to deal with those through appropriate safety mechanisms including protection along the escarpment.

**CARRIED**

**CALL FOR A DIVISION**

**For:** Crs Coleman, Fristacky, Jolly, McEvoy and Stone

**Against:** Crs Bosler, Chen Yi Mei, Nguyen and Searle

**CARRIED**

**Conclusion**

The meeting concluded at 9.52pm.

Confirmed Tuesday 2 April 2019

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Mayor