



# **Ordinary Meeting of Council Minutes**

**held on Tuesday 25 June 2019 at 7.00pm  
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.”*

*“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.”*

### 1. A. Announcements

The Mayor acknowledged the 30<sup>th</sup> anniversary of the Tiananmen Square massacre in China that occurred on 4 June 1989 and had also spoken with two Yarra residents that had appeared recently on the TV series ‘The Project’ as they were in China at the time. The residents had told the Mayor that the event reflected the importance of people being able to determine their own future.

The Mayor also acknowledged the 25<sup>th</sup> anniversary of the amalgamation of the City of Yarra that occurred on 22 June 1994.

## 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 Daniel Nguyen
- Cr Bridgid O’Brien
- 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)
- Diarmuid McAlary (Director Corporate, Business and Finance)
- Bruce Phillips (Director Planning and Place Making)
- Mel Nikou (Governance Officer)

#### Leave of absence

Councillor Jolly declared leave of absence for the IDAC meeting on 18 September and Council meeting on 24 September.

Councillor Fristacky also declared leave of absence for the Council meeting on 10 September.

### 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

#### 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 Coleman

**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 matters relating to the security of Council property.
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 Fristacky

**Seconded:** Councillor Stone

That the minutes of the Special Council Meeting held on Tuesday 11 June 2019 be confirmed.

**CARRIED UNANIMOUSLY**

## 6. Petitions and joint letters

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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.

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## 6. Petitions and joint letters

### 6.1 Petition - Stop oversized vehicles entering our narrow residential roads

Reference: D19/99525

A petition signed by 24 residents are requesting that Council consider stopping the use of trucks and oversized vehicles within the South side of Balmain Street on Gwynne, Cubitt and Dover Streets in Cremorne by diverting traffic in alternative directions.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Searle

**Seconded:** Councillor Chen Yi Mei

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

**CARRIED UNANIMOUSLY**

### 6.2 Petition for School Crossing Supervisor at Collingwood College - North West Corner

Reference: D19/109595

A petition signed by 109 parents and local residents are requesting that Council consider employing a School Crossing Supervisor at the north west corner of Collingwood College so that children may enter and leave school safely each day.

At Collingwood College the intersection of Vere Street and Campbell Street is a major point of entry for students of the school, yet in this extremely busy area there have been no safety provisions put in place whatsoever for the students to enter and leave school safely.

The Collingwood College parents and local residents petition the Yarra City Council and Victorian Government to employ a School Crossing Supervisor at the north-west corner of Collingwood College so that our children may enter and leave school safely each day.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor O'Brien

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

**CARRIED UNANIMOUSLY**

## 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 Andris Blums - Council Minutes

Question:

*The Mayor read out two questions that were sent to her and the CEO.*

Are the minutes of the meetings, 5<sup>th</sup> March, 28 June and 11 June, a true and accurate account of each Council meeting?

Response:

*The Mayor advised that she believed that they were accurate. Councillors vote each time on the minutes of the meeting and believe them to be a true and accurate account of each meeting.*

Who is the responsible person and decision maker for drafting the minutes of the meetings of the 5 March, 28 June and 11 June and what is the mechanism for holding them account?

Response:

*The Mayor advised that all Councillors vote on the minutes of the previous meetings, and I personally sign off from them so I nominate myself as the responsible decision maker for the minutes of our meetings.*

## 8. General business

### 8.1 Seeking a report on the option and implications for ceasing the use of Glyphosate

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor O'Brien

1. That Officers present a report to Council:
  - (a) outlining the current practices used for weed management in the City of Yarra;
  - (b) referencing known alternative procedures for weed management;
  - (c) referencing current controls or codes applied to the use of Glyphosate and any reviews underway by Authorities, concerning the use of Glyphosate; and
  - (d) noting trials of alternative weed management practices being conducted by other Victorian Councils.

**CARRIED UNANIMOUSLY**



## 9. Delegates' reports

### 9.1 Cr Searle - Municipal Association of Victoria (MAV)

<b>Committee</b>	Municipal Association of Victoria (MAV)
<b>Appointed Councillors</b>	Cr James Searle (Cr Jackie Fristacky substitute)
<b>Date of Council Meeting</b>	25 June 2019
<b>Date of Report</b>	21 June 2019
<b>Report Author</b>	Cr James Searle

#### DELEGATES REPORT

##### Friday 17 May 2019 MAV State Council Meeting

State Council is the governing body of the MAV and is made up delegates from each of the 79 Councils. Many CEO's and officers also attend. Cr James Searle attended as the City of Yarra delegate.

#### Agenda

The agenda included:

##### ***President's report***

The President (Coral Ross) spoke about her time so far as President speaking with MAV representatives from around the state. Common themes to the conversations were a desire for MAV to be a strong sector advocate, strengthen relationships with government, promote the work of Councils, demonstrate membership value and work more collaboratively with other local government associations.

Coral outlined her priorities as President to be good governance, openness and transparency; working collegiately; communicating well; and working with the board and administration to support & help Councils to promote what we do.

##### ***CEO's report***

The CEO stressed the need for MAV to change & modernise and made it clear that she intends to be an agent for that change. She pointed out that there is a disconnect between the content of the MAV Strategic Plan and motions moved by members at State Council. She considers the strategic plan to be a list of advocacy items rather than a true strategy.

##### ***Presentation by Malcolm Alexander, Chief Executive of Local Government New Zealand***

Local Government New Zealand is the national local government peak body in NZ. It was clear from Malcolm's presentation that New Zealand Councils are facing many of the same challenges as Australian ones – particularly with cost shifting from the national government.

They are openly questioning whether property rates are the right way to fund local government. There is a desire to levy taxation directly, not rely on rates and grants. He used an example of Queenstown on the South Island which has a rates base of

24,000 residents but 4 million visitors each year. Queenstown Council has been successful in conducting a referendum which would allow them to introduce an accommodation tax on tourist accommodation. This would be an important revenue source for them and would allow them to use variable rates to incentivise accommodation development where it is needed.

Their Productivity Commission is doing an all-encompassing review of local government funding. Malcolm pointed out that unlike the review being conducted by our State Government, their review has broad terms of reference which could include consideration of fundamental changes to the rating system.

### ***Motions moved by member Councils***

#### **Key motions carried**

State Council carried Yarra's motions on Climate Emergency, gambling reform and the Victorian State Local Government Agreement. The Climate Emergency motion was carried with 78% in favour.

Other key motions carried included:

- (a) Continue advocating to State Government for action on the waste and recycling crisis and to introduce a Container Deposit Scheme;
- (b) Advocacy to State Government to fund the connection of existing cycling; infrastructure and development of new, safer cycling infrastructure;
- (c) Advocacy to State Government on more provision of social and affordable housing;
- (d) Advocacy to State and Federal government to respond to the risks climate change presents to Victoria's coast;
- (e) Advocacy for the rate cap to be disconnected from CPI, and that sector-wide issues effecting the cost of service delivery be taken into account when setting the rate cap;
- (f) Advocacy to State Government to address the issues associated with Fines Victoria;
- (g) Advocacy for a regulatory framework for bike/scooter share schemes;
- (h) Advocacy to State Government to improve public transport, including Melbourne Metro 2;
- (i) Advocacy to restore Status Resolution Support Service funding;
- (j) Advocacy to increase Newstart Allowance;
- (k) Advocacy to State Government to increase penalties for illegal removal of trees; and
- (l) Advocacy to Federal Government to increase funding for the development of renewable energy.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Searle

**Seconded:** Councillor Fristacky

1. That Council note this Delegates Report.

**CARRIED UNANIMOUSLY**

## 9.2 Cr Fristacky - Municipal Association of Victoria (MAV)

<b>Committee</b>	Municipal Association of Victoria
<b>Appointed Councillors</b>	Cr James Searle; Cr Jackie Fristacky - Deputy Delegate
<b>Date of Council Meeting</b>	25 June 2019
<b>Date of Report</b>	22 June 2019
<b>Report Author</b>	Cr Jackie Fristacky

**DELEGATES REPORT**

1. **The Municipal Association of Victoria (MAV) held its Metropolitan Regional Forum** 12-3pm Thursday 6 June 2019. To enhance council networking, the Metropolitan Forum was held in association with MAV's Rural Forum 9.30am-1pm 6 June. Attending the Metropolitan Regional Forum for the City of Yarra were Councillors Fristacky and Searle.

Presentations are outlined below:

2. **EPA CEO, Cathy Wilkinson** referred to amendments to the Environmental Protection Act and a new Ministerial Direction to focus on liaison with local government. A new pilot program of **Officers for the Protection of the Local Environment (OPLE)** funded 11 new authorised EPA officers assigned to 13 council areas across Victoria. Based at councils, OPLEs support local enforcement issues on noise, odours, dust, dumping, pollution and waste and also focus on business and community education to improve awareness on these matters. The 2019/20 State Budget has included \$3.4M funding to expand the OPLE program for 6-10 other councils.

Also raised, was handling the State's ban on e-waste from 1 July 2019 in terms of education, and compliance as well as the treatment of waste, and resource recovery as an essential service covered by the Essential Services Commission.

3. **Infrastructure Victoria's Executive Director, Dr Jonathan Speers** advised IV had been asked to provide advice to government by April 2020 on infrastructure required to support changes to the waste industry in Victoria. An interim report is due by October 2019. IV is thus calling for submissions on matters relating to waste handling including treatment, recycling, reprocessing, container deposits, product markets, procurement, the circular economy and waste to energy.

<http://www.infrastructurevictoria.com.au/project/advice-on-waste-infrastructure-in-victoria/>

4. **MAV CEO, Kerry Thompson** addressed the Victorian Government's Rating System Review advising that an MAV draft submission examining this and broader funding issues including cost shifting to local government would be circulated to Councils by early July 2019 for their input. The CEO also referred to a property tax conference being held in November 2019. The CEO asked for case study information from councils on the impacts of land tax on local businesses as relevant to questions of financial sustainability.

5. **MAV Transport Infrastructure Committee (TIC)** meeting held 20 June at the MAV was attended by Cr Fristacky. The National Transport Commission (NTC) Productivity and Safety Manager spoke on the NTC Issues Paper, *Legislative Barrier to the Safe Use of Innovative Vehicles and Motorised Mobility Devices*, released January 2019, covering the use of e-scooters, e-skateboards, segways and e-bikes.

<https://www.ntc.gov.au/current-projects/barriers-to-the-safe-use-of-innovative-vehicles-and-mobility-devices/>

This paper identified inconsistencies between the States in the legal use of e-scooters, e-skateboards, segways and e-bikes on footpaths, shared paths and roads. Also, current Australian Road Rules (ARR) restrictions of 10 km/h and 110 kg weight for mobility devices on footpaths contrast with Queensland's 150 kg weight, European standards of 15 km/h and no weight limit. NTC questions the current State restrictions and inconsistencies serving to limit the use of new devices and disadvantaging mobility and disability sectors.

An NTC Discussion Paper on the subject is due to be released late July 2019. Input is to be sought from stakeholders including Councils, on options for the use of mobility devices increasing weight and speed restrictions to 150-170 kgs and speeds varying from 10, 15, to 25 km/h on footpaths, shared paths and bikes paths.

6. MAV's Senior Policy Officer (Transport) also reported to the MAV TIC meeting on:
- (a) Increased State budget 2019/20 funding for school crossing supervisors, and proposed new designs with raised zebra crossings;
  - (b) NTC proposals for the regulation of new heavy vehicles; and
  - (c) Changes to the State's regulation of parking and road safety controls which the MAV is to forward to Councils, seeking feedback into submissions on these matters.

## **COUNCIL RESOLUTION**

**Moved:** Councillor Fristacky

**Seconded:** Councillor Searle

1. That Council:
- (a) notes this Delegate's Report on the MAV Metropolitan Regional Forum held 6 June 2019 and MAV Transport Infrastructure Committee meeting held 20 June 2019;
  - (b) refers Infrastructure Victoria's call for submissions on the Waste Industry, to Council officers to adapt submissions made previously on the same subject including on the need for Container Deposits Legislation, noting submissions to Infrastructure Victoria close 28 June 2019;
  - (c) notes expansion of the Environment Protection Authority Officers for the Protection of the Local Environment (OPLE) program to other Councils and notes the scope for Yarra to be included; and
  - (d) refers to officers for attention, the pending National Transport Commission Discussion Paper on the *Use of Innovative Vehicles and Motorised Mobility Devices*, expected to be released in July 2019.

**CARRIED UNANIMOUSLY**

## 9.3 Cr Stone - Early Years Reference Group

<b>Committee</b>	Early Years Reference Group
<b>Appointed Councillors</b>	Cr Amanda Stone
<b>Date of Council Meeting</b>	25 June 2019
<b>Date of Report</b>	23 June 2019
<b>Report Author</b>	Cr Amanda Stone

**DELEGATES REPORT**

Yarra's Early Years Reference Group has continued to provide a forum for early year's educators in Yarra to share information and good practice, remain updated on Council initiatives, receive professional development and contribute to Council policy.

Meeting quarterly, the group has this year shared their experiences of meeting changing regulatory and practice requirements, including preparing for subsidised 3 year old kindergarten programs from 2021 and the consequent need to increase the early year's workforce.

Regular updates from the Department of Education and Training are provided, focusing this year on the professional development available for educators, the compact between local government and the department to support early year's participation and the plan for new kindergartens built from 2021 to be co-located with school sites.

**Empowering Children**

A key theme of discussions at the EYRG is that of children's voices. I attended a forum on 26<sup>th</sup> May run by the VLGA with a panel comprising Liana Buchanan, Principal Commissioner for Children & Young People, Vivian Romero, School of Health, Medical & Applied Sciences, CQ University and Fatima Ayub, Australian Youth Representative to UN Liaison Committee; 2018 Youth Summit facilitator.

One in 5 Victorians are under the age of 18, a significant proportion of the population who have rights and also views to express.

However, despite the UN Declaration on the Rights of the Child, the international 'Child Friendly Cities' movement and increased awareness of children's rights in general, the concept of children with rights and agency has not been embedded in society.

Commissioner Buchanan reported that children are often overlooked legally, in child protection cases they are often not even interviewed. Children themselves say they have no voice in these cases and don't understand what is happening to them.

Children are yet to be accepted as authentic stakeholders in many aspects of social and cultural life. There's an imperative to understand how they understand the world. Organisations need to adopt a culture where children matter, where extra attention is given to hearing and understanding what children need and want, and in turn they feel they are heard and responded to. Children need to feel they have permission to use their voice. Organisations need to demonstrate this is happening and not simply stating that it is. They need to focus on children who are hard to access, not only those who are easy to reach.

This week I attended two Yarra Council events which demonstrated how far our organisation has come in responding to this challenge.

### **Connie Benn Arts Event and Exhibition**

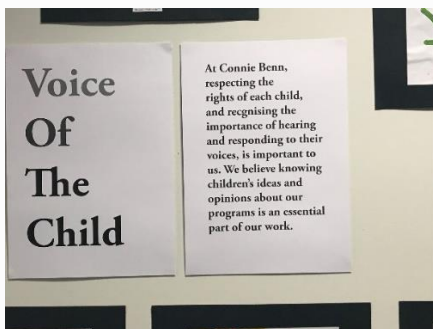
An “Arts Event and Exhibition” at the Connie Benn Centre was in fact a display of the work being done by Children and Family Services to hear the voice of children, to engage them on things that matter to them and to develop in them the skills and confidence to express what is important. The “Voice of the Child” is capturing children’s views about the issues which affect them, encouraging them to interview each other and to communicate their views through a range of media – art, multimedia, and recorded voice. In tangent, the centre has been engaging parents of these children in arts and craft skills development, with the products both on display and for sale.

This was also an opportunity to observe the Experience Yarra program participants at work: Year 10 students from local Yarra secondary schools undertaking work experience placements in Children’s Services and Communications, were very involved in the organisation of the day.

### **Experience Yarra Graduation**

At a graduation ceremony a few days later I had the opportunity to hear from these students about the program. These students spoke about the rich learning experience they’d had in just one week at Yarra Council and the further insights this provided for them about future career options.

Whilst children being heard and not just seen is not yet embedded as part of civic participation in Victoria, some great steps are being taken by officers in the Children and Family Services area at Yarra and this should be better known and communicated across all we do at Yarra.



### **COUNCIL RESOLUTION**

**Moved:** Councillor Stone

**Seconded:** Councillor Fristacky

1. That:
  - (a) Council note this Delegates’ Report; and
  - (b) Officers provide a report to Council on the conclusion of the Voice of the Child project and outline how children’s voices will become embedded in consultation undertaken by Council across the range of policies and programs where community engagement is sought.

**CARRIED UNANIMOUSLY**

## 9.4 Cr Stone - Friends of Bacau Inc.

<b>Committee</b>	Friends of Bacau Inc.
<b>Appointed Councillors</b>	Cr Amanda Stone
<b>Date of Council Meeting</b>	25 June 2019
<b>Date of Report</b>	22 June 2019
<b>Report Author</b>	Cr Amanda Stone

**DELEGATES REPORT**

Friends of Baucau Inc. continues to meet monthly in venues alternately between Yarra and Darebin reflecting its memberships of citizens and councillors from each municipality.

The Annual General Meeting was held on 20 March, was reported on to Council in April. Since then a delegation from Friends of Baucau and the Neighbourhood House Network from Yarra and Darebin, travelled to Dili and Baucau to establish links with women's groups and community centres there. This will be the subject of a report to Council by Aldo Malavisi who attended representing Yarra Council.

The trip was an opportunity to test the new Child Protection Policy and provisions including protocols for taking photos. Work is well underway on a Gender and Diversity Policy to guide future partnerships like those being developed through the Neighbourhood House Network.

A reception was held last week for the departing Ambassador of Timor Leste to Australia, His Excellency Abel Guterres at Parliament House. HE Abel is well known, liked and highly regarded in the local community having been one of the East Timorese who left just prior to Indonesian occupation in 1975 and having made a life in Melbourne, working as a bus driver, in community radio and in many support roles in the Timorese community before roles as a consul general and ambassador. An activist and lobbyist, he has been instrumental in forging the strong connections currently enjoyed between Australia and Timor Leste.

The reception also saw the launch of a book - in English and Tetum – documenting the role and history of friendship groups, produced by the Australia Timor-Leste Friendship Network. Copies were presented to Council with Friends of Baucau the first story to be documented.

**COUNCIL RESOLUTION****Moved:** Councillor Stone**Seconded:** Councillor O'Brien

1. That:
  - (a) Council note this Delegates Report; and
  - (b) Council acknowledge the important role played by His Excellency Abel Guterres and thank him for his contribution to the East Timorese community in Melbourne and to developing strong links between Australia and Timor Leste.

**CARRIED UNANIMOUSLY**

## 9.5 Cr Stone - Living Melbourne Metropolitan Urban Forest Strategy Launch

On behalf of Council I attended the launch of the Living Melbourne Metropolitan Urban Forest Strategy. Thirty-two metropolitan Councils out of thirty-four have signed up and is a massive undertaking and not much like it globally. It acknowledges that Melbourne needs to plan to reverse the current and future decline of vegetation and tree canopy across the whole metropolitan area to sustain Melbourne's liveability for people and nature in the future. The collaboration and the governance challenges that have been met in bringing in all these Council's and State Government bodies and other parties together to plan a whole overview of Melbourne's Metropolitan Urban Forest is unique and would also like to table the booklet and acknowledge the work done by our officers to ensure that we are a part of this and to also encourage the two remaining Council's to join up.

**COUNCIL RESOLUTION****Moved:** Councillor Stone**Seconded:** Councillor O'Brien

1. That Council note this Delegates' Report.

**CARRIED UNANIMOUSLY**

*Councillor Jolly left the meeting at 8:03pm.*

*Councillor Jolly returned to the meeting at 8:07pm.*

## 9.6 Cr Bosler - ALGA National General Assembly 2019

<b>Committee</b>	ALGA National General Assembly 2019
<b>Appointed Councillors</b>	Cr Danae Bosler
<b>Date of Council Meeting</b>	25 June 2019
<b>Date of Report</b>	18 June 2019
<b>Report Author</b>	Cr Danae Bosler

**DELEGATES REPORT**

The Australian Local Government Association (ALGA) – National General Assembly (NGA) 2019 was held on Monday 17 – Wednesday 19 June in Canberra and was attended by Cr Danae Bosler.

**KEY DISCUSSION ITEMS**

The agenda for NGA this year was comprehensive as always with representatives from over 270 councils in attendance. The agenda covered new technologies, waste and recycling, housing and affordability, and emergency response along with over 115 motions to be voted on. Deputy Prime Minister Michael McCormack MP and Shadow Minister for Local Government Jason Clare MP also attended.

Highlights included:



- (a) Presentation from Lake Macquarie City Council on their recycling strategy which strikingly mirrors ours (separation of glass and food organics), and how it was anchored first in community values as they decided what action to take;
- (b) Presentation from Wujal Aboriginal Shire Council on their life saving communications system they have built for their community which is regularly cut off due to flooding (and can't rely on commercial telephone providers);
- (c) Celebrating 100 years of women councillors with the Australian Local Government Women's Association, where I learnt the first woman elected to any level of government in Australia was Susan Grace Benny to Brighton Council (SA) in 1919.
- (d) Key motions moved, seconded or supported by Yarra City Council including acknowledging a climate emergency and investigating gambling harm minimisation were (mostly) supported. There was a late urgent motion on reversing the funding cuts to the ABC.

### **COUNCIL RESOLUTION**

**Moved:** Councillor Bosler

**Seconded:** Councillor Stone

1. That Council notes this Delegate's Report.

**CARRIED UNANIMOUSLY**

## **10. Questions without notice**

### 10.1 Councillor Stone - Medically Supervised Injecting Facility

Question:

On 14 May Council unanimously passed a resolution calling on the State Government to establish an independently chaired taskforce to provide a forum for local concerns around the Medically Supervised Injecting Facility be raised and addressed and talked through.

I assume that a letter has been sent? Have we received a response yet?

*Response:*

*The Mayor advised that a letter had been sent out a few weeks ago but a response has not been received and would follow-up.*

### 10.2 Councillor Fristacky - Naming of Maternal Child Health

Question:

An issue has been raised regarding the naming of Maternal Child Health and was asked the question. Why doesn't Council consider calling it Parental and Child Health rather than Maternal and Child Health?

*Response:*

*The Director Community Wellbeing advised that we are aware of the range of proposals to look at changing the name. There are a range of views and no one clear view. There is still support to call it Maternal Child Health. The City of Moreland has also looked into it and determined to keep it as Maternal Child Health.*

*However, we happy to look into it and bring something back to Councillors.*

### 10.3 Councillor Coleman - Access to toilets at Reclink Community Cup 2019

Question:

The access to the toilets at this event was terrible and affected a lot of people.

1. How many people were allowed entry?
2. How many toilets were provided for women and how many toilets were provided for men?
3. How many toilets should have been required - under the permit conditions - for men and how many for women?
4. Why were pass-outs not allowed (which would have enabled people to get out and find a toilet)?
5. What can be done to improve the access and decrease the queues to toilets at next year's event, regardless of where it's held?

Response:

*The Director Community Wellbeing advised that access to facilities is important and we try and make sure we cater adequately. Under the occupancy of public entertainment (also known as POPE), that requires the ratio of 1 to 200 toilets is provided. Usually applicants give an indication of the number of people expected. There was an indication of 12,000 people attending so under that ratio, there would be 60 toilets outside. There will be a meeting with the facilities team tomorrow. We have not been given any indication of any breaches of the permit so my understanding is that is the number that was there but will come back to Councillors and confirm that and pass on that information at the debrief to seek better ways on improvement.*

### 10.4 Councillor O'Brien - Alphington Community Meeting

Question:

At a recent community meeting in Alphington regarding the ongoing AMCOR development, a number of questions were raised by community members.

In the planning permit, the AMCOR development was to be set back 30 metres from the riverbank, given in some sections up to 2 to 3 metres of bank will vanish i.e. drop into the river.

Will the 30 meter setback still be enforced? Will there be a call to halt construction until the final riverbank edge is defined?

Part of the riverbank has been closed off for safety issues in case of further falling of significant trees and this issue diverts attention to the fact that the bank is rapidly slipping into the river. In the last two weeks there has been an additional two foot drop in the bank where the latest tree fell, resulting in shutting down the path for safety, but stops inspection and monitoring the problem by the local community.

What monitoring of the riverbank is being conducted and how frequent is it?

Is it Council that approves or signs off on the water storage issues at this particular development and who determines that lining of the dams is unnecessary? Is it the developer, Melbourne Water or Council?

*Response:*

*The Director Planning and Place Making advised that the 30 metre setback is the requirement of the development plan that comes out of the Development Plan Overlay. The development plan provides the framework for the rest of the site so I don't believe at this stage although it may be a question for the lawyers. I don't believe any change to the riverbank will change that requirement as it is set. There is a 30 meter setback and another 10 meter setback at the crest of the embankment before any development could occur and that is all in the masterplan.*

*In terms of the safety aspects and the monitoring of the riverbank, Council has indicated to Glenvill that they need to do some GO tech work and also arborist work, and that is on the way. Council has also commissioned a consultant Engineer back on 11 June to ensure we have capacity for a solid peer review and we need the Glenvill work to be provided to the consultant Engineer. We received a briefing from the consultant Engineer on the 19 June so that is all very active. To date the respective arborist from Glenvill and Council arborist have met to exchange their views.*

*David Walmsley and myself are supervising and providing an overview and Mr Walmsley was involved in the meeting with the arborists. We are aware of the community sentiments, the Council resolutions and indeed the motion tonight. We are also following through Melbourne Waters responsibility and any other acts that may be appropriate in this matter.*

*At this point the 30 metre setback will not change but do need to take that on notice and in terms of who determines and who is responsible, they are all good and important questions and that is why we are asking our lawyers for an analysis on Melbourne Waters responsibility and also engage with Melbourne Water on the topic. There may be aspects Melbourne Water need to do and there may be aspects that Council need to do. The land is owned by Glenvill.*

10.5 Councillor Jolly - Legal advice on the 30 metre setback

*Question:*

*Can Councillors receive the legal advice on the issue of the 30 metre setback?*

*Response:*

*The Director Planning and Place Making advised the question on the various issues including the 30 metre setback will be raised with Council lawyers for a response.*

*The Chief Executive Officer also advised liaising with DELWP (Department of Environment, Land, Water and Planning as Melbourne Water comes under DELWP although they are a standalone agency and DELWP have assured that they will connect and engage with our officers because one is a legal view and one is a planning requirement because we have said in the application permit that it cannot be less than 30 metres.*

10.6 Councillor Searle - Property at 107 Coppin Street, Richmond

Question:

In relation to 107 Coppin Street Richmond, Councillors would have seen the notification recently by determination of the Heritage Council of Victoria which ruled on a nomination of 107 Coppin Street by a community member who is present today. It ultimately ruled against having it on the state register but it did suggest that perhaps Council could consider it again for Council's planning scheme and Council's heritage overlay.

What if any avenues are there for Council now to reconsider this property for inclusion on the heritage overlay?

Response:

*The Director Planning and Place Making advised that a planning permit was issued in January this year and valid for a 2 year commencement. The Executive Director at Heritage Victoria had received a nomination request and believed that, that was not worthy of the heritage recognition that was proposed by the applicant. That was affectively taken on appeal to the Heritage Council and the Heritage Council did not believe the site was warranted for Victorian Heritage registration. The Heritage Council said that Council may reconsider its position from a local heritage point of view.*

*Whether Council could do anything in regard to the local heritage in the Yarra Planning Scheme; that may be possible, but would need to research that further. The planning permit is still valid so even if there was a heritage overlay put on, I believe the planning permit would still be able to be acted on.*

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**11.1 2019/20 Annual Budget, 4 Year Strategic Resource Plan, & 10 Year Long Term Financial Strategy Adoption**


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Trim Record Number: D19/97437

Responsible Officer: Director Corporate, Business and Finance

[Help](#)**RECOMMENDATION**

1. That Council, in considering submissions made on the proposed 2019/20 Budget and for the reasons set out at Attachment 4:
  - (a) adopts the 2019/20 Proposed Budget as the Annual Budget of Council for the 2019/20 financial year, with the following amendments:
 

(i) Add Investment Interest Income	\$255k
(ii) Remove Yarra Street Community Garden Project	\$55k
(iii) Include additional Street Cleansing associated with Medically Supervised Injecting Facility	\$300k
  - (b) adopts the 2019/20 – 2022/23 Proposed SRP as the Strategic Resource Plan for 2019/20;
  - (c) adopts the 2019/20 – 2028/29 Proposed LTFS as the Long Term Financial Strategy for 2019/20;
  - (d) makes copies of the 2019/20 Adopted Budget, SRP & LTFS available at Council offices, libraries and on Council's website;
  - (e) authorises the Chief Executive Officer to give public notice of the decision to adopt the Annual Budget and submit a copy to the Minister for Local Government, in accordance with Section 130 of the Act;
  - (f) endorses Council's response to the submissions and notifies in writing the persons who have made a submission regarding the 2019/20 Proposed Budget, SRP and LTFS of Council's decision, in accordance with Section 223 of the Act, which will include a response to the issues raised in the submission;
  - (g) declares rates and charges as per pages 45-48 of the budget document (Attachment 1), in summary, an amount of \$ 112,465,000.00 (or such greater amount as is lawfully levied as a consequence of this resolution) as the amount which Council intends to raise by General Rates and other charges, which is calculated as follows:
 

General Rates	\$ 111,235,000.00
Special Rates & other charges	\$ 245,000.00
Supplementary Rates	\$1,100,000.00
Pensioner rate rebate and other rate offsets	(\$465,000.00)
Interest on Rates	<u>\$350,000.00</u>
Total Rates and Charges	\$ 112,465,000.00
  - (h) advises in respect to General Rates:
    - (i) a general rate be declared in respect of and for the entire duration of the 2019/20 financial year;
    - (ii) it further be declared that the general rate be raised by application of a uniform rate;
    - (iii) a percentage of 0.039533 be specified as the percentage of the uniform rate which may be alternatively expressed as \$0.039533 cents in the NAV dollar: this figure is subject to clarifying the final valuations with the VGV;

- (iv) it be confirmed that no amount is fixed as the minimum amount payable by way of a general rate in respect of each rateable property within the municipality; and
  - (v) the Council funded Pensioner Rate Rebate be declared at \$187.10 for 2019/20;
  - (i) declares no Annual Service Charge in respect of the 2019/20 financial year;
  - (j) declares no Municipal Charge in respect of the 2019/20 financial year; and
  - (k) authorises the Chief Executive Officer to effect administrative and wording changes to the proposed 2019/20 Budget, SRP & LTFS documents, which may be required.
2. That Council has reviewed the Council Plan (incorporating the Health and Wellbeing Plan) in accordance with relevant legislation, and no changes are proposed.

## COUNCIL RESOLUTION

**Moved:** Councillor Bosler

**Seconded:** Councillor Coleman

1. That Council, in considering submissions made on the proposed 2019/20 Budget and for the reasons set out at Attachment 4:
- (a) adopts the 2019/20 Proposed Budget as the Annual Budget of Council for the 2019/20 financial year, with the following amendments:
    - (i) Additional Revenue Available from:

a. Investment Interest Income	\$255k
b. Removal of Yarra Street Community Garden Project	\$55k
c. <u>Reduce the Bridge Road street works amount to \$80k noting that an unspent amount reserved for Bridge Road street works of \$200k in the 2018/19 will be spent in first quarter of 2019/20.</u>	\$200k
d. <u>Reduce Burnley Golf Course Allocation</u>	\$60k
    - (ii) Additional Expenditure Items:

a. Include additional Street Cleansing associated with the Medically Supervised Injecting Facility	300k
b. <u>Trial 24 hour Yarra Library (branch to be determined)</u>	\$80k
c. <u>Ramsden Street Oval - additional lighting</u>	\$20k
d. <u>Collingwood Town Hall Precinct - Affordable / Social Housing - Feasibility Study</u>	\$100k
e. <u>Hold 70k for the Dancehouse air-conditioning cost to be considered in the October 2019 budget review.</u>	\$70K
    - (iii) Notations:
      - a. Include signage for Princes Hill to be funded from within the operating budget;
      - b. Make a correction of the reference to Princess Hill Children's Centre at Page 60 of the budget to Princes Hill CC; and
      - c. Make a correction of the reference to "Public Toilet Exeloo Carlton" at Page 60 of the Budget to "North Carlton" and identify location in North Carlton;
  - (b) adopts the 2019/20 – 2022/23 Proposed SRP as the Strategic Resource Plan for 2019/20, and direct officers to:
    - (i) commence work on a design for the removal of car parking between the central median islands in Holtom Street East to enable additional planting in the centre of

the road, and undertake community consultation on the design, with the results to be presented to Council for consideration as part of the quarterly budget review. Subject to community support, this could include mature trees, lower level plantings and/or planter boxes; and

(ii) liaise further with Dancehouse over appropriate scoping of air conditioning works for consideration as part of the quarterly budget review;

- (c) adopts the 2019/20 – 2028/29 Proposed LTFS as the Long Term Financial Strategy for 2019/20;
- (d) makes copies of the 2019/20 Adopted Budget, SRP & LTFS available at Council offices, libraries and on Council's website;
- (e) authorises the Chief Executive Officer to give public notice of the decision to adopt the Annual Budget and submit a copy to the Minister for Local Government, in accordance with Section 130 of the Act;
- (f) endorses Council's response to the submissions and notifies in writing the persons who have made a submission regarding the 2019/20 Proposed Budget, SRP and LTFS of Council's decision, in accordance with Section 223 of the Act, which will include a response to the issues raised in the submission;
- (g) declares rates and charges as per pages 45-48 of the budget document (Attachment 1), in summary, an amount of \$ 112,465,000.00 (or such greater amount as is lawfully levied as a consequence of this resolution) as the amount which Council intends to raise by General Rates and other charges, which is calculated as follows:

General Rates	\$ 111,235,000.00
Special Rates & other charges	\$ 245,000.00
Supplementary Rates	\$1,100,000.00
Pensioner rate rebate and other rate offsets	(\$465,000.00)
Interest on Rates	<u>\$350,000.00</u>
Total Rates and Charges	\$ 112,465,000.00

- (h) advises in respect to General Rates:
  - (i) a general rate be declared in respect of and for the entire duration of the 2019/20 financial year;
  - (ii) it further be declared that the general rate be raised by application of a uniform rate;
  - (iii) a percentage of 0.039533 be specified as the percentage of the uniform rate which may be alternatively expressed as \$0.039533 cents in the NAV dollar: this figure is subject to clarifying the final valuations with the VGV;
  - (iv) it be confirmed that no amount is fixed as the minimum amount payable by way of a general rate in respect of each rateable property within the municipality; and
  - (v) the Council funded Pensioner Rate Rebate be declared at \$187.10 for 2019/20;
- (i) declares no Annual Service Charge in respect of the 2019/20 financial year;
- (j) declares no Municipal Charge in respect of the 2019/20 financial year; and
- (k) authorises the Chief Executive Officer to effect administrative and wording changes to the proposed 2019/20 Budget, SRP & LTFS documents, which may be required.

2. That Council has reviewed the Council Plan (incorporating the Health and Wellbeing Plan) in accordance with relevant legislation, and no changes are proposed, save for noting the following:

(a) That Council further note:

(i) the 22 budget submissions related to bicycle infrastructure indicating its

continued high priority for the community;

(ii) the persistent relatively low level of funding for bicycle infrastructure in recent Yarra budgets;

(iii) the number of incomplete and unfunded projects in the Bicycle Strategy Refresh 2016;

(iv) the lack of an overall strategy to substantially increase the uptake of cycling in Yarra since the original Bicycle Strategy adopted in 2010;

(b) That Council request that a review of future strategic directions for increasing cycling in Yarra be included in the Integrated Transport Strategy and reported on prior to the mid-year budget review.

3. That a quarterly financial report be provided to Council in October 2019 to review the 2019/20 Budget so Council can consider any appropriate adjustments for the 2019/20 Budget, noting projects still outstanding and requiring further investigation such as Dancehouse air-conditioning upgrades and 200k for the Bridge Road Streetscape Masterplan implementation.

**CARRIED**

#### **CALL FOR A DIVISION**

**For:** Councillors Coleman, Fristacky, Jolly, Stone, Chen Yi Mei, Searle, Bosler and O'Brien

**Against:** Councillor Nguyen

*Councillor Nguyen left the meeting at 8:46pm.*

*Councillor Jolly left the meeting at 8:56pm.*

*Councillor Jolly returned to the meeting at 9:24pm.*



## 11.2 2019/20 Annual Plan

Trim Record Number: D19/95243

Responsible Officer: Manager Corporate Planning and Performance

### RECOMMENDATION

1. That Council endorse the 2019/20 Annual Plan as presented.
2. That Council authorises officers to make minor administrative changes or clarifications if required.

### COUNCIL RESOLUTION

**Moved:** Councillor Fristacky

**Seconded:** Councillor Coleman

1. That Council endorse the 2019/20 Annual Plan with the following amendments:
  - (a) Action 2.01 Volunteer Strategy – add wording to action description and milestone to include reference to the Implementation Plan;
  - (b) Action 3.05 Actively avoid and reduce waste – add wording “and promote the use of recycled materials through procurement and advocacy” following “...increase of recycling.” To 3.05 September milestone “Develop education /engagement campaign about waste and avoidance”, add “recycling and re-use”;
  - (c) Action 3.07 Investigate replacing paved spaces with permeable surfaces - replace wording in action and description from “up to 3 possible trial sites” to “at least 3 trial sites”;
  - (d) Add a new Action in Section 4 on Progressing Yarra’s Planning Scheme Rewrite, with the following milestones:
    - (i) September - Continue to draft policies in the new format required by DELWP, and Continue to brief Councillors of the proposed policies;
    - (ii) December - Seek Council consent to seek ‘authorisation’ from the Minister for Planning to place on exhibition a draft new Yarra Planning Scheme;
    - (iii) March 2020 - If authorisation provided, brief Councillors on submissions received; and
    - (iv) June 2020 - Report back to Council post exhibition regarding submissions and recommend final planning scheme provisions;
  - (e) Add new Action 4.10 Nicholson Village Bus Depot with September milestone – Brief Councillors on a planning assessment for the bus depot site;
  - (f) Action 6.02 Low speed traffic environments – Add wording to action description and additional milestone “Advocate to State Government for reduced speed through activity centres on arterial roads to a consistent 40 km/h, including Nicholson Street and St Georges Road activity centres”;
  - (g) Action 6.06 North East Link – Change title to Public Transport Advocacy; and
  - (h) Under the revised heading 6.06 Public Transport Advocacy, revise the text as follows:

**Council Plan initiative:**

- (i) Advocate to the State Government for improved public transport services to meet population growth including:
  - (i) Chandler Highway north-south bus route, Doncaster Rail, Hoddle Street Study, Airport Rail, MM2 and Alexandra Parade; and
  - (ii) The North East Link (NEL) is a proposed \$16 billion freeway connection of the M80 Ring Road to the Eastern Freeway. The project also includes new cycle paths and the construction of a busway on the Eastern Freeway. While the NEL is some distance from Yarra, it has the potential to bring large volumes of additional traffic to Yarra via the Eastern Freeway. In May 2019, Council resolved to make a formal submission on the NEL Project and Environment Effects Statement;
- (j) Under the Quarterly Milestones for Public Transport Advocacy, revise the text as follows:

**Quarterly Milestones:**

- (i) September - Deliver Council submission to NEL Panel hearings including on the NEL Busway and public transport solutions;
  - (ii) December - Prepare mitigation plans and other projects to discuss with consortia if the NEL is tendered;
  - (iii) March - Hold discussions with NEL consortia regarding Council's position; and
  - (iv) June - Provide briefing to Councillors on NEL updates and on ongoing public transport advocacy.
2. That Council authorises officers to make minor administrative changes or clarifications **as** required (including corrections to 1.01, 5.02, 6.05, Council Plan Initiatives).

**CARRIED**

**CALL FOR A DIVISION**

**For:** Councillors Coleman, Fristacky, Chen Yi Mei, Searle, Bosler and O'Brien

**Against:** Nil

**Abstained:** Councillor Stone

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### 11.3 Draft Social and Affordable Housing Strategy

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Trim Record Number: D19/99985

Responsible Officer: Director Community Wellbeing

#### RECOMMENDATION

1. That Council:
  - (a) note the officer's report, the attached draft Social and Affordable Housing Strategy and background reports provided;
  - (b) approve the draft Social and Affordable Housing Strategy for public exhibition and consultation, with submissions open until Friday 9 August; and
  - (c) note the final Social and Affordable Housing Strategy will be returned to Council in September to consider for adoption.

#### COUNCIL RESOLUTION

**Moved:** Councillor Stone

**Seconded:** Councillor Coleman

1. That Council:
  - (a) note the officer's report, the attached draft Social and Affordable Housing Strategy and background reports provided;
  - (b) approve the draft Social and Affordable Housing Strategy for public exhibition and consultation, with submissions open until Friday 9 August, subject to inclusion in the description of key workers, "those working in arts and music industries" given the significant contribution of these to Yarra's culture, social cohesion and economy;
  - (c) note the final Social and Affordable Housing Strategy will be returned to Council in September to consider for adoption; and
  - (d) note that Councils are not the main player in provision of affordable housing and continue to advocate to state and federal governments for greater public investment in public housing.

**CARRIED UNANIMOUSLY**

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## 11.4 Draft Urban Agriculture Strategy

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Trim Record Number: D19/100085

Responsible Officer: Director City Works and Assets

### RECOMMENDATION

1. That Council endorse the draft Urban Agriculture Strategy 2019-2023 and action plan as outlined in **Attachment 2**.

### COUNCIL RESOLUTION

**Moved:** Councillor Searle

**Seconded:** Councillor Stone

1. That Council endorse the draft Urban Agriculture Strategy 2019-2023 and action plan as outlined in **Attachment 2**.

**CARRIED UNANIMOUSLY**

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## 11.5 Report on Assemblies of Councillors

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Trim Record Number: D19/97078

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 Fristacky

**Seconded:** Councillor Stone

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

**CARRIED UNANIMOUSLY**

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**12.1 Notice of Motion No. 10 of 2019 - Requesting Council Support Nomination to Heritage Victoria by the Queens Parade Heritage, Planners and Traders Group**

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Trim Record Number: D19/105295

Responsible Officer: Group Manager Chief Executive's Office

**RECOMMENDATION**

1. That Council:
  - (a) note the Application by the Queens Parade Heritage, Planning and Traders Group to nominate the **Queens Parade Shopping Precinct for inclusion in the** Heritage Victoria Register (refer copy attached);
  - (b) note the request from Queens Parade Heritage, Planning and Traders Group seeking Council's support to the application; and
  - (c) determine to record its in-principle support to the nomination and advise the Group and Heritage Victoria accordingly.

Public Submission

*Glen McCallum addressed Council on the matter.*

**MOTION**

**Moved:** Councillor O'Brien

**Seconded:** Councillor Stone

1. That Council:
  - (a) note the Application by the Queens Parade Heritage, Planning and Traders Group to nominate the **Queens Parade Shopping Precinct for inclusion in the** Heritage Victoria Register (refer copy attached);
  - (b) note the request from Queens Parade Heritage, Planning and Traders Group seeking Council's support to the application; and
  - (c) determine to record its in-principle support to the nomination and advise the Group and Heritage Victoria accordingly.

*Councillor Coleman suggested an amendment in clause (c) that was accepted by the mover and seconder and incorporated into the motion below.*

## COUNCIL RESOLUTION

**Moved:** Councillor O'Brien

**Seconded:** Councillor Stone

1. That Council:

- (a) note the Application by the Queens Parade Heritage, Planning and Traders Group to nominate the **Queens Parade Shopping Precinct for inclusion in the** Heritage Victoria Register (refer copy attached);
- (b) note the request from Queens Parade Heritage, Planning and Traders Group seeking Council's support to the application; and
- (c) determine to record its in-principle support to the nomination and advise the Group and Heritage Victoria accordingly and convene a meeting at a venue on Queens Parade for the owners and occupiers of Queens Parade business premises within the next quarter.

**CARRIED UNANIMOUSLY**

## 13. Urgent Business

### 13.1 Urgent Business - Seeking Independent Assessment Report of Requirements for Removal of Trees on the AMCOR land in Alphington

#### Background

Council's resolution of 11 June 2019 stated:

*"That in the matter of the potential removal of trees in the Amcor river frontage land site in Alphington; Council:*

- (a) request that before Officers approve the removal of any trees from the said area, Council receive and determine on an Officer report which:
  - (i) advises Council on the background of potential and required works related to removal / potential removal of trees and vegetation within the noted area;*
  - (ii) advises Council any options available to Council in the management and / or removal of trees and vegetation within the noted area; and**
- (b) request that if any trees are required to be removed as a risk mitigation measure, Officers first advise Councillors of the reasons for such action before works are undertaken; and further,*
- (c) request officers to present independent consultant reports (arborist, hydrologist, engineers as necessary) as soon as possible, on the cause of river bank damage and any other drainage issues impacting on the site."*

#### COUNCIL RESOLUTION

**Moved:** Councillor Jolly

**Seconded:** Councillor O'Brien

1. That in the matter of the potential removal of trees from the Amcor land site in Alphington; Council:
  - (a) note its resolution of 11th June 2019;
  - (b) in respect of clause (b) of that resolution request that an independent consultant be engaged by Council to in turn engage and manage the referenced independent experts to review and advise on:
    - (i) the cause of any river bank damage;
    - (ii) any drainage, contamination or other issues impacting the site;
  - (c) require the independent consultant to report direct to Council as soon as possible, and further;
  - (d) request that the independent consultant's report include background details as to how the condition of the site has been allowed to deteriorate to the current condition.

**CARRIED UNANIMOUSLY**



**Conclusion**

The meeting concluded at 9.52pm.

Confirmed Tuesday 16 July 2019

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Mayor