



Ordinary Meeting of Council Minutes

**held on Tuesday 30 July 2019 at 7.00pm
Richmond Town Hall**

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."

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)
- Bruce Phillips (Director Planning and Place Making)
- Mel Nikou (Governance Officer)

Leave of absence

Councillor Chen Yi Mei declared leave of absence for the meeting on 27 August.

Councillor O'Brien declared leave of absence for the meetings on December 3 and 17.

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

Nil

4. Confidential business reports

Item

- 4.1 Matters relating to legal advice and matters prejudicial to Council and /or any person

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 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 legal advice and matters prejudicial to Council and /or any person.
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 Chen Yi Mei

That the amended minutes of the Ordinary Council Meeting held on Tuesday 16 July 2019 be confirmed.

CARRIED UNANIMOUSLY

6. Petitions and joint letters

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7. Public question time

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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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Nil

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6. Petitions and joint letters

6.1 Petition - Protect our River Front and Significant Trees

Reference: D19/132384

A petition signed by 283 Yarra residents has been received relating to the Glenvill development and the riverbank behind the development.

Residents are calling on Glenvill to do all they can to protect the riverbank and trees and take immediate action to mitigate the damage regardless of the cause or who is responsible and act as good community citizens and commence works to correct the damage to the riverbank and preserve the environment for the future occupants of their development and the community as a whole.

COUNCIL RESOLUTION

Moved: Councillor O'Brien

Seconded: Councillor Jolly

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 - Authorised Officer

The Mayor received a question by sent in by Mr Blums and advised that she would respond to him directly via email.

8. Delegates' reports

8.1 Councillors Fristacky and Stone - Victorian Greenhouse Alliances Conference

Subject	Victorian Greenhouse Alliances Conference 19 July 2019
Councillors - Officers	Cr Jackie Fristacky; Cr Amanda Stone; Officer Michael Oke
Date of Council Meeting	30 July 2019
Date of Report	22 July 2019
Report Author	Cr Jackie Fristacky

DELEGATES REPORT

1. **Victorian Greenhouse Alliances Conference (VGAS) 2019**

Held on Friday 19 July at the Melbourne Convention Centre, this annual conference of the VGAS involving t regional greenhouse organisations including NAGA, and also CASBE, was sponsored by the Victorian State Government, Department of Environment, Land, Water and Planning (DELWP), Sustainability Victoria (SV) and the Insurance Council of Australia.

2. **The Minister for the Environment, was represented by MLC Nina Taylor,** a former Glen Eira Councillor and member of the Eastern Alliance for Greenhouse Action, spoke on:

- (a) the State's Climate Change Act and interim target to reduce emissions by 15-20% by 2020, with submissions being sought on enhanced targets from 2021 to 2030;
- (b) the importance of partnerships with local government who were placed to tap into community and local knowledge;
- (c) State funding available for investment in renewable energy projects, recycling initiatives; and
- (d) Melbourne, Yarra and Port Phillip councils working through IMAP to achieve 100% reliance on energy from renewables.

3. **Sarah Barker, Corporate Lawyer, Head Climate Risk Governance, Minter Ellison**, emphasised that many Insurers, Lawyers, Banks and other Financiers now accept financial and legal imperatives of dealing with risk associated with climate change, the obligation to disclose this risk and demonstration of mitigation action. She pointed out: *When capital markets and regulators accept the imperative of dealing with climate change risk, political beliefs are irrelevant.* Increased flood, inundation, drought and fire risks with decline in agricultural production, energy outages, damage to infrastructure, and loss of life, means massive financial consequences for failure to deal with the risks of climate change.
- Moodys and Standard and Poors now warn government and business to address climate change risks or face downgrading in credit ratings. This means higher interest costs for borrowing.
 - Insurers are declining to insure against risks of climate change/acts of god. If insurance cover is denied, borrowers will not have mortgages approved.
 - Failure to take mitigation or adaptive action to deal with the effects of climate change as a foreseeable risk, can now lead to litigation for negligence and nuisance.
4. **Breakout sessions:** Delegates were asked to divide into multiple breakout sessions covering the following themes:
- Zero Carbon Emissions: transitioning to a zero carbon community and economy;
 - Transforming Public Lighting Assets;
 - Climate Change Governance and regulatory frameworks;
 - State and Local Government collaboration;
 - Engaging Communities on Climate Change
 - Integrating Greening into Climate Change Adaptation;
 - Financing Physical Risk Infrastructure;
 - What would a Zero Carbon Planning Scheme look like?
 - Using Land-Use Planning to adapt our built environment;
 - Embedding Climate Change into Agricultural Decisions;
 - The Five C's: Cutting Costs and Council Corporate Carbon;
 - On the Road to Zero Emissions Transport.
5. **NAGA Executive Officer, David Meiklejohn**, spoke on the key role of local government in Victoria with the example of representations from Victoria to COAG pursuing ESD in the National Building Code. With more limited initiatives by local governments in other states, he raised the need for a unified national voice and how best to develop progress a National Platform involving local, state and federal governments.

Suggestions were made by delegates for the Alliance to work towards such national platform with green champions in other states, peak LG associations, ALGA, ICLEI, Community Partnerships, the Capital City Lord Mayors Group, and others.

6. **Key Matters identified at sessions**
- Development of land use planning indicators for environmental performance;
 - Actions to increase tree planting on private land and businesses;
 - Imperative to design coastal areas and Fishermans Bend for higher sea levels;

- Landfill sites transformed into green wedges and solar farms;
- Electric vehicle charging stations provided by local government;
- Restricting burning timber in fireplaces for domestic heating;
- Appropriate budget allocations for enforcement of compliance by developers in meeting ESD, greening and biodiversity goals, energy reduction, canopy cover, water capture;
- Deficiencies in the Planning and Environment Act which does not cover climate change;
- We are far behind action needed and not thinking big enough.

Cr Stone attended the following session:

Climate change governance and regulatory frameworks

Climate change has now evolved from an environmental issue to a significant financial risk that local government is required to manage. What are the legal obligations on local government to do so? How should local government deal with the assurance process? What are the latest developments regarding how climate change is impacting the public sector from a governance perspective?

Implementation of the LSIO

Jodi Kennedy, Manager Development Services, Bass Coast Shire Council

Public authority directors' duties and climate change - Arjuna Dibley, Senior Adviser, Centre for Policy Development

AASB/AuASB joint guidance on climate-related and other emerging risk disclosures - Terence Jeyaretnam, Partner Climate Change and Sustainability Services, EY

This session focused on just where the regulatory and legal frameworks currently sit in relation to climate risk and local government.

These risks are characterised as Physical Risks, Climate Risks and Transition Risks. It is expected that council auditors will start asking questions about transition and physical risks related to climate change. Recent legal judgements have used the words "Reasonable care and diligence". What this is has not yet been tested in law but the language is there.

The challenge is how to measure the materiality of the risk so we can account for it.

Part of this will be assessing what a 2.5 degree temperature increase will look like in 2050 with regard to asset management and planning decisions taken now.

The attribution science to establish the causal link between climate change and material risks is improving and getting closer to the point where governments can be sued for lack of action.

The wider scenario planning by some local governments and the insurance industry was used to demonstrate that the consequences of planning for these risks are minimal.

Bass Coast Shire used the LSIO to identify and manage risk of sea level rise. This was contested by property owners at a panel, but supported by the state government. Property prices did not drop as a result.

Insurance companies already have information about likely changes such as sea level rise and flooding; to have this on a certificate indicates planning for the future which is considered positively.

In short, acknowledging risks and planning for them now makes sense and may also mitigate future risk and legal liability.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Stone

1. That the above Delegate's Report be noted.
2. That the report be referred to Statutory and Strategic Planning, for consideration of the land use planning issues raised.

CARRIED UNANIMOUSLY

9. General business

- 9.1 Councillor Fristacky - Charter of Best Practice and Charter Toolkit for Live Music Events

Background

The recent Changes Summit held 3-4 July 2019 at the Abbotsford Convent and across Yarra music venues, was attended by the Head of Research and Campaigns from London's Attitude is Everything (AIS). www.attitudeiseverything.org.uk

AIS seeks to improve deaf and disabled people's access to live music partnering with audiences, artists and the music industry to implement a **Charter of Best Practice** for disabled people to access live music events.

This Charter sets out Bronze, Silver and Gold stages of improvements to support music venues and festivals to improve accessibility. Over 125 venues and festivals have signed up to the Charter of Best Practice, adopting it as an industry standard for accessibility at live music events. A **Charter Toolkit** developed by AIS provides guidance and advice on accessibility to event organisers enabling organisations to receive Charter awards/accreditation by improve their accessibility.

AIS involves a coalition of 40 industry umbrella organisations, ticketing companies, venues and event companies comprising the majority of the live music market. The organisation provides [commercial consultancy, training, an attitude champion framework](#) and a [ticketing without barriers campaign](#).

There is, as yet, no equivalent in Australia. The General Manager, Victorian Music Development Office, who attended and helped organise the Changes Summit with Creative Victoria and Music Victoria, has expressed interest in promotion of such approaches in the music industry to help improve accessibility of artists and audiences to live music in Victoria.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Stone

1. That:
 - (a) Council refer to Yarra's Arts and Cultural Services Team, scope for Yarra engagement with the Victorian Music Development Office, Creative Victoria and Music Victoria to promote a **Charter of Best Practice and Charter Toolkit** to help improve deaf and disabled people's access, both artists and audiences, to live music events in Yarra, and Victoria; and

- (b) the scope for such a Charter and Toolkit, also be referred for input to Council's Arts and Disability Advisory Committees.

CARRIED UNANIMOUSLY

- 9.2 Councillor O'Brien - Seeking a report on the potential to amend signage in parks to include emergency contacts for injured wildlife

COUNCIL RESOLUTION

Moved: Councillor O'Brien

Seconded: Councillor Fristacky

- 1. That Officers present a report to Council regarding signage in Councils Parks and Open Space and outlining the potential for adding to such signage, to include the following wording - "Injured Wildlife Call (03) 8400 7300.

CARRIED UNANIMOUSLY

- 9.3 Councillor O'Brien - Update on status of Pitfall Traps in Yarra

Background

Pitfall drain in Edinburgh Gardens not safe for wildlife:



Pitfall drain now safe for wildlife:



COUNCIL RESOLUTION

Moved: Councillor O'Brien

Seconded: Councillor Stone

- 1. That Officers present a report to Council:
 - (a) providing an update audit on all pitfall traps in Yarra; and
 - (b) whether pitfall traps across the municipality have all been modified to be "wildlife safe" as was done in Edinburgh Gardens.

CARRIED UNANIMOUSLY

10. Questions without notice

10.1 Councillor Stone - Taskforce re Medically Supervised Injecting Facility

Question:

In May, Council unanimously passed a resolution calling on the State Government to establish a taskforce which would enable all those with an interest in what is happening in North Richmond and Abbotsford to be involved. The Mayor wrote to the State Government and I wanted to know if a response was received?

Response:

The Mayor advised that she had not received a formal response as yet.

10.2 Councillor Fristacky - Sporting Oval Conditions

Question:

On the weekend I attended a football match and spoke to the president of Old Geelong who mentioned that they were looking at a combination of grass and synthetic turf for the centre of the Como Park oval.

Can this be looked at by our Open Space Officers as to whether this would be a good solution to overcome the problem of muddy centre bounce areas at Yarra Sporting Ovals?

Response:

The Director Planning and Place Making took the question on notice.

10.3 Councillor Searle - Telstra Billboards on phone booths

Question:

The Telstra pay phone billboard advertising that we see in the CBD come up with a large advertising video screen tacked onto the back of phone booths that are more a billboard than phone booth. I am aware that we have had an application from Telstra to place such booths in Yarra some months back and I was wondering what the progress had been in terms of whether or not Council was successful on pushing back on that for the many accessibility and other issues that are associated with that?

Response:

The Director Planning and Place Making advised that the matter was a concern for the Local Government industry and a number of Council's have taken up that concern. Yarra Council has already refused a number of applications, we have five more on further information and the applicant has already indicated that they are seeking an appeal or a Federal Court determination because there is a Federal legislation. A number of Council's are saying there are concerns with that and they are taking it to Federal Court seeking determination. There is also a determination currently at VCAT from City of Melbourne.

11.1 North East Link Panel Response to Council Submission

Reference: D19/128998

Authoriser: Director Planning and Place Making

RECOMMENDATION

1. That Council:
 - (a) note the Environmental Effects Statement process regarding the North East Link project by the State Government, and
 - (b) note the contents of this officer report and pages 56 – 69 of the NEL Authority Traffic and Transport Review Expert Evidence Statement as it relates to the Yarra City Council submission and its attachments.
2. That officers provide further updates to Council following the conclusion of the Inquiry and Advisory Committee process.

Councillor Coleman left the meeting at 9.01pm

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Jolly

1. That Council:
 - (a) note the Environmental Effects Statement process regarding the North East Link project by the State Government;
 - (b) note the contents of this officer report and pages 56 – 69 of the NEL Authority Traffic and Transport Review Expert Evidence Statement as it relates to the Yarra City Council submission and its attachments; and
 - (c) further note that while the Panel states that Yarra's concerns fall "outside scope", there will be a need for further advocacy to protect liveability and amenity in Yarra as a consequence of this project proceeding.
2. That officers provide further updates to Council following the conclusion of the Inquiry and Advisory Committee process.

CARRIED UNANIMOUSLY

11.2 Fitzroy Adventure Playground Program Grant 2019-2022 Recommendation Report

Trim Record Number: D19/95254

Responsible Officer: Director Community Wellbeing

RECOMMENDATION

1. That Council:

- (a) award the Fitzroy Adventure Playground Program Grant 2019-2022 to Save the Children Australia, subject to performance targets and financial acquittals being met each year;
- (b) authorise officers to negotiate a funding agreement with Save the Children Australia that includes:
 - (i) provision of \$125,000 in 2019/20, noting that \$25,000 has already been provided to Save the Children Australia this financial year, as an interim payment to ensure continuity of the Cubbies program;
 - (ii) provision of \$150,000 in 2020/21 (year 2) and 2021/22 (year 3), subject to approval through the annual Council budget and performance targets being met;
 - (iii) annual performance targets and financial acquittals from date of agreement to 30 June 2022;
 - (iv) performance commitment to seek and allocate any further funding towards additional sessions of the adventure playground program during school terms and school holiday periods;
 - (v) performance commitment to undertake an evaluation plan that specifies the inputs, outputs and outcomes for an adventure playground program in Fitzroy;
 - (vi) performance commitment to adhering to requirements to safety and support for all children and young people attending the program and/or visiting the site of the Fitzroy Adventure Playground; and
 - (vii) performance commitment to encourage and specify the parameters for use of the site to raise revenue and/or improve utilisation outside of the scheduled program hours; and
- (c) authorise officers to seek approval from the relevant Minister under section 17D (4) (c) Crown Land (Reserves) Act 1978 – Terms and Conditions Approval – to extend the current lease with SCA for the Fitzroy Adventure Playground;
- (d) subject to Minister approval, authorise a new Crown Lease with a new funding agreement to be issued to Save the Children Australia for a term expiring 30 June 2022 and including such conditions and performance measures as may be required by Council to secure all rights and obligations and payments to Council; and
- (e) advocates to the Victorian and Commonwealth governments seeking restoration of an appropriate funding scheme to support program costs associated with operating adventure playgrounds.

Public Submissions

The following people addressed Council on the matter:

Dianne Francois, Save the Children; and

Rei Kori, Save the Children.

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

1. That Council:

- (a) award the Fitzroy Adventure Playground Program Grant 2019-2022 to Save the Children Australia, subject to performance targets and financial acquittals being met each year;
- (b) authorise officers to negotiate a funding agreement with Save the Children Australia that includes:
 - (i) provision of \$125,000 in 2019/20, noting that \$25,000 has already been provided to Save the Children Australia this financial year, as an interim payment to ensure continuity of the Cubbies program;
 - (ii) provision of \$150,000 in 2020/21 (year 2) and 2021/22 (year 3), subject to approval through the annual Council budget and performance targets being met;
 - (iii) annual performance targets and financial acquittals from date of agreement to 30 June 2022;
 - (iv) performance commitment to seek and allocate any further funding towards additional sessions of the adventure playground program during school terms and school holiday periods;
 - (v) performance commitment to undertake an evaluation plan that specifies the inputs, outputs and outcomes for an adventure playground program in Fitzroy;
 - (vi) performance commitment to adhering to requirements to safety and support for all children and young people attending the program and/or visiting the site of the Fitzroy Adventure Playground; and
 - (vii) performance commitment to encourage and specify the parameters for use of the site to raise revenue and/or improve utilisation outside of the scheduled program hours; and
- (c) authorise officers to seek approval from the relevant Minister under section 17D (4) (c) Crown Land (Reserves) Act 1978 – Terms and Conditions Approval – to extend the current lease with SCA for the Fitzroy Adventure Playground;
- (d) subject to Minister approval, authorise a new Crown Lease with a new funding agreement to be issued to Save the Children Australia for a term expiring 30 June 2022 and including such conditions and performance measures as may be required by Council to secure all rights and obligations and payments to Council;
- (e) advocates to the Victorian and Commonwealth governments seeking restoration of an appropriate funding scheme to support program costs associated with operating adventure playgrounds;
- (f) notes the intent of SCA to apply for additional funding to enable the same levels/hours of service delivery going forward the SCA has been delivering over that past year; and
- (g) authorises Officers to support SCA in grant and other funding applications to enable the levels of service delivery outlined above.

CARRIED UNANIMOUSLY

11.3 Library Policy Update

Reference: D19/128081
Authoriser: Director Community Wellbeing

RECOMMENDATION

1. That Council:
 - (a) note the changes to the updated Library Policy that seek to improve the customer experience of Library Services in line with contemporary best practice; and
 - (b) authorise officers to discontinue the issuing Library fines for customers who have overdue items.

MOTION

Moved: Councillor Fristacky **Seconded:** Councillor Chen Yi Mei

1. That Council:
 - (a) note and endorse the changes to the updated Library Policy that seek to improve the customer experience of Library Services in line with contemporary best practice; and
 - (b) authorise officers to discontinue the issuing Library fines for customers who have overdue items and amend the policy accordingly.

Councillor Stone suggested an amendment which was accepted by the mover and seconder and incorporated into the motion below.

COUNCIL RESOLUTION

Moved: Councillor Fristacky **Seconded:** Councillor Chen Yi Mei

1. That Council:
 - (a) note and endorse the changes to the updated Library Policy that seek to improve the customer experience of Library Services in line with contemporary best practice;
 - (b) authorise officers to discontinue the issuing Library fines for customers who have overdue items and amend the policy accordingly; and
 - (c) receive a report in 12 months on the effects of discontinuing the issuing of Library fines both in terms of net financial impact and the number of items not returned to the service.

CARRIED UNANIMOUSLY

11.4 Self defence programs for women, girls and LGBTIQ+ community

Trim Record Number: D19/128007

Responsible Officer: Director City Works and Assets

RECOMMENDATION

1. That Council:
 - (a) note that a separate report is planned to be presented to Council later in 2019 on public safety in parks, reserves and gardens, and
 - (b) seek a further report from officers on the options for a coordinated external focussed plan on public safety and equal opportunity of women and the LGBTIQ+ community, that includes advice on how Yarra could implement a program along the lines of the Plan International *Free to Be*, and the City of Ballarat's *Right to the Night* campaigns.

COUNCIL RESOLUTION

Moved: Councillor O'Brien

Seconded: Councillor Jolly

1. That Council:
 - (a) note that there is significant material available evidencing research into the safety impacts of self-defence training for the referenced groups;
 - (b) defer this report for consideration with the Gender mainstreaming report about lighting, panic alarms, the "Yarra Free to Be" app and the inclusive use of public space and sporting facilities; and
 - (c) request that such report include:
 - (i) available gender data on the use of sporting facilities and leisure centres, including a break-down of gym use, group fitness areas and other services provided by our leisure centres; and further; and
 - (ii) the available gender data on clubs using our sporting facilities, include the gender makeup of teams using the space as well as club leadership.

CARRIED UNANIMOUSLY

11.5 Appointment of Authorised Officers - Planning and Environment Act 1987

Trim Record Number: D19/124614

Responsible Officer: Group Manager Chief Executive's Office

RECOMMENDATION

1. That Council formally appoints:
 - (a) Cait Ramsden
as an Authorised Officer pursuant to Section 147(4) of the *Planning and Environment Act 1987* and Section 232 of the *Local Government Act 1989*.
2. That Council directs that the Instrument of Appointment and Authorisation be signed accordingly by the Chief Executive Officer.

COUNCIL RESOLUTION

Moved: Councillor Chen Yi Mei

Seconded: Councillor Stone

1. That Council formally appoints:
 - (a) Cait Ramsden
as an Authorised Officer pursuant to Section 147(4) of the *Planning and Environment Act 1987* and Section 232 of the *Local Government Act 1989*.
2. That Council directs that the Instrument of Appointment and Authorisation be signed accordingly by the Chief Executive Officer.

CARRIED UNANIMOUSLY

11.6 Report on Assemblies of Councillors

Trim Record Number: D19/119503

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 Stone

Seconded: Councillor Chen Yi Mei

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

CARRIED UNANIMOUSLY

13.1 Update on Yarra Riverbank, Alphington

Reference: D19/130965

Authoriser: Director City Works and Assets

RECOMMENDATION

1. That Council:
 - (a) notes the contents of this report;
 - (b) notes that the Alluvium report has been provided to Glenvill and Melbourne Water;
 - (c) adopts Alluvium's recommendations as outlined in Section 5 of their report of 29 July 2019;
 - (d) instructs Officers to advise Glenvill that a planning permit will be required in order to remove Tree 1;
 - (e) instructs Officers to ensure that weekly monitoring of the slump area and trees occurs to determine if conditions change and increase the likelihood of trees falling; and
 - (f) notes that Officers will provide a further report to Council, based on expert advice, on the cause of the slumping of the river bank, and any remediation works that could be considered to prevent further deterioration of the river bank and/or further loss of trees in this area.

Public Submissions

The following people addressed Council on the matter:

Fiona Currie, APMAG;

Spiro Georgakopoulos;

Todd Perry; and

Michael McKiness.

MOTION

Moved: Councillor O'Brien

Seconded: Councillor Jolly

1. That Council:
 - (a) notes the contents of this report;
 - (b) notes that the Alluvium report has been provided to Glenvill and Melbourne Water;
 - (c) notes the contents of Alluvium's report of 29 July 2019 and instructs Officers to advise Glenvill that a planning permit will be required in order to remove Tree 1;
 - (d) requests that prior to a planning permit being granted to remove Tree T1:
 - (i) an assessment be conducted by Alluvium for an alternative solution that will enable preservation of the tree; and
 - (ii) such assessment be presented to the next Council meeting;
 - (e) instructs Officers to ensure that weekly monitoring of the slump area and trees occurs to determine if conditions change and increase the likelihood of trees falling; and
 - (f) notes that Officers will provide a further report to Council, based on expert advice, on the cause of the slumping of the river bank, and any remediation works that could be considered to prevent further deterioration of the river bank and/or further loss of trees in this area.

Councillor Stone suggested adding an amendment (g) which was accepted by the mover and seconder and incorporated into the motion below.

COUNCIL RESOLUTION

Moved: Councillor O'Brien

Seconded: Councillor Jolly

1. That Council:

- (a) notes the contents of this report;
- (b) notes that the Alluvium report has been provided to Glenvill and Melbourne Water;
- (c) notes the contents of Alluvium's report of 29 July 2019 and instructs Officers to advise Glenvill that a planning permit will be required in order to remove Tree 1;
- (d) requests that prior to a planning permit being granted to remove Tree T1:
 - (i) an assessment be conducted by Alluvium for an alternative solution that will enable preservation of the tree; and
 - (ii) such assessment be presented to the next Council meeting;
- (e) instructs Officers to ensure that weekly monitoring of the slump area and trees occurs to determine if conditions change and increase the likelihood of trees falling;
- (f) notes that Officers will provide a further report to Council, based on expert advice, on the cause of the slumping of the river bank, and any remediation works that could be considered to prevent further deterioration of the river bank and/or further loss of trees in this area; and
- (g) officers approach Glenville regarding the provision of alternate continuous access for the community along the river front and report back to council on their response.

CARRIED UNANIMOUSLY

13.2 Canoe Lines across Dights Falls

COUNCIL RESOLUTION

Moved: Councillor O'Brien

Seconded: Councillor Stone

That having regard to the harm which canoe lines can Cause to wildlife and in particular Waterbirds, Council acknowledges the role played by canoe lines in the sport of canoeing, but expresses its concern about the impact these have on water birds and the vegetation to which they are attached and communicates that to Melbourne Water and DWELP.

CARRIED UNANIMOUSLY

Conclusion

The meeting concluded at 9.39pm.

Confirmed Tuesday 13 August 2019

Mayor