



Ordinary Meeting of Council Minutes

**held on Tuesday 3 May 2016 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."

1. A – Vale – Mohumud Muktar

Councillor Stone acknowledged the recent death of Mohamud Muktar which occurred outside the Fitzroy Town Hall on 20 April 2016.

The circumstances surrounding the violent death caused great distress for the local, Somali and wider African community. Yarra Council were able to provide a venue for a community meeting shortly after the tragic incident.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Colanzi

That:

- (a) Council pay tribute to the African community for their leadership in facilitating the meeting and acknowledge their repeated desire for respect;
- (b) Council acknowledge the efforts of Victoria Police in bridging the gaps that appear to remain; and
- (c) the Mayor write to the Muktar family on behalf of Council to convey their condolences.

CARRIED UNANIMOUSLY

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

- Cr Roberto Colanzi (Mayor)
- Cr Geoff Barbour
- Cr Misha Coleman
- Cr Jackie Fristacky
- Cr Sam Gaylard
- Cr Simon Huggins
- Cr Stephen Jolly
- Cr Amanda Stone
- Cr Phillip Vlahogiannis

Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Ivan Gilbert (Group Manager - CEO's Office)
- Andrew Day (Director - Corporate, Business and Finance)
- Bruce Phillips (Director - Planning and Place Making)
- Guy Wilson-Browne (Director - City Works and Assets)
- Mel Nikou (Governance Officer)

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

Nil

4. Confidential business reports

Item

4.1 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 Fristacky

Seconded: Councillor Coleman

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 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 Fristacky

Seconded: Councillor Gaylard

That the minutes of the Ordinary Council Meeting held on Tuesday 19 April 2016 be confirmed.

CARRIED

6. Petitions and joint letters

Nil

7. Public question time

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8. General business

Nil

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12. Notices of motion

Nil

13. Urgent business

Nil

6. Petitions and joint letters

Nil

7. Public question time

7.1 Mr Damien Bonnice - Clifton Hill Primary School

Question:

Will Council make the necessary representations to Clifton Hill Primary to remove the class enrolment references from its website?

Will Council make the necessary representations to the Education Department and the Minister to:

- (a) adopt the necessary corrective strategies and measures to reverse the distorted enrolment patterns between the two schools if only to achieve an enrolment profile of Fitzroy Primary that is reflective of its culturally diverse catchment?; and
- (b) to develop a school expansion plan for Abbotsford Primary so it can cope with Councils own forecast, that I would call a tsunami in growth over the next five to ten years?

Response:

The Mayor advised that:

- (a) *the matters are for the State Government in terms of how they would manage it;*
- (b) *I wrote to the Minister for Education, James Merlino today regarding a whole range of issues and particularly the immediate issues that have been identified in the press, but obviously the structure of the school zonings across Yarra which will also include Melbourne Girls College, Clifton Hill Primary and Fitzroy Primary;*
- (c) *the matters that you have raised will be discussed with the Minister when a meeting has been scheduled; and*
- (d) *I will also raise this at the Inner Melbourne Action Plan (IMAP) meeting.*

7.2 Ms Robyn Zalcman - Rushall Reserve

Question:

Where is Council going to find more peaceful open space when this area is alienated for a bicycle path? I'm not against cyclists however we don't have much peaceful open space in the City of Yarra.

Why destroy a beautiful park just to save 20 seconds for a cyclist?

Response:

The Director Planning and Place making advised that Council resolution was to prepare a possible design for Rushall Reserve and put that to the community for consultation. The logic of that was for the community to understand what a possible bike path could look like to make comment and is currently on exhibition. Certainly the suggested design of a possible path is not to alienate the park but to be

integrated in with over to one side of the park, retain a number of trees and have it as a pathway through the park for design lines and improving the safety of cyclists and quicker access for pedestrians, and encourage the submitter and the community to put in a submission to Council on the possible design so that officers can prepare a report to Council.

In relation to other opportunities for open space, Council does have an open space strategy and looks to see if there are other opportunities for open space in an area. Council is aware that some pocket parks have been created in the city, those opportunities will be looked at across the municipality.

7.3 Ms Anne Horrigan-Dixon - Rushall Reserve

Question:

If the City of Yarra has a good relationship with PTV and VicTrack and working closely with them now on gaining access to the land that abuts the railway reserve and cabling having to be removed that will be costly, why haven't the City of Yarra and PTV and the community together worked to looking at how we can improve the cyclists getting through the underpass? The signage is terrible between the joining of the two paths. We are being asked as the community to sacrifice the park so that cyclists can go through faster and save time.

What has the City of Yarra done to look at finding a resolution so that we can all winners, where we keep our park, the cyclists are able to go through faster and the pedestrians and cyclists interaction problem under the underpass can be resolved?

In the last couple of months we have faced a substantial drought, the escarpment is starting to look very fragile, and it's very narrow on the escarpment between the railway line and the edge of the escarpment.

Has any civil engineering been looked at to look at what is going to happen along the escarpment to protect it? Will the pathway be built out over the edge? What will happen to the trees that are there?

Response:

The Director Planning and Place Making advised that:

- (a) the path that Council have directed officers to come up with a possible design for consultation, the basis of that are; the design lines, the public safety through the underpass because of cyclists and the three blind corners effectively there;*
- (b) and also wanted to point out the Merri Creek strategy; it talks about the extension of path through to a regional shared path is certainly a basis for that; and*
- (c) in relation to the escarpment, I will need to take the question on notice, I think this is a matter that we will need to liaise with other authorities as I'm not sure this is a Council responsibility or not.*

7.4 Mr Philip Francis - Rushall Reserve

Question:

I'm concerned about Council's use of open space funds in Rushall Reserve to build this path and I think this will decrease the about of open space that is currently available recreation.

Are there rules or guidelines about how open space funds can be utilised or spent?

Is Council aware of the open space that was previously lost from Rushall Reserve to construct a shared path that's already been done to join up with Koonda-Lat Bridge? When that was constructed, the significant consequences that resulted from that relatively small loss of land, the land now on the west side of railway bridge that is between Holden Street and the railway bridge used to be used for recreation i.e. playing cricket and letting dogs run and other ball games is no longer used for those purposes because of the risk of children, dogs, balls etc. colliding with cyclists on that shared path. We have already lost some of Rushall Reserve for a shared path and I don't think we need to lose more.

Response:

The Director Planning and Place Making advised that:

- (a) Open space reserve and resort money as it's called is derived out of the Subdivision Act, that is money that is provided to Council and the Yarra Planning Scheme at 4.5% rate and that is able to be used for purchase of land for open space or capital improvement of open space land. A shared pathway through a reserve is considered as capital improvement of open space; and*
- (b) Officers will be providing a report to Council post the consultation phase that will outline a number of matters and that can certainly be included as other history and background; and*
- (c) officers will work out the quantum of the area so we can try and relate that to Councillors in terms of how much square meters that area consumed.*

7.5 Mr Clinton Kitt - Rushall Reserve

Question:

What are VicTrack and PTV charging the City of Yarra to build on their land?

I think this needs to be transparent to the community as to where that cost is currently sitting as I don't believe it's in the budget as it currently stands.

The proposal has always been about removing the conflict from the underpass so if Councillors do vote to proceed with the plan, what will Council do to restrict cyclists from using the underpass?

Response:

The Director Planning and Place Making advised that \$600k would be Council money and \$65k has already been spent in terms of the survey work and design work etc.

The Manager Open Space and Recreation advised that:

- (a) the cost of relocating the signalling which is in a galvanised steel box is in the order of \$120k;*
- (b) the reference that Mr Kitt made in a previous report regarding the cost, VicTrack provided an estimate for the scope of works, so at one point VicTrack had a capital works delivery program so they would manage and deliver a project, so they provided officers with an estimate at the time and that was well above and beyond the actual relocation or realignment of VicTrack infrastructure;*
- (c) Council needs permission to build on VicTrack land and that would be through either a lease or licence and this case possibly a licence as it won't be*

exclusive use as they may require access as well, this will be a modest cost;

- (d) *It is a complex scenario, we can put up signage such as no cyclists or cyclists dismount, enforcing that is always a challenge and part of this is providing an alternative for not just people going through the underpass but people using the Merri Creek trail to head further upstream.*

7.6 Ms Tiffany Alp - Rushall Reserve

Question:

We have had community consultation in the past and do have concerns about how this Saturday's meeting will be conducted.

Council officers have indicated that there is some confusion as to which trees will be removed and as the artists impression of the plan is not to scale in relation to the train line is it possible for Council to be more transparent with the works proposed by specifically marking the trees and the path for this Saturdays consultation so that everybody is aware of the impact it will make?

There was never any consultation whether the community or the Yarra community wanted this path so I am concerned that the consultation will not be conducted in a way that is fairly represented and I'd also like to say the impact of this path through Rushall Reserve is a very emotive issue for a lot of people using the area and causing significant contention within the community and it has divided the community both politically and socially and a lot of people are aware of the impact.

What is the Agenda for Saturday's consultation?

Response:

The Manager Open Space and Recreation advised that:

- (a) *it is the officers' intension to mark out where the alignment of the path is going to go through the reserve;*
- (b) *in relation to proceedings on Saturday, we will be providing information on site, we will be identifying the alignment of the path and trees;*
- (c) *the meeting will be an open discussion between Councillors and the community and the community and officers, it's not our intention to make it a formal presentation, it's an open 2 hour discussion that people can come and go as they please and can also leave some feedback if they haven't already submitted a submission online.*

7.7 Ms Dianne Woodward - Rushall Reserve

Question:

As it stands the online feedback form can be stacked/loaded by Yarra residents i.e. the only compulsory bits required are the names, perhaps the address.

What weighting will Council be giving to the online feedback form in its deliberations on Rushall Reserve?

Will Council ensure that the online form is made secure against stacking and the responses from the City of Yarra residents only are considered?

Response:

The Manager Open Space and Recreation advised that:

- (a) it would not be the officers intention to declare a weighting or priority, however what officers can do with that information is identify/map distinguish between local feedback, how people identify themselves as users of the park or not and make that information available to Council. It will be information that Council can consider across a whole range of issues and note your concerns about loading of online forums however it is also an advantage where we can identify use spaces;*
- (b) the possible plans are to scale however the artists' impressions are not.*

The Group Manager Advocacy and Engagement advised that:

- (a) we don't believe that the online survey has any integrity issues, you can only enter information once from the one computer with the email address that you have, so you wouldn't be able to add ten responses from the one email address, however will look into the matter.*

7.8 Mr Brian Dixon - Rushall Reserve

Question:

The railway land working party report state government review of all of the railway land including Rushall Reserve. One exemption has been followed up until now. I'm wondering if there has been any justification for this deviation, this includes housing, includes bicycle paths, shared pathways, but there is no pathway through Rushall Reserve.

Has there been a justification of that deviation?

Has a value been placed on the trees that are to be removed?

Response:

The Manager Open Space and Recreation advised that:

- (a) I can confirm that in 2007 Melbourne Water, Parks Victoria, Cities of Darebin, Moreland and Yarra formed a working group to establish the Merri Creek Trail Review, which was a document that considered connectivity, risk management, flood management mitigation and the like;*
- (b) that document was endorsed by City of Yarra and other Councils at the time and that document in the contents of Ruhsall Reserve identified the Koonda-Lat Bridge cross the old Melbourne Water pipe bridge and the connection between that pipe bridge and the existing trail near Rushall Station; and*
- (c) took the question on notice in relation to the value of the trees.*

7.9 Ms Jane Miller - Laneway Garden

Question:

We received Notice to Comply letter from Council that Council was going to remove our laneway garden. Our laneway garden has been there for over twelve years and I think two weeks to remove it is a little rough considering we have had the garden for twelve years.

We need time to remove and relocate our plants, so we want time to do it properly. It was pointed out that there is a laneway review going on and how come we are being

asked to remove something that all the guidelines may suddenly change and we may actually compile.

Can the Notice to Comply be put on hold until after the laneway review?

Cr Gaylard – How many laneway gardens have been closed since the new guidelines have been put in place?

Response:

The Director Corporate Business and Finance took the question on notice.

7.10 Mr Maurice Sheehan - Pelaco Site

Question:

I received a letter today advising that work on the Pelaco Factory would commence in 6 weeks, it will take 12 months to complete and that they will work on the plans that I in conjunction with my wife and I and other members of the community in 2003, went to VCAT and had those plans amended. The amendments to those plans are now being put into place in 2016.

I contacted the construction company Becon and asked them whether the plans that were passed by VCAT in conjunction with the City of Yarra, whether they were the same and said they think they are and that's going to be subject to meeting between myself and them to identify the plans and paperwork that I have from 2003, whether there has been any variation to that.

Given the new tram stop and traffic lights, there is a roundabout on Lennox Street entering into Goodwood Street; there is no right hand turn, left hand turn into Waltham Street. What communication is there between the construction company or the owners of the site of the Pelaco Factory and the Council and the City of Yarra to ensure that their construction process over that 12 months does not throw chaos into the traffic flow along Bridge Road, let alone the traffic that will go through the narrow residential streets to be able to get to the site?

Are the outcomes of the research available so that those that participated in the Volunteers Research Focus Group get a sense of where the city is going in relation to the suggestions that were made at that time?

Response:

The Director Planning and Place Making took the questions on notice to convey with relevant officers.

The Chief Executive Officer advised that she would follow up with the Director Community Wellbeing in relation to the Volunteers Research Focus Group research material.

7.11 Mr Herschel Landes - Victoria Street Richmond CCTV

Question:

I understand last week the State Government formally announced they will be providing funding for a CCTV program.

What actions will this Council now take to move forward on this issue to confront and mitigate the drug economy in Victoria Street that is continuing to dominate the public space?

In relation the headline in this weeks' Melbourne Leader "Businesses easy pickings for Council" and mentioned that traders felt they were being victimised (D16/72644).

Has Council considered ways in which these opportunities have been incorporated into this years' budget that may give the traders some sort of satisfaction that their charges are being used and coming back to them?

Response:

The Chief Executive Officer advised that:

- (a) each year the Ministry for Justice puts out an expression of interest from Councils or from any other bodies that would like to apply for the CCTV;*
- (b) this is their regular grant, but in Yarra's case, the local member has also mentioned that they will be looking at the prospect of having CCTV in the area you have mentioned;*
- (c) we are in touch with the local member in terms of whether the local member will still be piloting the use of CCTV in that locality;*
- (d) A Council report will be tabled so that Councillors can be informed about the progress and what the local member feels about it.*

The Director Planning and Place Making advised that:

- (a) the Urban Design branch has commissioned some consultants to do a streetscape plan for Bridge Road similar to the one that was done for Victoria Street;*
- (b) Money has been allocated in this years' draft budget for some design work in the five centres;*
- (c) it is also my intent to move forward with some further strategic work on Bridge Road so it will be a combination of a public domain area and other strategic analysis in relation to whether location of buildings, traffic management and other aspects broadly as part of a structure plan intent for Bridge Road;*
- (d) A final draft is expected to Councillors by the end of this calendar year;*
- (e) The structure planning type of work for Bridge Road would commence after Council resolves the budget.*

7.12 Ms Elizabeth Long - Rate Capping/ Planter Boxes

Question:

I heard that Council didn't apply for a rate capping exemption but I've actually never heard why, so can I ask why?

I have recently started a community garden with curb side planter boxes as part of the Urban Agriculture program in Yarra.

Why are laneway gardens under the Compliance officers and not part of Urban Agriculture? Why isn't it considered as a curb side planter box and looked after Urban Agriculture? The laneway gardens have a cost of \$300 whereas I pay nothing for the planter boxes.

Response:

The Director Corporate Business and Finance advised that:

- (a) a report came to Council and Council ultimately resolved not to apply for any*

variation to the CPI as set by the State Government in the upcoming budget;

- (b) there was a significant amount of work and detail that was required in order to demonstrate your case for an exemption, the exemption would only apply for a 12 month period in the first instance;*
- (c) the advice back to Council was in 2016/17 year Council could manage the budget with the existing resources and Council would reserve its right and did reserve its right to apply in future years for exemptions if the impact was too great on the community.*

The Assistant Director Planning and Place Making advised:

- (a) although they may appear the same, the difference is that the laneway comes under the Road Management Act;*
- (b) they are the overriding authority, so the guidelines that were prepared, endeavoured to make sure the necessary protections that were required of the Road Management Act;*
- (c) What is done on the footpath which is not actually on the roadway is fortunately very different and we are able to proceed in a very different way.*

The Group Manager Chief Executive's Office advised:

- (a) most laneways have entitlements to the adjacent property owners for access rights;*
- (b) footpaths are general public items and indeed some of the parking bays;*
- (c) Laneways that are used regularly by the property owners to access their back entrances is their legal entitlement and if Council prevents those people having access the Council would be liable if challenged in court;*
- (d) all these details are identified in Yarra's Laneway Guidelines;*
- (e) The fees being charged are the standard fee in Council's Local Law, however Council has the prerogative should it wish to, and reset fees at the coming budget for laneway gardens.*

7.13 Mr Paul Lacaze - Basketball Nets - Edinburgh Gardens

Question:

We play basketball at various indoor and outdoor locations throughout Yarra but the main location we play at is Edinburgh gardens. We have been playing at Edinburgh gardens for 3 years as it is a fantastic outdoor facility and park, however the issue we have is the 'No Nets' policy that's has been applied by the City of Yarra, which basically lets people chop down the nets from the outdoor basketball nets within Yarra. This has a negative effect on playing the sport and participation in the sport. We have been putting up our own nets but they have been repeatedly cut down by Council. The 'no net' policy has not been applied by any other Council and believe that the net does not impose any health risk and have not come across any risks relating to a basketball net within the 30 years that I have been playing. (Mr Lacaze also tabled a report D16/72642).

Will Council consider reviewing this policy?

Response:

The Manager Open Space and Recreation advised:

- (a) although it may seem pedantic by Council officers, the presence of a net,*

advised from our independent risk auditors, the presence of a net is not the problem, it's just that the nylon nets break and when they break they dangle down and at that point pose a risk;

- (b) officers realise the objective of getting more people to play basketball however I would point out that just the very nature of our outdoor courts are non-compliant with competition standards and not intended to be at competition standard;*
- (c) It is difficult for officers when a third party has advised an action that is intended to minimise Councils exposure to risk;*
- (d) The first step is to remove the risk and beyond that it is about managing the risk. The nets are being removed as a simple action, appreciate not popular, but an action to eliminate risk;*
- (e) Officers can come back to Councillors with a report detailing the risks that have been identified by the auditors, how many incidents have occurred, the role of the independent auditors, any issues around public liability and what our insurers have said in relation to advice.*

8. General business

Nil

9. Delegates' reports

9.1 Yarra District Girl Guides AGM

Councillor Stone gave a verbal report on the following:

I attended the Yarra District Girl Guides AGM on Wednesday 20th April 2016.

Based at Victoria Park as part of their lease to CFCF, Yarra District Girl Guides also use council facilities for storage and meeting rooms.

I acknowledge the important role guides play in providing girls and young women in Yarra with opportunities to enjoying recreational activities learn new skills, and leadership development, with parents and volunteer leaders donating time and money to enable the opportunity. More broadly, Girl Guides Victoria's Diversity Strategy has led to expansion into areas of disadvantage and CALD communities. Yarra District is planning a new unit in Fitzroy adjacent to Atherton Gardens which is a valuable addition to the new Fitzroy Scouts unit recently established in the vicinity.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Vlahogiannis

That the Delegates' report be noted.

CARRIED UNANIMOUSLY

10. Questions without notice

10.1 Councillor Fristacky - New Utilities on Footpaths

Question:

What can be done to overcome/and or reduce this proliferation of utilities structures appearing on footpaths causing the above problems?

Can Council require new such infrastructure to be embedded in-ground?

Is there scope for our revised local law to include a provision requiring such structures to be in-ground – rather than having so many new (a) unsightly structures, (b) impeding footpath space with risk to pedestrians at night, (c) being targets for graffiti and vandalism and (d) passing on additional operational cost to Council in dealing with problems emanating from their on-ground footpath location?

Response:

The Director City Works and Assets advised that:

- (a) the fibre distribution hubs, approximately 200 are being installed in Yarra;*
- (b) to date the National Broadband Network company has been working with our construction management team cooperatively so I am surprised to see the photos that Councillor Fristacky has provided, so we will need to increase our due diligence with them;*
- (c) unfortunately we have no power to direct them and they don't require any approval as these are being installed under the telecommunications act, so under federal legislation;*
- (d) local laws can't supersede the state law let alone federal legislation, we and other Councils have asked if these can be placed underground and the answer was no, so we will continue to try and work cooperatively with the provider and will be contacting them to say that putting these in the middle of the footpath is totally unacceptable;*
- (e) they do have guidelines for these greenfield sites and they all aim to say that they will locate the cabinets where they will be visually unobtrusive and not interrupt pedestrian flow, so we will be reminding them of their own guidelines;*
- (f) it is an issue we are aware of and will do what we can within our power.*

10.2 Councillor Vlahogiannis - Richmond High School

Question:

In terms of the Richmond High School and the announcement the government will be providing funding being allocated to moving the development forward, so there can be an avoidance of segregation issues that are happening in Clifton Hill with schools not including the diversity of students, I'm wondering whether in your meeting with the Education Minister that you also raise this issue as I understand there is no representation from parents from the Richmond Housing Estate, I understand the Principal from Richmond West is there but ideally a parent from the Housing Estate, but as a second best, that those consideration be put forward so that the new High School will embrace our community in all its diversity.

Response:

The Mayor advised that he will raises the issue when he meets with the Minister.

10.3 Councillor Stone - Vision Super - Fossil Free

Question:

On 3 March 2016, the Director Corporate Business and Finance wrote on behalf of Council to Vision Super conveying the contents of a Council motion, part of which was requesting Vision Super provide its members with a fossil free option as part of their super package, and they responded on 9 March acknowledging Yarra's request and would be raised at a board meeting at the end of March and would communicate back to Yarra.

Have we heard back from Vision Super following their board meeting about any steps they are taking to provide members with fossil free or divestment options?

Response:

The Director Corporate Business and Finance advised that Council did receive a letter from Vision Super through the Mayor's office and will ensure that it is circulated to all Councillors, however my understanding is that they have undertaken to have some kind of seminar or consultation process but have not had any indication around that.

11.1 Nomination of the Chandler Highway Bridge for inclusion on the Victorian Heritage Register

Trim Record Number: D16/47841

Responsible Officer: Assistant Director Planning and Place Making

RECOMMENDATION

1. That Council:

- (a) notes the heritage consultant's report and the recommendation of the Executive Director of Heritage Victoria to include the Chandler Highway Bridge on the Victorian Heritage Register; and
- (b) make a submission to Heritage Victoria supporting the registration, subject to:
 - (i) reducing the extent of the registration to exclude the Alphington paper Mill site or including a permit exemption to exclude any buildings and works that are part of the approved Alphington Paper Mill site Development Plan; and
 - (ii) including a permit exemption for minor landscape works.

Public Submissions:

The following people addressed Council on the matter:

Mr Brad Marsh; and

Mr Warren Giesbers.

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Stone

1. That Council:

- (a) notes the heritage consultant's report and the recommendation of the Executive Director of Heritage Victoria to include the Chandler Highway Bridge on the Victorian Heritage Register; and
- (b) make a submission to Heritage Victoria supporting the registration subject to:
 - (i) excluding the Alphington Paper Mill site; and
 - (ii) including a permit exemption:
 - a. to allow improvements to the bridge's transport function in a manner that does not have a negative impact on the cultural heritage significance; and
 - b. for minor landscape works; and
- (c) communicate to Heritage Victoria its view that the view to the bridge from the west is as important as the view from the east; and
- (d) communicate to Heritage Victoria its view that the cantilevered walkway be included in the registration.

CARRIED UNANIMOUSLY

11.2 City of Stonnington - Request for support re Melbourne Metro Rail Project

Trim Record Number: D16/68378

Responsible Officer: Group Manager Chief Executive's Office

RECOMMENDATION

1. That Council:
 - (a) note the City of Stonnington's Mayoral correspondence, advocacy position statement, and clarification documents concerning its campaign for the inclusion of South Yarra Station as an interchange station in the Melbourne Metro Rail Project, and
 - (b) write to the Mayor of Stonnington, providing "in-principle" support for Stonnington's campaign for the inclusion of South Yarra Station as an interchange station in the Melbourne Metro Rail Project, and advising of Yarra's availability to meet with City of Stonnington representatives to further discuss their campaign.

COUNCIL RESOLUTION

Moved: Councillor Colanzi

Seconded: Councillor Fristacky

1. That Council:
 - (a) note the City of Stonnington's Mayoral correspondence, advocacy position statement, and clarification documents concerning its campaign for the inclusion of South Yarra Station as an interchange station in the Melbourne Metro Rail Project;
 - (b) note that the City of Stonnington identifies that the opportunities presented by 'value capture' have not been adequately considered in the (Government's) Business Case;
 - (c) write to the Mayor of Stonnington:
 - (i) providing "in-principle" support for Stonnington's campaign for the inclusion of South Yarra Station as an interchange station in the Melbourne Metro Rail Project;
 - (ii) noting support for 'opportunities for 'value capture' on transport infrastructure and corridors'; and
 - (iii) advising of Yarra's availability to meet with City of Stonnington representatives to further discuss their campaign; and
 - (d) urge the Federal Government to restore the \$3 billion in funding originally allocated by the Commonwealth of Australia in 2012/13 to the Melbourne Metro project, based on Infrastructure Australia's assessment of Melbourne Metro as a high priority project:
 - (i) with major benefits for the economy and Melbourne as a City; and
 - (ii) to balance infrastructure allocations to the State of Victoria.

CARRIED UNANIMOUSLY

11.3 Urban Regional Food Declaration

Trim Record Number: D16/26879

Responsible Officer: Director Planning and Place Making

RECOMMENDATION

1. That Council:
 - (a) note the officer report regarding the opportunity to join the Urban Regional Food Declaration, and
 - (b) resolve that Yarra City Council become a signatory of the Urban and Regional Food Declaration.

Public Submission:

Mr Maurice Sheehan addressed Council on this matter.

COUNCIL RESOLUTION

Moved: Councillor Gaylard

Seconded: Councillor Coleman

1. That Council:
 - (a) note the officer report regarding the opportunity to join the Urban Regional Food Declaration; and
 - (b) resolve that Yarra City Council become a signatory of the Urban and Regional Food Declaration.

CARRIED

CALL FOR A DIVISION

For: Councillors Coleman, Fristacky, Gaylard, Jolly and Stone

Against: Nil

Abstained: Councillors Barbour, Colanzi, Huggins and Vlahogiannis

CARRIED

11.4 Darling Gardens playground Design Reference Group - Terms of Reference

Trim Record Number: D16/66292

Responsible Officer: Assistant Director Planning and Place Making

RECOMMENDATION

1. That Council:
 - (a) notes that consultation on a playground location in Darling Gardens, including feedback on design elements for that playground, is underway and concludes on 16 May;
 - (b) notes the Draft Terms of Reference (*Attachment 1*);
 - (c) authorises officers to call for expressions of interest from residents to nominate themselves as members of the Darling Gardens playground design reference group; and
 - (d) authorises membership of the Darling Gardens playground design reference group to be determined by the Chief Executive Officer in consultation with Langridge Ward Councillors.

Public Submissions:

The following people addressed Council on this matter:

Mr Robert Radcliffe-Smith;

Mr Damien Bonnice; and

Mr Paul Jackson.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Barbour

1. That Council:
 - (a) notes that consultation on a playground location in Darling Gardens, including feedback on design elements for that playground, is underway and concludes on 16 May;
 - (b) approves the Draft Terms of Reference (*Attachment 1*) subject to removal of reference to Councillors being members of the reference group;
 - (c) authorises officers to call for expressions of interest from residents to nominate themselves as members of the Darling Gardens playground design reference group; and
 - (d) authorises membership of the Darling Gardens playground design reference group to be determined by the Chief Executive Officer in consultation with Langridge Ward Councillors.

CARRIED UNANIMOUSLY

The Mayor called for a 5 minute break

11.5 Revised Water Sensitive Urban Design (WSUD) Policy

Trim Record Number: D16/20941

Responsible Officer: Manager Engineering and Asset Management

RECOMMENDATION

1. That the revised Water Sensitive Urban Design (WSUD) Policy be adopted.

Councillor Jolly left the meeting at 10.38 pm

COUNCIL RESOLUTION

Moved: Councillor Gaylard

Seconded: Councillor Fristacky

1. That the revised Water Sensitive Urban Design (WSUD) Policy be adopted.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Fristacky

Seconded: Councillor Barbour

That the meeting be extended.

CARRIED

11.6 Review of Local Government electoral arrangements

Trim Record Number: D16/42452

Responsible Officer: Group Manager Chief Executive's Office

RECOMMENDATION

1. That Council endorse the *Yarra City Council Review of the Local Government (Electoral) Regulations 2005 - Response to the Discussion Paper* (refer Attachment 1) and submit it to Local Government Victoria by 6 May 2016.

Councillor Coleman left the meeting at 10.57pm.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Huggins

1. That Council endorse the *Yarra City Council Review of the Local Government (Electoral) Regulations 2005 - Response to the Discussion Paper* (refer Attachment 1) and submit it to Local Government Victoria by 6 May 2016. subject to amendments to adding the following to the section on "Increase candidates statements sent in postal ballot packs, from 150 words to 200 words":
 - (a) reiterating Councils several previous submissions that Candidates Statements be included VEC advice to voters for attendance elections in the same way as for postal elections.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Fristacky

Seconded: Councillor Barbour

That the meeting be extended.

CARRIED

Conclusion

The meeting concluded at 11.27pm.

Confirmed Tuesday 17 May 2016

Mayor