



Ordinary Meeting of Council Minutes

held on Tuesday 6 February 2018 at 7.08pm
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. Announcement

COUNCIL RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor Coleman

1. That Council:

- (a) references the outcome from recent media reports relating to Yarra City Council's unanimous decision to change the way it marks January 26, which have disappointingly led to Council staff being subjected to abusive and derogatory online and verbal vitriol;
- (b) notes with deep concern that over the past week:
 - (i) Council's Chief Executive Officer, Vijaya Vaidyanath, has been subjected to personal attacks in the form of racist, sexist and derogatory comments, whilst rightfully carrying out her required duties; and
 - (ii) that frontline service staff have also been subjected to verbal and online vitriol;
- (c) resolves:
 - (i) that as a Council and a community, we find this kind of behaviour totally unacceptable;
 - (ii) to resolutely stand by our staff and members of the community who have been subjected to this disrespectful and malicious behaviour;
 - (iii) to ensure we uphold a safe work environment at Yarra and promote community wellbeing for our residents and visitors; and
 - (iv) to call upon our community to be united in Council's effort to promote respectful debate, and to support the diversity, history and culture of our city, in recognition of Yarra being home to people of many backgrounds, experiences and stories.

CARRIED UNANIMOUSLY

1. B. Vale – Andrew McCutcheon

The Mayor paid tribute to Andrew McCutchen, who recently passed away on 16 December 2017 at the age of 86.

Mr McCutchen was a Collingwood City Councillor for 17 years that included a term as Mayor from 1975 to 1976, until he was elected to the Victorian Parliament as the member for St Kilda in 1982. However, a major part of Andrew McCutchen's legacy was his commitment to social justice and assisting those less fortunate.

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

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

Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Andrew Day (Director - Corporate, Business and Finance)
- Ivan Gilbert (Group Manager - CEO's Office)
- Lucas Gosling (Acting Director - Community Wellbeing)
- Chris Leivers (Director – City Works and Assets)
- Bruce Phillips (Director - Planning and Place Making)
- Fred Warner (Group Manager – People, Culture and Community)
- Mel Nikou (Governance Officer)

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

Councillor Nguyen declared a conflict of interest on item 11.8

4. Confidential business reports

Item

- 4.1 Contractual matters
- 4.2 Matters relating to legal advice

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 Jolly

1. That the meeting be closed to members of the public, in accordance with section 89 (2) of the *Local Government Act* 1989, to allow consideration of:
 - (a) Contractual matters; and
 - (b) Matters relating to legal advice.
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 Jolly

Seconded: Councillor Stone

That the minutes of the Ordinary Council Meeting held on Tuesday 19 December 2017 be confirmed.

CARRIED UNANIMOUSLY

6. Petitions and joint letters

Nil

7. Public question time

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8. General business

Nil

9. Delegates' reports

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12. Notices of motion

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13. Urgent business

Nil

6. Petitions and joint letters

Nil

7. Public question time

7.1 Mr Kane McErvale - Parking Issues in Little Oxford Street, Collingwood

Question:

I have waited almost two years for a parking issue to be addressed on my street in Collingwood. I've followed up numerous times but I'm yet to receive a direct response from Council and the parking issue remains unresolved. I also know that I am not the only resident to report these issues. The communication is simply unacceptable.

I lodged an official complaint about the lack of response through the council website in August of last year. Ironically, with the exception of an automated email informing me that I would be contacted, my complaint was also ignored by Council.

When will this parking issue be looked at and resolved and what timeframe should residents expect for a parking issue to be resolved?

Response:

The Mayor responded

7.2 Ms Maya Park - Piedimonte's Application

Questions:

Can you please provide an update in relation to the Piedimonte's application for discontinuance and acquisition of part of the laneway between Tranmere and Scotchmer Street.

Response:

The Mayor responded

7.3 Ms Carole Wilkinson, YCAN - Waste Management

Question:

Will Council be developing as a matter of urgency a new Waste Strategy Policy which will consider options for what to do if and when VISY refuses to accept waste for recycling?

As part of any new strategy, will Council be considering ways of better achieving its own preferred waste hierarchy that is having recycling being the last option after all others?

Response:

The Mayor responded

The Mayor acknowledged the attendance of Darebin City Council CEO, Sue Wilkinson

8. General business

Nil

9. Delegates' reports

9.1 Cr Fristacky - Metropolitan Transport Forum - 'Get on Board'

Councillor Fristacky reported the following:

I attended together with Councillor Bosler the Metropolitan Transport Forum for the launch of the program, Community Powered Transport Plan, called '*Get on Board*', which was launched on the steps of Parliament House today by the Friends of the Earth.

Attended by an excess of 100 people, the program is designed to put to the State Government that the people have put together a transport plan, in the absence of the State Government to act to developing one and I commend the plan.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Coleman

That Council note the Delegates' Report.

CARRIED UNANIMOUSLY

10. Questions without notice

10.1 Cr Coleman - Council Meetings at Collingwood Town Hall

Question:

When will we be able to have Council Meetings at Collingwood Town Hall?

Response:

The Mayor advised that due to the Fitzroy Town Hall undergoing repairs and unavailable for Council Meetings that Collingwood Town Hall would be the alternative option for the March Meetings.

11.1 Station Street, North Carlton - Temporary Road Closure

Trim Record Number: D18/6313

Responsible Officer: Manager Traffic and Special Projects

RECOMMENDATION

1. That Council:
 - (a) resolves to conclude the process of a temporary closure of Station Street at the intersection with Princes Street on the basis that community support and other evidence does not exist to support the proposal; and
 - (b) refers the proposal to undertake a LAPM study in North Carlton (LAPM 2) next financial year at a cost of \$20,000 to the 2018/19 budget process for consideration.

Public Submissions

The following people addressed Council on the matter:

Ms Pricilla Taylor;

Mr Neil Turner;

Ms Mary Parfrey;

Mr Jason Edwards;

Ms Diane Cummins;

Mr Marcus Coghlan;

Ms Wendy Hargreaves;

Mr Jeff Katz; and

Mr Peter Turnbull.

MOTION

Moved: Councillor Fristacky

Seconded: Councillor Coleman

1. That Council:
 - (a) notes the officers report;
 - (b) notes Council's Local Area Place Making (LAPM) priority ranking assessment has identified the North Carlton LAPM 2, which includes the Station Street area, to be the next highest priority precinct for an LAPM study;
 - (c) accordingly resolves to refer the proposal to undertake that North Carlton LAPM 2 study in the next financial year, to the 2018/19 budget process for consideration;
 - (d) notes further that Council has since 10 November 2015, now considered 9 reports to Council on a proposed temporary trial closure of Station Street at its intersection with Princes Street;
 - (e) subject to Council approval of funding the North Carlton LAPM 2 study as above, resolves:
 - (i) to install signage and bollards for a temporary trial closure to south bound traffic out of Station Street, east into Princes Street;
 - (ii) that base line data pre and during this trial be examined as part of the broader North Carlton LAPM 2 study, to enable the study to be informed of the trial impacts based on data collected rather than on speculation; and

11.2 Yarra Environment Strategy 2013-17 Summary Report

Trim Record Number: D17/200812

Responsible Officer: Director Planning and Place Making

RECOMMENDATION

1. That Council:
 - (a) note the report of officers regarding the Council actions undertaken as part of the Yarra Environment Strategy 2013 – 2017;
 - (b) note the particular successes and outcomes from the Yarra Environment Strategy 2013-17; and
 - (c) note the proposed process for the development of a new Yarra Environment Strategy 2019-23, commencing in February 2018.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Coleman

1. That Council:
 - (a) note the report of officers regarding the Council actions undertaken as part of the Yarra Environment Strategy 2013 – 2017;
 - (b) note the particular successes and outcomes from the Yarra Environment Strategy 2013-17;
 - (c) note the proposed process for the development of a new Yarra Environment Strategy 2019-23, commencing in February 2018; and
 - (d) note the major reduction in recycling of plastics due to changes in exports and seeks advice to be provided to Council on measures to be undertaken to address this issue including advocacy to the State and other parties.

CARRIED UNANIMOUSLY

11.3 Welcoming Cities Initiative in Yarra

Trim Record Number: D17/191768

Responsible Officer: Community Partnerships Unit Manager

RECOMMENDATION

1. That Council:
 - (a) agrees to become a member of the Network of Welcoming Cities and will begin the process of becoming a Welcoming City;
 - (b) nominates the Mayor, Cr Daniel Nguyen to sign the Commitment Form; and
 - (c) nominates the Community Partnerships Team Leader, Cristina Del Frate as the Yarra contact officer who will liaise with the Welcoming Cities Team.

COUNCIL RESOLUTION

Moved: Councillor Chen Yi Mei

Seconded: Councillor McEvoy

1. That Council:
 - (a) recognises that cities and municipalities that proactively foster an environment of belonging and participation for receiving communities, as well as new and emerging communities, increase their social cohesion and economic capability and resilience;
 - (b) agrees to become a member of the Network of Welcoming Cities and will begin the process of becoming a Welcoming City;
 - (c) nominates the Mayor, Cr Daniel Nguyen to sign the Commitment Form; and
 - (d) nominates the Community Partnerships Team Leader, Cristina Del Frate as the Yarra contact officer who will liaise with the Welcoming Cities Team.

CARRIED UNANIMOUSLY

11.4 Multicultural Partnerships Plan 2015-2018 Third Year Report

Trim Record Number: D17/203665

Responsible Officer: Community Partnerships Unit Manager

RECOMMENDATION

1. That Council:
 - (a) notes the progress report detailing the third year implementation of the Multicultural Partnerships Plan 2015-2018;
 - (b) endorses the actions proposed for the fourth year of the Multicultural Partnerships Plan 2015-2018 taking place in 2018, including the development of the new Multicultural Partnerships Plan 2019-2022; and
 - (c) notes the review and endorses the recommendations of the Yarra Multicultural Advisory Group.

COUNCIL RESOLUTION

Moved: Councillor Chen Yi Mei

Seconded: Councillor Bosler

1. That Council:
 - (a) notes the progress report detailing the third year implementation of the Multicultural Partnerships Plan 2015-2018;
 - (b) endorses the actions proposed for the fourth year of the Multicultural Partnerships Plan 2015-2018 taking place in 2018, including the development of the new Multicultural Partnerships Plan 2019-2022; and
 - (c) notes the review and endorses the recommendations of the Yarra Multicultural Advisory Group.

CARRIED UNANIMOUSLY

Councillor Coleman left the meeting at 8:31pm.

Councillor Coleman returned to the meeting at 8:44pm.

Councillor McEvoy left the meeting at 8:45pm.

Councillor McEvoy returned to the meeting at 8:47pm.

11.5 Aboriginal Partnership Plan 2015-18 Annual Report

Trim Record Number: D17/188685

Responsible Officer: Community Advocacy Team Leader

RECOMMENDATION

1. That Council:
 - (a) notes the third year report on the implementation of the Aboriginal Partnerships Plan 2015-2018; and
 - (b) endorses the fourth year action plan for the Aboriginal Partnerships Plan 2015-2018 which includes the development of the new Aboriginal Partnerships Plan 2019-2022.

COUNCIL RESOLUTION

Moved: Councillor Searle

Seconded: Councillor Chen Yi Mei

1. That Council:
 - (a) notes the third year report on the implementation of the Aboriginal Partnerships Plan 2015-2018; and
 - (b) endorses the fourth year action plan for the Aboriginal Partnerships Plan 2015-2018 which includes the development of the new Aboriginal Partnerships Plan 2019-2022.

CARRIED UNANIMOUSLY

**11.6 Neighbourhood Houses and Learning Centres Partnerships Strategy 2014 - 2017
Annual Progress Report**

Trim Record Number: D17/192598

Responsible Officer: Community Partnerships Unit Manager

RECOMMENDATION

1. That Council:
 - (a) note the annual progress report for 2017 of the Neighbourhood Houses and Learning Centres Partnerships Strategy and Action Plan 2014 – 2017;
 - (b) adopt the Memorandum of Understanding 2018 – 2021; and
 - (c) adopt the Partnerships Strategy and Action Plan 2018 – 2021 between Yarra City Council and Yarra Neighbourhood Houses.

Public Submission

Ms Mary Parfrey, Carlton Neighbourhood Learning Centre Inc., addressed Council on the matter.

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Stone

1. That Council:
 - (a) note the annual progress report for 2017 of the Neighbourhood Houses and Learning Centres Partnerships Strategy and Action Plan 2014 – 2017;
 - (b) adopt the Memorandum of Understanding 2018 – 2021; and
 - (c) adopt the Partnerships Strategy and Action Plan 2018 – 2021 between Yarra City Council and Yarra Neighbourhood Houses.

CARRIED UNANIMOUSLY

11.7 Family Violence Organisational Statement

Trim Record Number: D17/198176

Responsible Officer: Acting Coordinator Engagement & Inclusion

ITEM WAS WITHDRAWN

11.8 Proposed Discontinuance of Road adjacent to 2 Harding Lane, Richmond

Trim Record Number: D17/205025

Responsible Officer: Chief Financial Officer

The Mayor left the meeting due to a conflict of interest.

The Deputy Mayor assumed the Chair.

RECOMMENDATION

1. That Council acting under clause 3 of Schedule 10 of the *Local Government Act 1989 (Act)*:
 - (a) resolves that, having followed all the required statutory procedures pursuant to sections 207A and 233 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the Road is not reasonably required for public use, it discontinues the Road;
 - (b) directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the *Victoria Government Gazette*;
 - (c) directs that once discontinued, the Road be transferred to the adjoining owners of 2 Harding Lane, Richmond (**Owners**), for no less than the market value (plus GST) being the amount of \$42,000 (plus GST);
 - (d) directs that the CEO sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to the Owners;
 - (e) any easements, rights or interests required to be created or saved over the Road by any authority be done so and not affected by the discontinuance and sale of the Road; and
 - (f) directs that the Owners be required to consolidate the title to the Road with the title to 2 Harding Lane, Richmond, being the Land contained in certificate of title volume 10782 folio 865, by no later than 6 months after the date of transfer of the discontinued Road.

COUNCIL RESOLUTION

Moved: Councillor Searle

Seconded: Councillor Chen Yi Mei

1. That Council acting under clause 3 of Schedule 10 of the *Local Government Act 1989 (Act)*:
 - (a) resolves that, having followed all the required statutory procedures pursuant to sections 207A and 233 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the Road is not reasonably required for public use, it discontinues the Road;
 - (b) directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the *Victoria Government Gazette*;
 - (c) directs that once discontinued, the Road be transferred to the adjoining owners of 2 Harding Lane, Richmond (**Owners**), for no less than the market value (plus GST) being the amount of \$42,000 (plus GST);
 - (d) directs that the CEO sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to the Owners;
 - (e) any easements, rights or interests required to be created or saved over the Road by any authority be done so and not affected by the discontinuance and sale of the Road; and
 - (f) directs that the Owners be required to consolidate the title to the Road with the title to 2 Harding Lane, Richmond, being the Land contained in certificate of title volume 10782 folio 865, by no later than 6 months after the date of transfer of the discontinued Road.

CARRIED

11.9 Proposed discontinuance of the road abutting 14 Lambert Street, Richmond

Trim Record Number: D17/205452

Responsible Officer: Chief Financial Officer

The Mayor returned to the meeting and assumed the Chair.

RECOMMENDATION

1. That Council, acting under section 17(4) of the *Road Management Act 2004*, resolves that the road at the rear of 14 Lambert Street, Richmond which is shown as lots 1 and 2 on the plan contained in Attachment 1 to this Report, being part of the land contained in Memorial Book Z No. 815 (**Road**), be removed from Council's Register of Public Roads on the basis that the Road is no longer reasonably required for general public use for the following reasons:
 - (a) the Road is fenced into the adjoining owners' property, being the property known as 14 Lambert Street, Richmond (**Owners' Property**); and
 - (b) no properties other than the Owners' Property has access to the Road.
2. That Council, acting under clause 3 of schedule 10 of the *Local Government Act 1989 (Act)*:
 - (a) resolves that, having followed all the required statutory procedures pursuant to sections 207A and 233 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the Road is not reasonable required for public use, it discontinues the Road;
 - (b) directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the *Victoria Government Gazette*;
 - (c) directs that, once discontinued, the Road be transferred to the adjoining owners at 14 Lambert Street, Richmond (**Owners**) , for no less than the market value (plus GST), being the amount of \$13,200 (plus GST);
 - (d) directs that the CEO sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to the Owners; and
 - (e) directs that the Owners be required to consolidate the title to the Road with the title to 14 Lambert Street, Richmond being the land contained in certificate of title volume 6608 folio 553, by no later than 6 months after the date of transfer of the discontinued Road.

COUNCIL RESOLUTION

Moved: Councillor Searle

Seconded: Councillor Chen Yi Mei

1. That Council, acting under section 17(4) of the *Road Management Act 2004*, resolves that the road at the rear of 14 Lambert Street, Richmond which is shown as lots 1 and 2 on the plan contained in Attachment 1 to this Report, being part of the land contained in Memorial Book Z No. 815 (**Road**), be removed from Council's Register of Public Roads on the basis that the Road is no longer reasonably required for general public use for the following reasons:
 - (a) the Road is fenced into the adjoining owners' property, being the property known as 14 Lambert Street, Richmond (**Owners' Property**); and
 - (b) no properties other than the Owners' Property has access to the Road.
2. That Council, acting under clause 3 of schedule 10 of the *Local Government Act 1989 (Act)*:
 - (a) resolves that, having followed all the required statutory procedures pursuant to sections 207A and 233 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the Road is not reasonable required for public use, it discontinues the Road;
 - (b) directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the *Victoria Government Gazette*;
 - (c) directs that, once discontinued, the Road be transferred to the adjoining owners at 14 Lambert Street, Richmond (**Owners**) , for no less than the market value (plus GST), being the amount of \$13,200 (plus GST);
 - (d) directs that the CEO sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to the Owners; and
 - (e) directs that the Owners be required to consolidate the title to the Road with the title to 14 Lambert Street, Richmond being the land contained in certificate of title volume6608 folio 553, by no later than 6 months after the date of transfer of the discontinued Road.

CARRIED UNANIMOUSLY

11.10 Proposed Discontinuance of Road abutting the rear of 294-298 Swan Street, Richmond

Trim Record Number: D17/205622

Responsible Officer: Chief Financial Officer

RECOMMENDATION

1. That Council, acting under section 17(4) of the *Road Management Act 2004*, resolves that the road abutting the rear of 294-298 Swan Street, Richmond, which is shown as lot 1 on the plan contained in Attachment 1 to this Report, being part of the land contained in Deed of Conveyance Book Number 564 (**Road**), be removed from Council's Register of Public Roads on the basis that the Road is currently used as a pedestrian and vehicular access way between Harvey Street and Mary Street, however alternative access paths are available for pedestrians and vehicles between Harvey Street and Mary Street.
2. That Council, acting under clause 3 of schedule 10 of the *Local Government Act 1989 (Act)*:
 - (a) resolves that, having followed all the required statutory procedures pursuant to sections 207A and 233 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the Road is not reasonably required for public use, it discontinues the Road;
 - (b) directs that a notice pursuant to provisions of clause 3(a) of Schedule 10 of the Act is to be published in the *Victoria Government Gazette*;
 - (c) directs that, once discontinued the Road be transferred to the Owner for no less than the market value (plus GST), being the amount of \$850,000 (plus GST);
 - (d) directs that the CEO sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to the Owner;
 - (e) any easements, rights or interests required to be created or saved over the Road by any authority be done so and not be affected by the discontinuance and sale of the Road; and
 - (f) directs that the Owner be required to consolidate the title to the Road with the title to 294 Swan Street, Richmond, being the land contained in certificate of title volume 11012 folio 961, by no later than 6 months after the date of transfer of the discontinued Road.

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Chen Yi Mei

1. That Council, acting under section 17(4) of the *Road Management Act 2004*, resolves that the road abutting the rear of 294-298 Swan Street, Richmond, which is shown as lot 1 on the plan contained in Attachment 1 to this Report, being part of the land contained in Deed of Conveyance Book Number 564 (**Road**), be removed from Council's Register of Public Roads on the basis that the Road is currently used as a pedestrian and vehicular access way between Harvey Street and Mary Street, however alternative access paths are available for pedestrians and vehicles between Harvey Street and Mary Street.
2. That Council, acting under clause 3 of schedule 10 of the *Local Government Act 1989 (Act)*:
 - (a) resolves that, having followed all the required statutory procedures pursuant to sections 207A and 233 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the Road is not reasonably required for public use, it discontinues the Road;
 - (b) directs that a notice pursuant to provisions of clause 3(a) of Schedule 10 of the Act is to be published in the *Victoria Government Gazette*;
 - (c) directs that, once discontinued the Road be transferred to the Owner for no less than the market value (plus GST), being the amount of \$850,000 (plus GST);
 - (d) directs that the CEO sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to the Owner;
 - (e) any easements, rights or interests required to be created or saved over the Road by any authority be done so and not be affected by the discontinuance and sale of the Road; and
 - (f) directs that the Owner be required to consolidate the title to the Road with the title to 294 Swan Street, Richmond, being the land contained in certificate of title volume 11012 folio 961, by no later than 6 months after the date of transfer of the discontinued Road.

CARRIED

CALL FOR A DIVISION

For: Councillors Coleman, Fristacky, Jolly, Chen Yi Mei, Bosler and Nguyen

Against: Councillors McEvoy and Searle

Abstained: Councillor Stone

Councillor Jolly left the meeting at 10:09pm.

11.11 Celebrating Richmond's AFL Premiership

Trim Record Number: D18/4713

Responsible Officer: Group Manager Chief Executive's Office

RECOMMENDATION

1. That the report be noted.
2. That Council approves:
 - (a) the purchase and installation of the Flagtrax banner system for Richmond Town Hall to help celebrate the 2017 AFL Richmond premiership and assist with Council's future communications needs; and
 - (b) commissioning artist Nick Howson to update the mural on Swan Street (near Richmond Station) to acknowledge the 2017 AFL Richmond premiership.

REVISED OFFICER RECOMMENDATION

1. That the report be noted.
2. That Council approves:
 - (a) the purchase and installation of the Flagtrax banner system for Richmond Town Hall to help celebrate the 2017 AFL Richmond premiership and assist with Council's future communications needs; and
 - (b) the Commissioning of artist, Nick Howson to paint a mural on an alternate site in Richmond, subject to obtaining the relevant permits; noting the artist will also restore the existing mural on Swan Street Richmond, within the cost).

COUNCIL RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor McEvoy

1. That Council:
 - (a) notes the report;
 - (b) notes Council's resolution on 17 October 2017 congratulating Richmond Football Club on their 2017 Premiership win;
 - (c) notes that the old banner system at RTH was removed several months ago for OH&S reasons and that the Flagtrax banner system would allow banners for a range of causes and events to be flown at lower cost than the old system;
 - (d) approves the purchase and installation of the Flagtrax banner system for Richmond Town Hall;
 - (e) resolves to allocate one of the four printed banners to display a celebration of the Richmond Football Club's 2017 Premiership until the 2018 Men's AFL Final series, noting the cost of production is approximately \$250; and
 - (f) approves commissioning artist Nick Howson to paint a mural on an alternate site in Richmond, subject to obtaining the relevant permits; noting the artist will also restore the existing mural on Swan Street Richmond, within the cost.

CARRIED UNANIMOUSLY

11.12 Residential Aged Care Facilities - proposed changes to the Victoria Planning Provisions - Council submission in response to consultation

Trim Record Number: D18/20409

Responsible Officer: Director Planning and Place Making

RECOMMENDATION

1. That Council note the officer report relating to proposed reforms by the State Government to the Victoria Planning Provisions to facilitate the development of residential aged care facilities (RACF).
2. That Council note the officer comments in this report regarding the proposal by the State Government and suggested modifications as expressed in Attachment 3.
3. That Council authorise a submission be forwarded to the Department of Environment, Water, land and Planning in accordance with the comments in this report and in Attachment 3.
4. That the CEO be authorised to settle the submission by the due date.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Chen Yi Mei

1. That Council note the officer report relating to proposed reforms by the State Government to the Victoria Planning Provisions to facilitate the development of residential aged care facilities (RACF).
2. That Council note the officer comments in this report regarding the proposal by the State Government and suggested modifications as expressed in Attachment 3.
3. That Council authorise a submission be forwarded to the Department of Environment, Water, land and Planning in accordance with the comments in this report and in Attachment 3.
4. That the CEO be authorised to settle the submission by the due date.

CARRIED UNANIMOUSLY

11.13 Planning Permit Applications and the World Heritage Environs Area.

Trim Record Number: D18/14460

Responsible Officer: Group Manager Chief Executive's Office

RECOMMENDATION

1. That Council:

- (a) note the officer report in relation to planning permit applications and the World Heritage Environs Area, including the analysis and the options as outlined therein;
- (b) now resolve, that applications for development only which are zoned either Commercial 1 or Public Use Zone 3 (Health and Community);
 - (i) *Within the shaded area shown in clause 22.14 (Development Guidelines for Heritage Places in the World Heritage Environs Area [WHEA]) of the Yarra Planning Scheme (City of Yarra Properties only); OR*
 - (ii) *Within the area designated as the "Buffer Zone" in Map 8 of the World Heritage Environs Area (City of Yarra properties only);*

be determined by Council's Internal Development Approvals Committee (IDAC) only where they are taller than the highest point of the existing building, excluding all applications which qualify as a VicSmart application.

Public Submissions

The following people addressed Council on the matter:

Ms Margaret O'Brien; and

Mr Michael Francis.

MOTION

Moved: Councillor Coleman

Seconded: Councillor Jolly

1. That Council:

- (a) note the officer report in relation to planning permit applications and the World Heritage Environs Area, including the analysis and the options as outlined therein;
- (b) *now resolve, that applications for development:*
 - (i) *Within the shaded area shown in clause 22.14 (Development Guidelines for Heritage Places in the World Heritage Environs Area [WHEA]) of the Yarra Planning Scheme (City of Yarra Properties only); and*
 - (ii) *Within the area designated as the "Buffer Zone" in Map 8 of the World Heritage Environs Area (City of Yarra properties only);*

be determined by Council's Internal Development Approvals Committee (IDAC) where they are taller than the highest point of the existing building, but excluding all applications which qualify as a VicSmart application.

- (c) propose an amendment to the Victorian Planning Scheme, consistent with the intent of this motion via the relevant Ministers and processes; and
- (d) incorporate an amendment to the Yarra planning scheme consistent with this motion.

Councillor Jolly withdrew seconding the motion when Councillor Coleman added clause (c) and (d) to the motion.

Councillor Coleman then determined to withdraw from including the added amendments to the motion. Councillor Jolly then stated his agreement to second the original motion.

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Jolly

1. That Council:

- (e) note the officer report in relation to planning permit applications and the World Heritage Environs Area, including the analysis and the options as outlined therein;
- (f) *now resolve, that applications for development:*
 - (iii) *Within the shaded area shown in clause 22.14 (Development Guidelines for Heritage Places in the World Heritage Environs Area [WHEA]) of the Yarra Planning Scheme (City of Yarra Properties only); and*
 - (iv) *Within the area designated as the "Buffer Zone" in Map 8 of the World Heritage Environs Area (City of Yarra properties only);*
be determined by Council's Internal Development Approvals Committee (IDAC) where they are taller than the highest point of the existing building, but excluding all applications which qualify as a VicSmart application.

CARRIED UNANIMOUSLY

12.1 Notice of Motion No.1 of 2018 - State Government Major Road Projects and Impact on the City of Yarra

Trim Record Number: D18/20944

Responsible Officer: Group Manager Chief Executive's Office

RECOMMENDATION

1. That:

- (a) Council note the Council resolution of 31 October 2017 authorising the Mayor to write to the Minister for Roads and Public Transport asking what the State Government plans are for increasing mass transit along the eastern corridor to Doncaster; and
- (b) That the Mayor write to the Premier:
 - (i) Reiterating the previous request and requesting a commitment to Doncaster Rail as the most efficient form of mass transit along the eastern corridor;
 - (ii) Asking how the State Government plans to address any increase in congestion, delays to road-based public transport, traffic on local roads via 'rat running' and reduction in amenity as a result of these 3 major road projects combined; and
 - (iii) Asking the State Government for any plans for major public transport enhancements which will reduce the need for vehicle traffic through the City of Yarra.

MOTION

Moved: Councillor Stone

Seconded: Councillor Fristacky

1. That:

- (a) Council note the Council resolution of 31 October 2017 authorising the Mayor to write to the Minister for Roads and Public Transport asking what the State Government plans are for increasing mass transit along the eastern corridor to Doncaster; and
- (b) the Mayor write to the Premier and both Transport Ministers:
 - (i) reiterating the previous request and requesting a commitment to Doncaster Rail as the most efficient form of mass transit along the eastern corridor;
 - (ii) asking how the State Government plans to address any increase in congestion, delays to road-based public transport, traffic on local roads via 'rat running' and reduction in amenity as a result of these 3 major road projects combined; and
 - (iii) asking the State Government for its plans for major public transport enhancements which will reduce the need for vehicle traffic through the City of Yarra, particularly in light of:
 - a. the requirements under the Transport Integration Act 2010 for the State to prepare an integrated transport plan with a mandated objective under the Act to focus on reducing the need for private motor vehicle transport;
 - b. rail and tram services through much of Yarra being at capacity; and
 - c. the neglect of east-west public transport.

AMENDMENT

Moved: Councillor McEvoy

At (b) (ii) delete the words at the end; 'these 3 major road projects combined' and add the words: major road projects, especially the combined impact of North East Link, West Gate Tunnel and Streamlining Hoddle Street;

The amendment was accepted by the mover and seconder and incorporated into the motion.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Fristacky

1. That:

- (a) Council note the Council resolution of 31 October 2017 authorising the Mayor to write to the Minister for Roads and Public Transport asking what the State Government plans are for increasing mass transit along the eastern corridor to Doncaster.
- (b) the Mayor write to the Premier and both Transport Ministers:
 - (i) reiterating the previous request and requesting a commitment to Doncaster Rail as the most efficient form of mass transit along the eastern corridor;
 - (ii) asking how the State Government plans to address any increase in congestion, delays to road-based public transport, traffic on local roads via 'rat running' and reduction in amenity as a result of major road projects, especially the combined impact of North East Link, West Gate Tunnel and Streamlining Hoddle Street; and
 - (iii) asking the State Government for its plans for major public transport enhancements which will reduce the need for vehicle traffic through the City of Yarra, particularly in light of:
 - a. the requirements under the Transport Integration Act 2010 for the State to prepare an integrated transport plan with a mandated objective under the Act to focus on reducing the need for private motor vehicle transport;
 - b. rail and tram services through much of Yarra being at capacity; and
 - c. the neglect of east-west public transport.

CARRIED

CALL FOR A DIVISION

For: Councillors Coleman, Fristacky, Stone, McEvoy, Searle and Nguyen

Against: Councillors Chen Yi Mei and Bosler

Conclusion

The meeting concluded at 10:30pm.

Confirmed Tuesday 20 February 2018

Mayor