



# **Ordinary Meeting of Council Minutes**

**held on Tuesday 3 July 2018 at 7.00pm  
Richmond Town Hall**

**[www.yarracity.vic.gov.au](http://www.yarracity.vic.gov.au)**

## 1. Statement of Recognition of Wurundjeri Land

*"Welcome to the City of Yarra."*

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

## 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)
- Jane Waldock (Assistant Director - Planning and Place making)
- Mel Nikou (Governance Officer)

#### Leave of absence

Councillor Nguyen declared leave of absence from 18 to 30 July.

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

Nil

## 4. Confidential business reports

### Item

- 4.1 Matters prejudicial to Council and/or any person
- 4.2 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 Coleman

**Seconded:** Councillor Searle

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 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 Jolly

**Seconded:** Councillor Searle

That the minutes of the Ordinary Council Meeting held on Tuesday 19 June 2018 be confirmed.

**CARRIED UNANIMOUSLY**

### COUNCIL RESOLUTION

**Moved:** Councillor Jolly

**Seconded:** Councillor Searle

That the amended minutes of the Special Council Meeting held on Tuesday 26 June 2018 be confirmed.

**CARRIED UNANIMOUSLY**

## 6. Petitions and joint letters

Nil

## 7. Public question time

Item	Page
7.1 Ms Teresa Konapacki - 20 March 2018 Minutes	6

## 8. General business

Nil

## 9. Delegates' reports

Item	Page	Res. Page
9.1 Bicycle Advisory Committee (BAG)	7	7
9.2 Waste and Recycling	8	8

## 10. Questions without notice

Item	Page
10.1 Councillor Jolly - Agent of Change Legislation re Live Music Venues	9
10.2 Councillor Searle - Flockhart Street Reserve Upgrade	9
10.3 Councillor Fristacky - New Resident Information	10
10.4 Councillor Fristacky - Use of parking spaces in New Developments	10

## 11. Council business reports

<b>Item</b>	<b>Page</b>	<b>Res. Page</b>
11.1 0-25 Plan 2018-2022 for Children and Young People and their Families	12	12
11.2 2018 General Valuation Return	13	13
11.3 City of Yarra Heritage Advisory Committee Membership	14	14
11.4 Report on Assemblies of Councillors	16	16

## 12. Notices of motion

Nil

## 13. Urgent business

<b>Item</b>	<b>Page</b>	<b>Res. Page</b>
13.1 Saving of Aboriginal Sacred Sites – Western Highway Upgrade Works	17	17

## 6. Petitions and joint letters

Nil

## 7. Public question time

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

### 7.1 Ms Teresa Konapacki - 20 March 2018 Minutes

Question 1:

Can the minutes from the meeting held on Tuesday 20 March 2018, which I attended and spoke at please be corrected? I made an appeal about two meetings I had with people from planning, the second meeting of which ended with the question. What is your ethnic background? I felt this was insulting and irrelevant to the meeting. There was only one meeting recognised not two and there was nothing about that question.

*Response:*

*The Mayor reviewed the previous minutes to clarify with Ms Konapacki what was not reflected in the minutes of 20 March and moved the below motion.*

### **COUNCIL RESOLUTION**

**Moved:** Councillor Nguyen

**Seconded:** Councillor Fristacky

That the minutes of Tuesday 20 March be amended to reflect that Ms Konapacki specifically had two meetings with planners and on the second meeting was asked about her ethnicity.

**CARRIED UNANIMOUSLY**

Question 2:

I am looking for transparency and justice because that's what governance means to me. I would like Council to review the zoning of my block. I have spoken with various Council members and the Planning Minister. My zoning which was business 3 zone for offices and businesses has never been that, it is a row of 6 Victorian terrace houses, they have heritage overlay and become a commercial 2 zone. We do not have shops or offices, no production and the rag trade industry has been gone for decades. Hoddle Street is commercial zone 1, they have shops and a garage, and we have a garage. Our block has been residential for 100 years, since these cottages were built and has never been anything else.

Having had meetings with the Planning Ministers office, they direct me to Council and Council directs me to planning. I am about to have my basic amenities taken. I have also been to VCAT who have acknowledged that my complaints about res code would be supported, but being a commercial 2 zoning, it's not relevant. I asking for basic neighbourhood character and doesn't stand out too much otherwise the overlay means nothing.

*Response:*

*The Mayor advised that Council is currently in the process of rewriting the planning scheme and that it would provide residents and all stakeholders the opportunity to provide feedback/comments.*

*The Mayor also requested that someone from the department of Planning and Place Making advise Ms Konapacki before the planning scheme rewrite is presented to Council so that she could make a specific submission relating to her street/precinct.*

*The Director Planning and Place Making advised that rezoning could be entertained but would need to be sought by a particular property owner or Council initiated and have a solid strategic basis to progress with the rezoning request.*

## 8. General business

Nil

## 9. Delegates' reports

### 9.1 Bicycle Advisory Committee (BAG)

<b>Appointed Councillors</b>	Cr Mike McEvoy and Cr Jackie Fristacky
<b>Date of Council Meeting</b>	3 July 2018
<b>Date of Report</b>	BAC meeting held on 20 June 2018
<b>Report Author</b>	Cr Mike McEvoy

The BAC provided feedback on:

- the draft designs for Canning/Richardson Intersection in North Carlton, and heard updates on:
  - Obike's withdrawal from Melbourne
  - the detours in place for cyclists due to Melbourne Water Project in North Fitzroy and Fitzroy
  - the consultation process for the Fitzroy North, Abbotsford and Bendigo LAPMs
  - Walmer Street Bridge campaign
  - new line-markings
  - Melbourne Bike Share's additional 24 month funding by PTV

#### **Safe Routes to school in Richmond**

BAC has expressed concern over safety for young people cycling to school in Richmond, with particular focus on safety improvements to Coppin Street.

BAC requested that Council:

1. Gather key data and information on traffic volumes and safety for walking and cycling to understand the specific issues that any treatment on Coppin Street will need to address.

2. Undertake a site visit with Ward Councillors and BAC members.
3. Accelerate the LAPM area study for the areas surrounding Richmond High School.

**In relation to Dockless bike share, BAC requests that Council:**

- (a) Consider strategic locations for dockless share bike parking like train stations and activity centres etc in future MOUs, and
- (b) Ask OfoBike and Mobike if their apps can let users know of designated parking areas rather than installing physical infrastructure.

**In relation to the Walmer Street Bridge campaign,** BAC fully support the initiative to build a new active transport bridge.

**COUNCIL RESOLUTION**

**Moved:** Councillor McEvoy

**Seconded:** Councillor Fristacky

1. That Council:
  - (a) note this Delegates Report;
  - (b) request that Officers gather key data and information on traffic volumes (cars, bikes and pedestrians) and safety for walking and cycling to understand the specific issues that any treatment on Coppin Street will need to address, specifically regarding safe routes to Richmond High School;
  - (c) request Melba Ward Councillors to meet with BAC members and Council officers on site at Coppin Street; and
  - (d) receive a report on strategic locations for designated parking areas for dockless bike-share near train stations and activity centres.

**CARRIED UNANIMOUSLY**

9.2 Waste and Recycling

<b>Date of Council Meeting</b>	3 July 2018
<b>Date of Report</b>	27 June 2018
<b>Report Author</b>	Cr Mike McEvoy

On Friday 27 June I attended a site visit with Council officers to the Veolia organic waste recycling facility in Bulla in Melbourne's West. The facility, opened about 4years ago, is licensed to process around 80,000 tonnes of FOGO waste and currently has around 100,000 tonnes available to it from several Councils in metro Melbourne. A big focus of their operation recently has been on developing secure and diverse markets for the compost product they produce, and on improving efficiencies within their operation. The food waste component that Yarra residents can provide through our trial organic waste collection will be a welcome addition at Bulla, helping to improve the quality of their product.

This video about the Back to Earth Initiative gives some insight into the value of recycling

FOGO: [https://m.youtube.com/watch?v=zFTkT4cYKQw&ebc=ANyPxKo011o4AcWiCrRIBM3VLohrWpLjrNDinMA\\_e9s-MmbeLXSe1SDGOmcAjaVX\\_3LIM5I8J8vsARzqvjeBTIPHSrEwdyWmcw](https://m.youtube.com/watch?v=zFTkT4cYKQw&ebc=ANyPxKo011o4AcWiCrRIBM3VLohrWpLjrNDinMA_e9s-MmbeLXSe1SDGOmcAjaVX_3LIM5I8J8vsARzqvjeBTIPHSrEwdyWmcw)



### **COUNCIL RESOLUTION**

**Moved:** Councillor McEvoy

**Seconded:** Councillor Fristacky

1. That Council note the Delegates Report.

**CARRIED UNANIMOUSLY**

## **10. Questions without notice**

### 10.1 Councillor Jolly - Agent of Change Legislation re Live Music Venues

Question:

If a developer buys a live music venue, demolishes it or partially demolishes it or closes it down as a consequence of building on it as per the plan that was tabled with the Planning Department in the last week or so in relation to Central Club in Swan Street, Richmond. Do they get around the agent of change because when residents move in, they will not be moving into a live music venue because it would have been closed during the course of the construction? If the answer is yes than we can potentially lobby to the State Government accordingly.

*Response:*

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

### 10.2 Councillor Searle - Flockhart Street Reserve Upgrade

Question:

Were any recycled materials used in the new seating and tables that were put there?

City of Boroondara have furniture made from recycled soft plastics at Studley Park and just wondering if we used that or if we have considered using that and if not, why not?

*Response:*

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

*The Director City Works and Assets advised that officers are looking at using recycled materials and talking with Replas about how to do that this financial year.*

#### 10.3 Councillor Fristacky - New Resident Information

Question:

Yarra Council previously had a "New Residents Kit" covering Council services, that was sent out to all new property owners. It is understood this ceased being found problematic given the wide dispersion of owners beyond Yarra, interstate and overseas with near 50% of properties in Yarra being tenanted. Attending the City of Manningham for a meeting on transport recently, I noted a "New Resident Information brochure" available in hard copy at the Manningham Civic Centre.

Can advice be provided to Council on the City of Yarra similarly making information for new residents available at Town Halls and other civic locations in Yarra, and including information for new residents on the Yarra website?

*Response:*

*The Director Corporate Business and Finance advised to look at the model that Manningham have in terms of developing new resident information and having it at our various centres and look into a specific webpage focused on new residents and the information that may be of interest to them.*

#### 10.4 Councillor Fristacky - Use of parking spaces in New Developments

Question:

On 27 June 2018, at pages 8-9, the Age contained an article by Timna Jacks "Parking space, our final frontier" on an off-street car parking glut in the City of Melbourne. The article identified that up to 40% of parking in private car parks including new developments were unused. This finding was informed by RMIT research fellow Elizabeth Taylor, estimating an excess of 13,000 excess off-street car parking spaces.

Some years ago, Cr Stone sought research on parking in Yarra and further information on this for new developments would be most useful to ascertain if the MCC findings apply to Yarra.

How can this research be followed up to ascertain the situation of car parking in new developments in Yarra, either by writing to body corporates in Yarra requesting information on such car parking utilisation in new developments, meeting with the RMIT research fellow Elizabeth Taylor, to ascertain how the information can be ascertained, or progressing in some other way?

*Response:*

*The Director Planning and Place Making advised, it may be worth speaking to the person from RMIT as I'm not sure how it could be done, there would be a lot of effort involved and there would need to be a specific important purpose for this to be done. I will look into the matter and come back to Councillors at a briefing session to discuss.*

*Letters could be sent out to owner corporations however they may not respond.*

10.5 Councillor McEvoy - Students of Sustainability Venue

Question:

Students of Sustainability Conference lost their venue recently and are currently speaking with Melbourne Polytechnic about their Fairfield campus. If they were to use that they would require camping space for 200 to 300 people in Yarra Bend Park. They are also reaching out to Parks Victoria about it.

Is there any way Council could support their conversation or whether we've heard from the Students of Sustainability organisers at all?

*Response:*

*The Mayor advised that both he and Cr Jolly had written to the relevant stakeholders and given personal support for the program. Officers have also put the organisers in contact with a close liaison in Parks Victoria and believe that negotiations are occurring.*

*Cr Jolly also advised that Students of Sustainability have a venue in Fairfield but want to camp in Yarra Bend Park and are approaching the local member to assist them to speak with the minister. I have also spoken with the Planning Minister to ask him to speak with the Minister as well.*

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**11.1 0-25 Plan 2018-2022 for Children and Young People and their Families**

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Trim Record Number: D18/100724

Responsible Officer: Acting Manager Family and Children's Services

**RECOMMENDATION**

1. That Council:
  - (a) adopt the 0-25 Plan 2018-2022;
  - (b) adopt the amended 0-25 Action Plan 2018-2019.

**COUNCIL RESOLUTION**

**Moved:** Councillor Chen Yi Mei

**Seconded:** Councillor Coleman

1. That Council:
  - (a) adopt the 0-25 Plan 2018-2022;
  - (b) adopt the amended 0-25 Action Plan 2018-2019; and
  - (c) officers include another dot point in Attachment 2, under the heading Children, "Explore and implement strategies in schools that enhance children's civic participation".

**CARRIED UNANIMOUSLY**

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**11.2 2018 General Valuation Return**

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Trim Record Number: D18/96482

Responsible Officer: Director Corporate, Business and Finance

**RECOMMENDATION**

1. That Council receive and adopt the return of the General Valuation effective from 30 June 2018 for Rating Purposes.

**COUNCIL RESOLUTION**

**Moved:** Councillor Coleman

**Seconded:** Councillor Jolly

1. That Council receive and adopt the return of the General Valuation effective from 30 June 2018 for Rating Purposes.
2. That Council request that Officers prepare a report for noting at the 7th August 2018 Council Meeting outlining the valuations (Site value, CIV and NAV) for the 8 poker machine venues in City of Yarra and the rates which will be payable by these venues in 2018-19.

**CARRIED UNANIMOUSLY**

**11.3 City of Yarra Heritage Advisory Committee Membership**

Trim Record Number: D18/106795

Responsible Officer: Group Manager Chief Executive's Office

**RECOMMENDATION**

1. That Council note the report regarding nominations for the City of Yarra Heritage Advisory Committee 2018 – 2022.
2. That Council, having considered the nominations received for community representative positions, appoint the following applicants to the City of Yarra Heritage Advisory Committee:
  - (a) \_\_\_\_\_
  - (b) \_\_\_\_\_
  - (c) \_\_\_\_\_
  - (d) \_\_\_\_\_
  - (e) \_\_\_\_\_
  - (f) \_\_\_\_\_
  - (g) \_\_\_\_\_
  - (h) \_\_\_\_\_
  - (i) \_\_\_\_\_
  - (j) \_\_\_\_\_
  - (k) \_\_\_\_\_
  - (l) \_\_\_\_\_
3. That officers thank all persons who nominated their interest for the HAC through a formal correspondence advising of the Council decision.
4. That the list of applicants be retained so that in the event of a vacancy arising, additional applicants may be invited to participate in the City of Yarra Heritage Advisory Committee in accordance with the Appointment of Members to Council Committees Policy.

Public Submission

*Ms Margaret Portelli, Fitzroy Residents Association addressed Council on the matter.*

**COUNCIL RESOLUTION**

**Moved:** Councillor Fristacky

**Seconded:** Councillor Searle

1. That Council note the report regarding nominations for the City of Yarra Heritage Advisory Committee 2018 – 2022.
2. That Council, having considered the nominations received for community representative positions, appoint the following applicants to the City of Yarra Heritage Advisory Committee:

<u>No.</u>	<u>Name</u>	<u>Resident Suburb</u>	<u>Membership/Expertise</u>
<u>1</u>	Caitlin Mitropoulos (Returning Mbr HAC)	-----	Member - National Trust Aust.
<u>2</u>	Lucinda Owen (Returning Mbr HAC)	Cremorne	Specific expertise – in architecture and building conservation with special interest in industrial heritage.
<u>3</u>	Janet Taylor (Returning Mbr HAC)	Clifton Hill	Member – (Founding member) Collingwood Historical Society.

			A strong heritage activist and advocate with interest in heritage reviews, policies and heritage promotion through publications and walks, etc.
<u>4</u>	Ian Wight (Returning Mbr HAC)	Richmond	Specific expertise – significant knowledge of the planning system including policies and controls, working with Burra Charter. Worked at senior heritage planning and advocacy roles with Heritage Victoria and National Trust.
<u>5</u>	Alexander Antoniadis	Fitzroy North	Currently completing Master's degree in planning.
<u>6</u>	Alexis Arrowsmith	Richmond	Expertise in cultural heritage management, significant knowledge of world heritage site management and experience in 20 <sup>th</sup> Century and post war heritage – currently working with State Govt.
<u>7</u>	Jeffrey Atkinson	Princes Hill	Pres. Carlton Community History Group. Heritage activist and campaigner. Strong local knowledge being a member of a number of other local heritage societies and groups.
<u>8</u>	Lucasta Clothiers-Fair	Fitzroy	Specific expertise – As an architect and conservation architect, well versed with planning policies, development controls and issues in developing heritage sites. A special interest in industrial heritage.
<u>9</u>	Megan Hamer	Clifton Hill	Local architect with specific expertise in architecture and landscape design – Multiple Award winning recipient.
<u>10</u>	Hailey Miller	North Carlton	Year 12 Student with a passion for preservation of heritage and a fresh perspectives about heritage promotion.
<u>11</u>	Terrence Nott	North Fitzroy	Member - Fitzroy History Society and local architect with strong local knowledge on policies and controls.
<u>12</u>	Kirsteen Thomson	Richmond	International expertise – especially in heritage management.

3. That officers thank all persons who nominated their interest for the HAC through a formal correspondence advising of the Council decision.
4. That the list of applicants be retained so that in the event of a vacancy arising, additional applicants may be invited to participate in the City of Yarra Heritage Advisory Committee in accordance with the Appointment of Members to Council Committees Policy.

**CARRIED**

*Councillor Jolly abstained*

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**11.4 Report on Assemblies of Councillors**

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Trim Record Number: D18/107032

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 Bosler

**Seconded:** Councillor Fristacky

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

**CARRIED UNANIMOUSLY**

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**13.1 Urgent Business – Saving of Aboriginal Sacred Sites – Western Highway Upgrade Works**

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**COUNCIL RESOLUTION**

**Moved:** Councillor Jolly

**Seconded:** Councillor Coleman

1. That Yarra Council:

- (a) supports the struggle to save the Djap Wurrung sacred sites that are in the way of the current plans for the Western Highway upgrade;
- (b) notes the trees planned to be removed are 700 years old and have great cultural significance to the Djap Wurrung and indeed the broader Indigenous community;
- (c) notes the Federal government has imposed a 30 day injunction on works at the site;
- (d) calls on the State government to use this time to do a comprehensive consultation with Eastern Marr Aboriginal Corporation and Djap Wurrung people with a view to adjusting the Western Highway route in order to protect Djap Wurrung cultural heritage; and
- (e) request our CEO and Mayor to immediately seek a meeting with the Roads Minister to inform him of our position on this matter and ask him to support the requested consultation.

**CARRIED UNANIMOUSLY**

**Conclusion**

The meeting concluded at 8.25pm.

Confirmed Tuesday 17 July 2018

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Mayor