



# **Ordinary Meeting of Council Minutes**

**held on Tuesday 17 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 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)

#### Apology

- Cr Danae Bosler

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

Nil

## 4. Confidential business reports

### Item

- 4.1 Contractual matters; AND Matters prejudicial to Council and/or any person
- 4.2 Matters prejudicial to Council and/or any person
- 4.3 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 Coleman

**Seconded:** Councillor Chen Yi Mei

1. That the meeting be closed to members of the public, in accordance with section 89 (2) of the *Local Government Act 1989*, to allow consideration of:
  - (a) contractual matters;
  - (b) matters prejudicial to Council and/or any person; and
  - (c) 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 Coleman

**Seconded:** Councillor Chen Yi Mei

That the minutes of the Ordinary Council Meeting held on Tuesday 3 July 2018 be confirmed.

**CARRIED UNANIMOUSLY**

## 6. Petitions and joint letters

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## 13. Urgent business

Nil

## 6. Petitions and joint letters

### 6.1 Petition - Request from residents to remove "No Parking 9-10am WED"

Reference: D18/121018

A petition signed by 30 residents are requesting that Council consider removing the "No Parking 9 – 10 am Wednesdays" on Lennox Street, Richmond.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Searle

**Seconded:** Councillor Chen Yi Mei

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

**CARRIED UNANIMOUSLY**

## 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 Mr Chris Goodman - Clifton Views Illuminated Signage on 217-241 Queens Parade, Clifton Hill

Question:

I refer to the recently constructed building at 217-241 Queens Parade, Clifton Hill in the HO330 heritage overlay and to the high and brightly lit signage "Clifton Views". These signs are an unreasonable intrusion that impacts the residential areas of Clifton Hill and North Fitzroy and the heritage character of Queens Parade.

Some signs have been erected on a very tall building that has annoyed or angered or upset a lot of residents in both North Fitzroy and Clifton Hill.

Given we didn't see these signs at VCAT and we didn't see them at IDAC and they don't seem to follow Council's policies or VCAT's direct and specific guidance for a recessive building on that site, how do we get rid of them and how did this occur?

Response:

*The Mayor advised that the matter will be investigated by the Planning and Place Making Department as well as officers from Construction Enforcement.*

### 7.2 Ms Clare Hermon - Woodworking Space

Question:

I have applied for a W Class tram and I'd like to place it on Railway Street, Fitzroy North and have an architect that has suggested how to renovate it and make it into a really good woodworking club.

Would the City of Yarra support The Spoon Club Inc. in bringing a Not-for-Profit woodworking space to the local area (near Railway Street 3068) with the mission of connecting city dwellers to nature, creativity and community?

What would be the next step for me to pursue a permit?

*Response:*

*The Mayor advised Council welcomes all clubs and in relation to the application for a W Class tram and proposing to place it in a public space, that would be required to undergo a process, firstly whether the tram is provided and secondly various planning considerations that will need to be taken into account.*

*The Director Planning and Place Making also reiterated that a number of matters will need to be taken into consideration; where the tram would be placed, if a planning permit is required, building permit and/or even a health permit if food is served in the premises.*

*The Mayor also advised that the Director Planning and Place Making would be able to assist with the process of pursuing a permit.*

## **8. General business**

### **8.1 Retirement of Jill Morgan, CEO Multicultural Arts Victoria**

I would like to note that the Chief Executive Officer of Multicultural Arts Victoria that was based at Fitzroy Town Hall for many years is retiring. I am mentioning this because she has made an enormous contribution to Multicultural Arts and the multicultural community in Yarra.

I would also like to record our thanks to her for her contribution and to wish her well.

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Stone

**Seconded:** Councillor Fristacky

That the Mayor write a letter on behalf of Council to Jill Morgan AO, CEO of Multicultural Arts Victoria expressing acknowledgement and appreciation of for her 15 years of service and on her retirement this month.

**CARRIED UNANIMOUSLY**

### **8.2 Appointment of Councillor Delegates to Heritage Advisory Committee**

#### **COUNCIL RESOLUTION**

**Moved:** Councillor Fristacky

**Seconded:** Councillor Searle

1. That Council:

- (a) note Councillor Jolly has resigned his appointment from the Heritage Advisory Committee and that Councillor Bosler has offered to fill the position as Ward representative; and
- (b) therefore, ratifies the following Heritage Advisory Committee appointments for the balance of the 2017/2018 Council year:- Councillors Bosler, Fristacky and Searle.

**CARRIED UNANIMOUSLY**

## 9. Delegates' reports

### 9.1 Councillor Fristacky - Metropolitan Transport Forum

As Council's delegate to the Metropolitan Transport Forum (MTF), I seek to table information on an important State Election Transport Forum being held on Thursday 2 August 6.00-8.30pm at Richmond Town Hall. The Forum is sponsored jointly by the MTF with Leader Community Newspapers. Presenting at the Yarra Forum, chaired by Mayor Daniel Nguyen, will be: Richard Wynne, Minister For Planning; David Davis Shadow Minister for Planning and Transport; and Greens transport spokesperson and former Yarra Councillor, Kathleen Maltzahn.

I was contacted today by Forum organiser for the MTF, Greg Day, concerned that to date only 33 people had registered, despite this being identified as one of 15 such forums in metropolitan Melbourne as "Not to be missed!"

State election:  
**Transport Forum**

Discuss transport. Ask questions.  
Get answers.

**Free public event**

David Davis MLC, Kathleen Maltzahn (Greens), Richard Wynne MLA

Thursday 2 August, 6.30 – 8.00 pm  
Richmond Town Hall  
RSVP [www.transportforum.org.au](http://www.transportforum.org.au)

Authorised by M Zakharov, MTF, 202/517 Flinders Lane, Melbourne 3000

Metropolitan Transport Forum

Leader  
COMMUNITY NEWS

*On behalf of the Metropolitan Transport Forum and Leader Newspapers, we'd like to invite you to the forthcoming forum in Richmond and ask that you extend this invitation to your networks.*

*The Yarra community are invited to an important pre-election forum on transport issues at the Richmond Town Hall on Thursday 2 August from 6.30 pm.*

*The forum will hear from candidates in the forthcoming November state election including current Richmond MP Richard Wynne, David Davis MLC Liberal shadow transport spokesperson and Greens candidate Kathleen Maltzahn.*

*The forum is an opportunity to put questions to the candidates and hear their answers directly. [Questions can also be suggested online.](#)*

*[It's a free event but RSVP is recommended](#)*

*If you have any questions, please contact Greg Day on 8330 1931 for any further details you need.*

*Yours sincerely*

*Cr Martin Zakharov  
Chair MTF*

*Andrew Rennie, Editor in Chief  
Leader community newspapers*



*The MTF represents 25 Melbourne metropolitan councils covering nearly 4 million residents. MTF member councils are Banyule, Bayside, Boroondara, Brimbank, Casey, Darebin, Frankston, Glen Eira, Hobsons Bay, Hume, Kingston, Manningham, Maribyrnong, Melbourne, Monash, Moonee Valley, Moreland, Mornington Peninsula Shire, Nillumbik, Port Phillip, Stonnington, Whitehorse, Whittlesea, Wyndham and Yarra.*

### **COUNCIL RESOLUTION**

**Moved:** Councillor Fristacky

**Seconded:** Councillor Coleman

That Council note holding the State Election Transport Forum on 2 August and encourage Councillors to take all steps possible to advise their networks of the event.

**CARRIED UNANIMOUSLY**

## **10. Questions without notice**

### 10.1 Councillor Fristacky - Promoting the State Election Transport Forum

Question:

What is Council doing with promoting this forum?

Response:

*The Assistant Director Planning and Place Making advised the MTF organiser Greg Day has been working with Council's communications team and last week followed up on what additional effort we were able to make to promote the event. The communications team have been doing a great job and have included the event on Yarra's website, in Yarra Life E-News, which would have gone out yesterday to 10,000 subscribers and are also intending on putting up Facebook posts and also possibly Council's e-bulletin to help facilitate distribution to community groups.*

### 10.2 Councillor Fristacky - Drummond Street Entrance: Kerb Extension for Bike Parking

I seek to tender photographs of the recently installed City of Melbourne kerb extensions for bike parking outside the Drummond Street rear entrance to the Lygon Court shopping centre, Carlton.

There is provision for some 30 or more bikes, seating, cavities for tree planting, and porous asphalt along the full length of the kerb extension for water penetration to support new trees to be planted.

Although, just having been completed, bikes having to be vacated during the project's construction, have not yet returned (apart from my lonely bike). However, already people are sitting on the seat, stopping for chats and utilising the extra footpath space in line with "Cities for People".

Question:

Given the major contribution of such kerb extensions to creating "Cities for People" in line with Yarra and community aspirations, what action can be taken in Yarra to plan and budget for similar extensions for Yarra activity centres such as outside Richmond Town Hall, Rathdowne Village, Nicholson Village, and others?



Response:

*The Director Planning and Place Making advised the kerb outstands do add character and opportunities i.e. kerbside trading, trees, bike stands or a combination of all. They are an important and are part of the place making aspects. The Bridge Road Streetscape Masterplan that Council recently adopted has some of those suggestions, called 'pause points' in the document. There is capital works funding required for those; digging a hole, sheeting and kerb and channel drainage can sometimes be very expensive. With budget allocation, some of those can be done but it also needs to be considered with other capital works. Officers across Engineering, Place Making and Transport are mindful of all that and try and do those where possible. Some strategic documents have that intent already; it's a matter of getting the implementation plan and the budget allocation to do them.*

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## 11.1 Right of way naming proposals

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Trim Record Number: D18/106696

Responsible Officer: Group Manager Chief Executive's Office

### RECOMMENDATION

1. That having noted naming submissions in relation to the relevant street naming proposals, Council:
  - (a) assign the name "Rendle Place" to the right of way between 2 Stanley St and 10 Stanley St Collingwood;
  - (b) assign the name "Tavares Lane" to the right of way behind properties in Francis St and Sydney Rd Collingwood;
  - (c) assign the name "Kurnagar Lane" to the right of way behind 132 – 144 Bridge Road Richmond;
  - (d) re-name the northern section of Latrobe Avenue Alphington to "Mills Boulevard"; and
  - (e) abandon the proposal to rename Perry Street Alphington.
2. That the Chief Executive Officer lodge the adopted names with the Registrar of the Office of Geographic Names and advise all submitters of Council's decision.

### Public Submissions

*The following people addressed Council on the matter:*

*Mr Michael Montalto; and*

*Mr Joshua Tavares.*

### COUNCIL RESOLUTION

**Moved:** Councillor Jolly

**Seconded:** Councillor Coleman

1. That having noted naming submissions in relation to the relevant street naming proposals, Council:
  - (a) assign the name "Rendle Place" to the right of way between 2 Stanley St and 10 Stanley St Collingwood;
  - (b) assign the name "Tavares Lane" to the right of way behind properties in Francis St and Sydney Rd Collingwood;
  - (c) assign the name "Kurnagar Lane" to the right of way behind 132 – 144 Bridge Road Richmond;
  - (d) re-name the northern section of Latrobe Avenue Alphington to "Mills Boulevard"; and
  - (e) abandon the proposal to rename Perry Street Alphington.
2. That the Chief Executive Officer lodge the adopted names with the Registrar of the Office of Geographic Names and advise all submitters of Council's decision.

**CARRIED**

*Councillor Stone abstained*

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**12.1 Notice of Motion No 7 of 2018 - Status of Council Owned Sporting Facilities and Pavilions**

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Trim Record Number: D18/116342

Responsible Officer: Group Manager Chief Executive's Office

**REVISED COUNCILLOR RECOMMENDATION**

1. That Officers provide a report to Council that:
  - (a) outlines the current condition of all council owned buildings and pavilions used by sports clubs, and the works required to ensure they meet current and anticipated service levels;
  - (b) identifies those buildings in priority order as reflected in the Long Term Financial Plan based on the needs identified in (a) above and outlines the approach taken by officers to determine the priority order;
  - (c) notes those factors which impact on the timing of necessary works on these facilities; and
  - (d) identifies the potential funding sources and approaches that may be available to ensure council sports facilities meet current and future needs.

**COUNCIL RESOLUTION**

**Moved:** Councillor Stone

**Seconded:** Councillor Fristacky

1. That Officers provide a report to Council no later than December 2018, that:
  - (a) outlines the current condition of all council owned buildings and pavilions used by sports clubs, and the works required to ensure they meet current and anticipated service levels;
  - (b) identifies those buildings in priority order as reflected in the Long Term Financial Plan based on the needs identified in (a) above and outlines the approach taken by officers to determine the priority order;
  - (c) notes those factors which impact on the timing of necessary works on these facilities; and
  - (d) identifies the potential funding sources and approaches that may be available to ensure council sports facilities meet current and future needs.

**CARRIED UNANIMOUSLY**

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## 12.2 Notice of Motion No 8 of 2018 - Support for Refugees

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Trim Record Number: D18/116706

Responsible Officer: Group Manager Chief Executive's Office

Public Submission

*Mr Mario Santos, Amnesty International addressed Council on the matter.*

### COUNCIL RESOLUTION

**Moved:** Councillor McEvoy

**Seconded:** Councillor Coleman

1. That Council notes:
  - (a) we live in a world where people have no option but to flee their homes and countries, and that globally, resettlement places for these people are rare and over-subscribed;
  - (b) all countries, especially the wealthiest, like Australia, need to do their fair share by welcoming refugees in any way they can;
  - (c) refugees and migrants have made a positive contribution to Australian communities, our economy and our communities; and
  - (d) we need to create more opportunities for safe and legal entry into Australia, and one way to do this is through community led sponsorship.
2. That Council resolves to:
  - (a) reaffirm that the City of Yarra is a community which welcomes refugees,
  - (b) support an expanded and improved Community Sponsorship Program; and
  - (c) calls on the federal government to improve and expand the Community Sponsorship Program to ensure the program:
    - (i) does not take places from others in need;
    - (ii) provides adequate support and services;
    - (iii) limits the costs on sponsors;
    - (iv) allows community, family and businesses to act as sponsors; and
    - (v) creates more places for people in need of protection to settle in Australia.
3. That Council requests the Mayor to write to the Prime Minister and Minister for Immigration requesting these improvements to the Community Sponsorship Program.

**CARRIED UNANIMOUSLY**

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**12.3 Notice of Motion No 9 of 2018 - Wage Theft**

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Trim Record Number: D18/117159

Responsible Officer: Group Manager Chief Executive's Office

**COUNCIL RESOLUTION**

**Moved:** Councillor Searle

**Seconded:** Councillor Stone

1. That Council notes:
  - (a) recent media reports of underpayment of Award wage rates, penalty rates and superannuation (otherwise known as wage theft) by employers in the hospitality industry, including within Yarra;
  - (b) the recent Fair Work Ombudsman audit in Richmond which found that 41% of business audited were underpaying their workers, and 81% total were non-compliant with workplace laws;
  - (c) that many Yarra residents earn a living by working in hospitality and that many other workers commute to work at hospitality businesses in Yarra;
  - (d) that these workers are amongst the most vulnerable in the workforce; and
  - (e) the recent announcement of a Victorian Wage Inspectorate and the proposed criminalisation of wage theft by the State Government.
2. That Council receives a report in the October meeting cycle on ways that Council could support workers in Yarra in preventing and tackling wage theft, with the report to include (but not be limited to):
  - (a) ways of utilising existing Yarra business registration processes to gather data on which award (and what rates and conditions) employers are using (or intend to use) for their workers;
  - (b) ways Yarra can educate small business operators on their obligations to pay award wages, penalty rates and superannuation;
  - (c) ways of supporting relevant union campaigns;
  - (d) referral pathways to the Fair Work Ombudsman or other relevant body; and
  - (e) any other ways Yarra could support vulnerable workers.

**CARRIED UNANIMOUSLY**

Following consideration of Confidential business, the meeting resumed in open session.

**Conclusion**

The meeting concluded at 9.03pm.

Confirmed Tuesday 7 August 2018

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Mayor