

YARRA CITY COUNCIL ORDINARY MEETING OF COUNCIL MINUTES

**held on Tuesday 15 November 2005 at 7.00pm
at the Richmond Town Hall**

I. ATTENDANCE

Councillors

Cr Kay Meadows (Mayor)
Cr Annabel Barbara
Cr Paul D'Agostino
Cr Jenny Farrar
Cr Jackie Fristacky
Cr Stephen Jolly
Cr Kathleen Maltzahn
Cr Judy Morton
Cr Gurm Sekhon

Officers

Lydia Wilson (Chief Executive Officer)
Geoff Cockram (Director Corporate Services)
Jane Homewood (Director City Development)
Craig Kenny (Director Community Development)
Bryan Lancaster (Director Asset Management)
Erin Nairn-Marcon (Governance Adviser)

II. APOLOGIES AND REQUESTS FOR LEAVE OF ABSENCE

Cr Jolly was granted a leave of absence for the December cycle of Council.

III. DECLARATIONS OF PECUNIARY INTEREST AND CONFLICT OF INTEREST

IV. CONFIRMATION OF MINUTES

COUNCIL RESOLUTION

Moved: Councillor Fristacky **Seconded:** Councillor Farrar

That the corrected minutes of the Ordinary Meeting of Council held on 11 October 2005 be confirmed.

CARRIED

V. PETITIONS AND JOINT LETTERS

VI. PUBLIC QUESTION TIME

VII. COUNCILLORS' FORUM

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***Welcome to the City of Yarra.
Council acknowledges the
Wurundjeri community as the first
owners of this country.
Today, they are still the custodians
of the cultural heritage of this land.***

***Further to this, Council acknowledges
there are other Aboriginal and Torres
Strait Islander people who have lived,
worked and contributed to the
cultural heritage of Yarra.***

ORDINARY MEETING OF COUNCIL

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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 D'Agostino

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 a third party; and
 - (c) 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

The Council meeting resumed in open session.

PETITIONS AND JOINT LETTERS

6.1 Closure of Bloomburg Street Abbotsford

A petition containing 24 signatures has been received from residents of Bloomburg Street, Abbotsford and the surrounding area. The petition requests that Bloomburg Street be closed at a point prior to Russel Street in order to:

- (a) halt the practice of cars using Bloomburg street to avoid the traffic lights at the Corner of Langridge and Hoddle Streets; and
- (b) delineate the residential and business segments of Bloomburg Street.

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Farrar

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

CARRIED

6.2 Cubitt Street, Richmond – Parking Issues

A petition containing 40 signatures has been received from the staff of 'The Big Group' in Cubitt Street, Richmond, objecting to the proposal to introduce two and four hour parking restrictions in areas currently featuring 'all-day' parking.

COUNCIL RESOLUTION

Moved: Councillor Morton

Seconded: Councillor Fristacky

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

CARRIED

6.3 Station Street, North Carlton – Speed Cushions

A joint letter containing six signatures has been received from residents of Station Street, North Carlton, objecting to the proposal to introduce speed cushions on Station Street between Pigdon and Richardson Streets. The letter also notes that these senior citizens of Italian descent were unable to respond to the survey distributed to residents earlier in the year due to language difficulties.

COUNCIL RESOLUTION

Moved: Councillor D'Agostino

Seconded: Councillor Fristacky

That the joint letter be received and referred to the appropriate officer for action.

CARRIED

6.4 Footpath Trading Policy

A petition has been received from the owners of Salona Restaurant in Swan Street Richmond. The petition contains the signatures of approximately 160 residents, customers and passing pedestrians. The petition calls on Council to abandon any plans to amend the Footpath Trading Policy without first widening the footpath on Swan Street between Church and Brighton Streets to the point where it is consistent with the remainder of Swan Street.

COUNCIL RESOLUTION

Moved: Councillor Sekhon

Seconded: Councillor Morton

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

CARRIED

PUBLIC QUESTION TIME

1. Questions from Ms Rhonda Hanley

Is Council :

- (a) *willing to consider flying the Eureka Flag?*
- (b) *aware of the recent series of sexual assaults in the northern suburbs, including Fitzroy, and the poor attitude of some authorities on this issue?*

Response

The Mayor thanked Ms Hanley for raising these issues and advised that Cr Sekhon would likely request a report on flag protocols during the general business section of the meeting.

2. Question from Mr Zane Burlot

When will the signatories to the Bloomberg Street petition receive a response outlining the process from this point on?

Response

The Director Asset Management took the question on notice.

3. Mr Michael Panatiri

When will I receive advice on the possible naming of the laneway in the vicinity of my residence?

Response

The Mayor indicated that the matter would be addressed as soon as possible and that Council would provide Mr Panatiri with advice on its Naming of Roads policy

4. Mr Ian Quick

When will Council form consultation groups to address planning, parking and traffic matters?

Response

The Mayor indicated that a report on this matter would be presented to the December cycle of Council.

5. Mrs Leigh Beech

Why didn't Council staff attend the recent meeting between my Ward Councillor and I, which was designed to resolve issues relating to works on my property and the adjacent property?

Response

The Mayor indicated that Council officers were not aware that their attendance was required and that Council would endeavour to reach a solution with Mrs Beech at the forthcoming meeting held by the Ombudsman.

6. Ms Lyn Fraser – What is the process to follow if one wishes to open a Café in an area featuring non-standard asphalt?

Response

The Director Asset Management indicated that:

- (a) the cafe mix is significantly more expensive than the normal asphalt footpath.
- (b) at the time of construction, it was not known which locations would require the cafe mix;
- (c) areas outside known footpath-trading locations have been reconstructed with the cafe mix.
- (d) the critical time for damage to footpaths as a consequence of loading applied via tables and chairs occurs in the initial period after construction, as normal asphalt footpaths harden with time; and
- (e) should applications be made for permission to install tables and chairs in locations where normal asphalt mix has been laid, the condition of the footpaths will be monitored and appropriate action will be taken.

GENERAL BUSINESS ITEMS

7.1 Street Performers Policy

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor D'Agostino

1. That Council acknowledges that the contribution of artists and entertainers within the City of Yarra adds to the culture, diversity and vibrancy of our community.
2. That Council develop a Street Performers policy that includes designated performance areas in light of the activity centre and open space review.
3. That Council consult widely on the development of the policy, including the following:
 - (a) the Yarra Arts Advisory Committee;
 - (b) the Street Performers Committee of the MEAA;
 - (c) traders; and
 - (d) agencies involved in arts and performance in Yarra.

CARRIED

7.2 Victorian Competition and Efficiency Commission Submission

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor D'Agostino

1. That Council prepare a submission to the Victorian Competition and Efficiency Commission (VCEC) Inquiry into Managing Transport Congestion, due on 2 December 2005.
2. That this submission be finalised by a working group consisting of:
 - (a) Councillors Fristacky, Morton and Maltzahn; and
 - (b) Council officers including the Director City Development, the Strategic Transport Planner and the Transport Coordinator.

CARRIED

7.3 Business Parking Permits

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Maltzahn

That a report be presented to the first Council meeting of 2006 on the potential to modify Council's parking permits for business so that they were visually distinct from the ones issued to residents with a recommendation on how to proceed.

CARRIED

7.4 Street Party Policy

COUNCIL RESOLUTION

Moved: Councillor D'Agostino

Seconded: Councillor Farrar

That a report be presented to Council on the potential for a Street Party Policy with reference to a similar policy adopted by the City of Port Phillip.

CARRIED

7.5 Planning Priorities

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor Jolly

That a report be presented prepared on Council's structure planning priorities, with reference strategic development sites and key precincts.

CARRIED

7.6 Flag Policy

COUNCIL RESOLUTION

Moved: Councillor Sekhon

Seconded: Councillor D'Agostino

1. That a report be presented to Council on:
 - (a) protocols pertaining to the flying of flags on Council buildings, particularly town halls or in other places within the boundaries of the City of Yarra
 - (b) any rules or guidelines that may affect individuals and groups wishing to fly flags in private and public places in the City of Yarra; and
 - (c) without limiting the generality of this report, the report should include advice about the Aboriginal flag and the Eureka flag in particular and the possibility of flags other than the flag of the Commonwealth of Australia being flown at town halls.

CARRIED

DELEGATES REPORTS

8.1 Metropolitan Transport Forum

1. In her capacity as Deputy Chair of the Metropolitan Transport Forum, Cr Fristacky reported on the highly successful launch by the State Minister for Transport on 7 November 2006 of the MTF research report "*The Economic Case for Investing in Public Transport in Melbourne*". The report, which received extensive coverage in the Age on Saturday 5 November 2006, outlined the need for:
 - (a) greater investment in public transport in comparison to roads;
 - (b) fewer roads per person;
 - (c) faster public transport;
 - (d) fewer car parks in the Central Business District;
 - (e) better connections between transport modes;
 - (f) lower transport costs per-person;

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor Morton

That the report be noted.

CARRIED

8.2 Australian Local Government Association Annual Conference

1. Councillor Morton reported on her attendance of the Australian Local Government Association (ALGA) Annual Conference, noting that six of Yarra City Council's seven motions had been adopting, resulting in resolutions relating to:
 - (a) strategic urban infrastructure planning and development;
 - (b) national infrastructure renewal
 - (c) childcare services
 - (d) national labour force skilling program
 - (e) aged care services and
 - (f) supported accommodation assistance program.

COUNCIL RESOLUTION

Moved: Councillor Morton

Seconded: Councillor Sekhon

That the report be noted.

CARRIED

8.3 Cities for Climate Protection Program

1. Councillor Morton:
 - (a) reported that Council had been formally acknowledged for attaining Milestone 4 of the Cities for Climate Protection program at a ceremony at the Australian Local Government Association Annual Conference on Tuesday 8 November 2005; and
 - (b) reaffirmed Council's commitment to environmental issues.

COUNCIL RESOLUTION

Moved: Councillor Morton

Seconded: Councillor Fristacky

That the report be noted.

CARRIED

8.4 Community Gardens Book Launch

1. Councillor Morton reported on the publication of 'Community Gardens: A Celebration of the People, Recipes and Plants.' The book, authored by Penny Woodward and Pam Vardy, was launched at the opening of Housing Week.

COUNCIL RESOLUTION

Moved: Councillor Morton

Seconded: Councillor Sekhon

1. That:
 - (a) the report be noted; and
 - (b) Council investigate opportunities to promote the book, including consideration of purchase for corporate gifts.

CARRIED

8.5 Environmental Indicators

1. Councillor Fristacky reported on the launch of the Australian Institute for Urban Studies' new "*Environmental Indicators*" on Wednesday 26 October 2006. The report highlights information such as:
 - (a) there has been a 60% increase in motor vehicle ownership and distance travelled over the past 20 years;
 - (b) almost 90% of Australian households own more than one car;
 - (c) the average number of vehicle occupants during the morning peak period in Melbourne is 1.8, the lowest in Australia and possibly the world;
 - (d) although Melbourne has one of the largest rail and tram systems in the world, only 9% of motorised trips are by public transport; and
 - (e) public transport boardings have declined from over 400 boardings per person, per annum, in 1950 to only 90 today.

Councillor Fristacky also noted that the "*Environmental Indicators*" report includes reference to the City of Yarra's bicycle initiatives.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Maltzahn

1. That the report be noted.

CARRIED

8.6 Business Ready

1. In her capacity as a member of the Business Advisory Group, Councillor Fristacky:
 - (a) reported on the launch by the State Treasurer on Tuesday 8 November 2006 of a 'Business Ready Kit'
 - (b) noted that the 'Business Ready Kit' is designed to support local business in preparing for the Commonwealth Games in March 2006; and
 - (b) tabled a copy of the 'Business Ready Kit.'

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Farrar

That the report be noted.

CARRIED

8.7 Victorian Local Governance Association – Leading Edge Forum

1. Councillor Farrar reported on her attendance at the Victorian Local Governance Association's Leading Edge Forum on strengthening communities on Thursday 3 November 2005, noting that:
 - (a) speakers for the evening included:
 - (i) Sue West – Coordinator of Community Building Projects at Victoria University (keynote address);
 - (ii) Damian Ferrie – Director of Community Strengthening at DVC
 - (iii) Marion Harper – President of the Preston Reservoir Progress Association;
 - (iv) Cr Lysette Ashford – Pyrenees Shire Council;
 - (b) topics explored included:
 - (i) community partnerships;
 - (ii) democratic participation;
 - (iii) recording and sharing community stories;
 - (iv) community consultation and decision sharing; and
 - (v) support for community leaders.

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor Morton

That the report be noted.

CARRIED

8.8 Community Bank

1. Councillor Farrar reported that the public share offer for the Clifton Hill / North Fitzroy Community Bank had been a success and thanked community members and her fellow Councillors for their hard work and support on this issue.

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor Fristacky

That the report be noted.

CARRIED

8.9 Gambling Issues

1. Councillor Maltzahn reported that on Thursday 13 October 2005, Council hosted the play 'Just Around the Corner' at the Richmond Town Hall. Councillor Maltzahn noted that:
 - (a) the play was a project of the Brunswick Women's Theatre and Women's Health in the North, and explored the impact of gambling on women;
 - (b) over 100 people attended the performance;
 - (c) the play demonstrated many of the issues raised in Council's recent paper on gambling, including mental illness, violence, family conflict, separation and divorce, child neglect, welfare dependency and legal issues; and
 - (d) noted that during a forum following the play, there was strong community support for Council and other bodies to raise these issues with the State Government, particularly in light of the forthcoming review of electronic gaming machine licenses.

COUNCIL RESOLUTION

Moved: Councillor Maltzahn

Seconded: Councillor Farrar

That the report be noted.

CARRIED

8.10 North Fitzroy Community Garden Open Day

1. Councillor Maltzahn reported that she and Councillor Fristacky attended the inaugural North Fitzroy Community Garden Open Day on Sunday 23 October 2005. Councillor Maltzahn reported that:
 - (a) 150 people attended the event;
 - (b) 15 people have subsequently applied to join the Garden Group and registered to be on the waiting list for a plot;
 - (c) Community Gardens play a valuable role in strengthening community ties and encouraging community participation in growing food and caring for the environment;
 - (d) the level of interest in the Garden demonstrates the need for more Community Gardens in the City of Yarra.

COUNCIL RESOLUTION

Moved: Councillor Maltzahn

Seconded: Councillor Fristacky

That the report be noted.

CARRIED

8.11 Industrial Relations Protest

1. Councillor Sekhon:
 - (a) reported on Council's participation in the national 'Day of Action,' on Tuesday 15 November 2005, against the Federal Government's proposed industrial relations legislation;
 - (b) noted that Councillors, staff and community representatives had marched under Yarra City Council's banner;
 - (c) noted that hundreds of thousands of protesters had participated in the march.

COUNCIL RESOLUTION

Moved: Councillor Sekhon

Seconded: Councillor Farrar

That the report be noted.

CARRIED

8.12 Municipal Early Years Plan

1. Councillor Meadows reported that, following extensive community consultation, Council's Municipal Early Years Plan had been successfully implemented.

COUNCIL RESOLUTION

Moved: Councillor Meadows

Seconded: Councillor Farrar

That the report be noted.

CARRIED

QUESTIONS WITHOUT NOTICE

1. Question from Councillor Maltzahn

What is Council's policy on the transportation of uranium and nuclear waste?

Response

The Manager Environment and Recreation Services indicated that Council does not have a policy that declares Yarra as a Nuclear Free Zone. The *Nuclear Activities (Prohibitions) Act 1983* prohibits the transport or storage of nuclear waste unless:

- (a) a person / organisation is licensed to do so under Section 108AF of the *Health Act 1958*.
- (b) a person / organisation is not required to hold a licence under Section 108AF of the *Health Act 1958* because it has been exempted by the Secretary of the Department of Human Services.

2. Question from Councillor Farrar

When will Council receive a report on the Animal Welfare Policy?

Response

The Manager Environment and Recreation Services indicated that a report would be presented to the December cycle of Council.

3. Question from Councillor Farrar

What is the status of the proposed Significant Tree Register?

Response

The Mayor advised that the item had not been included in the 2005/06 Council budget due to cost constraints.

4. Question from Councillor Jolly

When will Council receive a report on the trading and on selling of Council parking permits?

Response

The Director City Development advised that a report would be presented to the December cycle of Council.

URGENT BUSINESS

9.1 Anti-Terrorism Legislation

COUNCIL RESOLUTION

Moved: Councillor Barbara

Seconded: Councillor D'Agostino

1. That due to the seriousness of the Federal Government's anti-terrorism legislation, and the lack of time for scrutiny of this legislation:
 - (a) Council write to the State Premier and Prime Minister expressing our concerns about the lack of time given for public scrutiny of the anti-terrorism legislation and the potential for the content and process for establishing this Bill to create fear and a sense of isolation within our community; and
 - (b) Council will consider ways to alleviate public anxiety about the Bill through information dissemination and exchange in consultation with other municipalities, service providers and advocacy groups in inner Melbourne.

CARRIED

FINANCE & RESOURCES COMMITTEE MEETING

**Held on Tuesday 8 November 2005 at 6.30 pm
at the Richmond Town Hall**

The meeting concluded at 7.58 pm.

Attendance – Councillors

Councillor Jackie Fristacky (Chairperson)

Councillor Annabel Barbara

Councillor Paul D'Agostino

Councillor Kay Meadows

Councillor Gurm Sekhon

Apologies and Requests for a Leave of Absence

Nil.

Declarations of Pecuniary Interest and Conflict of Interest

Councillor Barbara declared a pecuniary interest in item 1.2, as her employer has an interest in the outcome.

Attendance – Council Officers

Craig Kenny (Acting Chief Executive Officer)

Ivan Gilbert (Acting Director Corporate Services)

Jane Homewood (Director City Development)

Bryan Lancaster (Director Asset Management)

Erin Nairn-Marcon (Governance Adviser)

1.1 Consideration of the Annual Report 2004/05

File: 25/40/07
Responsible Officer: Director Community Development

Purpose

1. To receive Council's Annual Report 2004/05 for the purpose of adoption.

Background

2. The Annual Report 2004/05 reflects Council's achievements and challenges over the past financial year. At all times Council has sought to work in partnership with residents, businesses, community groups and other levels of government.
3. The Report provides an objective assessment of Council's success in meeting Council Plan objectives.
4. A number of major infrastructure projects were completed during the year including the refurbishment of the Fitzroy Swimming Pool, which was opened in time for the 2004 summer season, as well as a commitment to keep the pool open all year round. Renovation of the historically significant Fitzroy Town Hall continued and areas have been opened for community use. Refurbishment of the Richmond Library commenced as did a broad range of works on Yarra's parks, footpaths, roads, sporting pavilions and child care centres. A Road Management Plan was developed and a Public Lighting Policy was established. Master plans were developed for Edinburgh Gardens and Victoria Park, with ongoing community consultation being sought for these significant community assets.
5. Other achievements recorded in the Annual report 2004/05 include:
 - (a) adoption of the *Yarra Aboriginal Partnerships Plan, Wurundjeri Reconciliation and Social Justice, 2004-2008* which outlines the strategic framework for Council's work in Aboriginal affairs for the next five years and identifies key actions and strategies. The plan was designed to enable Council to play a vital leadership role in supporting greater local understanding and appreciation of Aboriginal peoples, culture and history;
 - (b) the conduct of elections for the Yarra City Council, which were held in November 2004. Three Councillors were elected for each of the three wards – Langridge Ward, Melba Ward and Nicholls Ward. The nine newly elected Councillors were sworn in at a ceremonial meeting in early December, and each spoke briefly about their aims and objectives for the next four years;
 - (c) commencement of work on a Pedestrian Strategy with international pedestrian experts; putting in planning requirements to include parking facilities for bikes in new developments; drafting an Integrated Transport Policy and working with experts in the transport field in its development; adopting a policy on pedestrian access to streets and reserves; and advocating to State and Federal Governments on transport issues;

- (d) adoption of Council's Access and Inclusion Policy and Strategy which aim to increase inclusive decision making processes, improve the responsiveness of Council's services to people living with a disability, and make the physical environment more accessible to all;
- (e) the reopening and redevelopment of the Fitzroy Pool in Alexandra Parade. Over 1,000 people gathered to celebrate the opening and the tenth anniversary of the 'Save the Pool' campaign;
- (f) the Keep Australia Beautiful Victoria's annual Sustainable Cities Awards recognise best environmental practices and partnerships between the community, industry and government. This year, the Collingwood Children's Farm and the City of Yarra won the Litter and Waste Management Award, while the Community Pride Award went to the South Alphington and Fairfield Civic Association and the City of Yarra;
- (g) the celebration of the 150th anniversary of the proclamation of the Municipality of Richmond with a free community celebration at Citizens' Park;
- (h) completion and adoption of the Municipal Early Years Plan which provides guidance on planning for services for the 0-6 year age group;
- (i) maintaining a responsible and sustainable approach to financial management; and
- (j) maintaining its commitment to accountability, transparency, advocacy, and good governance.

Issues

6. The Annual Report 2004/05 has been prepared using criteria developed by the Municipal Association of Victoria's 'Assessment Committee for the Local Government Annual Reporting Awards'. These criteria are essentially guidelines for better, more effective Annual Reports, and address:
 - (a) overall impact and presentation;
 - (b) the use of overview and highlight sections outlining Council's mission and vision; key achievements and major events;
 - (c) accountability for performance against corporate plans and budgets;
 - (d) good governance practices;
 - (e) the reporting of 'people issues' (including Councillors, staff, and community members);
 - (f) using plain English; and
 - (g) using innovative techniques to convey messages more clearly.

Consultations

7. Council has provided 14 days public notice of its intention to consider the Annual Report 2004/05 at the November 2005 committee and Council meeting cycle. Copies of the Annual Report have been made available through inclusion in the October 2005 meeting papers; on Council's web site and in hard copy at Collingwood and Richmond Town Halls.
8. A public notice regarding the adoption of the Annual Report was published in the Melbourne Times and Melbourne Leader in the week commencing Monday 24 October 2005.

Resource and Financial Implications

9. The preparation and publishing of the Annual Report 2004/05 will cost approximately \$30,000, which is fully provided for within Council's 2005/06 budget.

Council Plan, Strategy and Policy Implications

10. The Annual report 2004/05 forms an integral part of Council's commitment to communication and transparency, a Key Commitment Area of Council Plan 2004/08. In order to reduce costs the design brief was changed for this year and the number of printed hard copies will be reduced and emphasis will be placed on distribution of electronic copies via the website or on other medium such as compact discs.

Legal Implications

11. The Annual Report 2004/05 has been prepared in accordance with Part 6 (Planning and accountability reports) of the *Local Government Act* 1989 (the Act) and regulations.
12. The Annual Report 2004/05, including the financial reports and Performance Statement, were lodged with the Minister for Local Government by 30 September 2005, in accordance with the Act.

RECOMMENDATION

13. That Council:
 - (a) receive the Annual Report 2004/05 (Attachment 1); and
 - (b) adopt the Annual Report 2004/05 in accordance with Part 6 (Planning and accountability reports) of the *Local Government Act* 1989 and Regulations.

FINANCE & RESOURCES COMMITTEE RECOMMENDATION

Moved: Councillor Meadows

Seconded: Councillor D'Agostino

1. That Council:
 - (a) receive the Annual Report 2004/05 (Attachment 1); and

- (b) adopt the Annual Report 2004/05 in accordance with Part 6 (Planning and accountability reports) of the *Local Government Act* 1989 and Regulations with the following amendments:

Page 8 of the Annual Report 2004/05

- (i) under the heading of 'Relative Socio Economic Disadvantage, and after the passage reading "Within Yarra, three main 'pockets' of socio-economic disadvantage can be identified. All three areas contain high-rise public housing and are located in Fitzroy, Collingwood and Richmond-Cremorne," add the sentence "Smaller pockets of disadvantage are also located in lower density public housing estates in North Fitzroy, North Carlton and Princes Hill. In all, public housing comprises 11% of Yarra households, the highest in Victoria."

Page 27 of the Annual Report 2004/05

- (ii) under item 1.4.2, add the words "and advocate for extension of public transport infrastructure to service Metropolitan Melbourne."
- (iii) in the comments section of item 1.4.2, add the words Yarra has also been active in progressing public transport advocacy initiatives through the Metropolitan Transport Forum, Municipal Association of Victoria (MAV), Australian Local Government Association (ALGA) and to Government.
- (iv) in the comments section of item 1.4.2, replace "The Yarra Transport Policy Committee (YTPC) which is now responsible for progressing its direction has met a number of times" with "A high level Yarra Transport Policy Committee (YTPC) has been formed to assist Council in progressing integrated transport issues."
- (c) investigate the potential to publish and distribute the Annual Report 2004/05 on CD Rom, with hardcopies to be made available only at Council's public libraries; and
- (d) provide advice in the Yarra News on the publication and availability of the Annual Report 2004/05.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor D'Agostino

Seconded: Councillor Fristacky

That the Finance and Resources Committee recommendation be adopted.

CARRIED

Attachment 1 – Annual Report 2004/05



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Document

1.2 Annual Grants Program 2005/06 – Funding Recommendations

Executive Summary

Purpose

To seek endorsement for the funding recommendations of the Community Assessment Panels (the Panels) for the 2005/06 Annual Grants Program.

To seek endorsement for the funding recommendations of the Services and Community Development Assessment Panel for the 2005/06 Social Support Grant Program and Nutrition Support Grant Program.

Issues

The Annual Grants Program, Social Support and Nutritional Support Grants Programs provide grants that address local needs and enhance the community's capacity for self-reliance.

Resource Financial Implications

In the 2005/06 budget, Council allocated \$504,508 for the Annual Grants Program. In addition, relevant funds from the Access all Abilities Program and Community Advocacy budget have been identified to fund three projects which relate specifically to program objectives.

Council allocated \$73,288 for the Social Support Grant Program and \$64,852 for Nutrition Support Grant Program.

All funding recommendations contained within the report are within existing resources.

Council has set aside \$10,000 of the AGP funding for out-of-time applications.

Proposal

That:

- (a) Council endorses the recommendations from the Annual Grants Program Assessment Panels for the allocation of funding to organisations for a total of \$506,810 as contained in Attachment 2-10 for 2005/06;
- (b) Council endorses the recommendations from the Services and Community Development Annual Grants Panel for the allocation of funding in the 2005/06 Social Support Grant Program of \$73,288 and in the Nutrition Support Grant Program for \$64,852 as contained in Attachments 11-12; and
- (c) the grants be awarded to the successful projects at a public function conducted by the Mayor and Chief Executive Officer on February 9, 2006.

RECOMMENDATION

1. That:
 - (a) Council endorse the recommendations from the 2005/06 Annual Grants Program Assessment Panels for the allocation of funding to organisations for a total of \$506,810 as contained in Attachment 2-10;
 - (b) Council endorse the recommendations from the Services and Community Development Annual Grants Panel for the allocation of funding in the 2005/06 Social Support Grant Program of \$73,288 and in the Nutrition Support Grant Program for \$64,852 as contained in Attachments 11-12; and
 - (c) that the grants be awarded to the successful projects at a public function conducted by the Mayor and Chief Executive Officer on February 9, 2006.

Councillor Barbara declared a pecuniary interest in this item, as her employer has an interest in the outcome. Councillor Barbara left the chamber prior to a vote being taken on this matter. Once the item had been concluded, Councillor Barbara returned to the chamber.

FINANCE & RESOURCES COMMITTEE RECOMMENDATION

Moved: Councillor Meadows

Seconded: Councillor D'Agostino

1. That:
 - (a) Council endorse the recommendations from the 2005/06 Annual Grants Program Assessment Panels for the allocation of funding to organisations for a total of \$506,810 as contained in Attachment 2-10;
 - (b) Council endorse the recommendations from the Services and Community Development Annual Grants Panel for the allocation of funding in the 2005/06 Social Support Grant Program of \$73,288 and in the Nutrition Support Grant Program for \$64,852 as contained in Attachments 11-12; and
 - (c) the grants be awarded to the successful projects at a public function conducted by the Mayor and Chief Executive Officer on February 9, 2006.
 - (d) Council express its appreciation to the community members who served on the 2005/06 Annual Grants Program Assessment Panels.

CARRIED

Councillor Barbara declared a pecuniary interest in this item, as her employer has an interest in the outcome. Councillor Barbara left the chamber prior to a vote being taken on this matter. Once the item had been concluded, Councillor Barbara returned to the chamber.

COUNCIL RESOLUTION

Moved: Councillor D'Agostino

Seconded: Councillor Fristacky

1. That:

- (a) Council endorse the recommendations from the 2005/06 Annual Grants Program Assessment Panels for the allocation of funding to organisations for a total of \$506,810 as contained in Attachment 2-10;
- (b) Council endorse the recommendations from the Services and Community Development Annual Grants Panel for the allocation of funding in the 2005/06 Social Support Grant Program of \$73,288 and in the Nutrition Support Grant Program for \$64,852 as contained in Attachments 11-12; and
- (c) the grants be awarded to the successful projects at a public function conducted by the Mayor and Chief Executive Officer on February 9, 2006;
- (d) Council express its appreciation to the community members who served on the 2005/06 Annual Grants Program Assessment Panels; and
- (e) Council undertakes a review of the priority areas and the assessment process in advance of the commencement of next year's Annual Grants Program.

CARRIED

A division was called.

FOR: Cr D'Agostino; Cr Farrar; Cr Fristacky; Cr Maltzahn; Cr Meadows; Cr Morton; and Cr Sekhon.

AGAINST: Cr Jolly.

Attachment 1 – Annual Grants Program Funding Stream Objectives

Attachment 2 – Cultural Festivals and Events Recommended Applications

Attachment 3 – Community Celebrations Recommended Applications

Attachment 4 – Arts Development Recommended Applications

Attachment 5 – Community Arts Recommended Applications

Attachment 6 – Environment Recommended Applications

Attachment 7 – Services & Community Development Recommended Applications

Attachment 8 – Youth Services Recommended Applications

Attachment 9 – Sport & Recreation Recommended Applications

Attachment 10 – Fitzroy Town Hall Cultural & Civic Events Recommended Applications

Attachment 11 – Social Support Grants Recommended Applications

Attachment 12 – Nutritional Support Grants Recommended Applications



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CONFIDENTIAL ATTACHMENTS

(Contained only within the confidential section of this agenda)

Attachment 13 – Cultural Festivals and Events Non-Recommended Applications

Attachment 14 – Community Celebrations Not-Recommended Applications

Attachment 15 – Arts Development Not-Recommended Applications

Attachment 16 – Community Arts Not-Recommended Applications

Attachment 17 – Environment Not-Recommended Applications

Attachment 18 – Services & Community Development Not-Recommended Applications

Attachment 19 – Youth Services Not-Recommended Applications

Attachment 20 – Sport & Recreation Not-Recommended Applications

Attachment 21 – Fitzroy Town Hall Cultural & Civic Events Not-Recommended Applications

Attachment 22 – Social Support Grants Not-Recommended Applications

1.3 Community Partnership Program 2005/06 – Funding Recommendations

Executive Summary

Purpose

To seek endorsement of the funding recommendations of the Community Partnership Panel (the Panel) for the 2005/06 Community Partnership Grants (CPG).

Issues

The CPG provides financial assistance for up to three years to community organisations for operational and program costs whose services address the major strategic priorities for Council.

These priorities reflect those of the Council Plan 2005/09 as follows:

- (a) improved quality of life for the socially disadvantaged and excluded members of the community;
- (b) an inclusive, tolerant, supportive and involved community; and
- (c) a healthy, connected and active community, which has access to a range of quality recreation and sporting places, spaces and activities.

Resource Financial Implications

In the 2005/06 budget Council allocated \$271,265 for the CPG. Recommendations contained within this report are within this budget allocation.

Recommendations

That:

- (a) Council endorses the Community Partnership Panel's recommendations for funding to organisations for a total of \$271,243 as contained in Attachment 1 for 2005/06; and
- (b) the grants be awarded to the successful organisations at a public function conducted by the Mayor and Chief Executive Officer on 9, February 2006.

RECOMMENDATION

1. That:

- (a) Council endorse the recommendations from the 2005/06 Community Partnership Program Panel for the allocation of funding to organisations for a total of \$271,243 in 2005/06, \$277,266 in 2006/07 and \$275,513 in 2007/08 as contained in Attachment 1;
- (b) that the grants be awarded to the successful projects at a public function conducted by the Mayor and Chief Executive Officer on 9 February 2006.

FINANCE & RESOURCES COMMITTEE RECOMMENDATION

Moved: Councillor D'Agostino

Seconded: Councillor Meadows

That the recommendation be adopted.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor D'Agostino

Seconded: Councillor Fristacky

That the Finance and Resources Committee recommendation be adopted.

CARRIED

Attachment 1 – Community Partnerships Grants – Recommended Applications



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CONFIDENTIAL ATTACHMENT

(Contained only within the confidential section of this agenda)

Attachment 2 – Community Partnerships Grants – Not Recommended Applications

1.4 Apprenticeships Plus – Quarterly Report

File: 10/10/07-18
Responsible Officer: Director Corporate Services

Purpose

1. The purpose of this report is to provide Council with a quarterly report on the operations of Inner Northern Group Training Limited, trading as Apprenticeships Plus (A+).

Background

2. A+ was registered in Victoria as a public company limited by guarantee on 7 June 1983. A+ is a not-for-profit enterprise and carries on the business of promoting new apprenticeships by employing and training apprentices and placing them with businesses. The guarantee is limited to \$50 per member.
3. A+ is effectively “ owned” by three inner northern metropolitan Councils: Darebin City Council, Yarra City Council and Moreland City Council (the Councils) who are the ‘members’ of Inner Northern Group Training.
4. A+ revenue for the year ended 30 June 2005 was \$12.67m and its earnings before income tax for that period were \$264K. At 30 June 2005, the company had net assets of \$4.18m. A+ has a 50% interest in the Melbourne Apprenticeship Services (MAS) National joint venture, which is also involved in the employment industry, and a 42.12% interest in Inner Source Pty Ltd, a computer software company.
5. A+ has a Board comprising seven members, four independent appointed by the Board and three appointed by the member Councils. The Cities of Yarra, Darebin and Moreland each appoint one member to the Board. Currently these positions are held by Officers of each Council. The four independent are selected for their expertise in various aspects of A+'s activities. The Directors of A+ as at end of June 2005 are: Alan Brown (Chair); Michael Francis (Deputy Chair), Kevin Breen (Darebin City Council); Roger Collins (Moreland City Council); Geoff Cockram (Yarra City Council); Elizabeth Board; and Naomi Corlett.
6. The objects of the company are to:
 - (a) employ persons in training and second such persons to employers;
 - (b) administer a group-training scheme;
 - (c) encourage, promote and undertake training;
 - (d) advise on training;
 - (e) engage in such lawful activities as the directors determine;
 - (f) take such steps as may be deemed expedient for the purpose of procuring contributions in the form of donations, annual subscriptions or otherwise; and

- (g) provide a forum for discussions of questions of common interest to all persons involved in the company.
7. A+ is a not-for-profit business and no part of the income or property of the company may be paid or transferred directly or indirectly by way of dividend, bonus or otherwise to the members.
 8. Council will receive quarterly information reports on the activities of A+ in March, June, September and December 2006
 9. A+ has 479 apprentices and trainees at the end of August 2005 placed with a variety of industries mainly within the northern suburbs. Council does not have any direct placements of apprentices but CityWide and Spotless both have apprentices placed within their organisations. Apprenticeship/traineeships commencements are above target with 49 YTD against a budget of 45, which is 8.9% of variation against budget.
 10. A+ is joint venture partner of MAS, which delivers apprenticeship administration services on behalf of the federal government. The MAS performance summary for the month of August 2005 indicates there was a surplus of \$103,040 for the month against a budget surplus of \$153,531. Cash balance at the end of August was \$1,482,263.
 11. The Board has recently confirmed an original decision to allocate 20% of the company's retained earnings including the MAS distribution under the Social Investment Policy.
 12. A+ currently occupies leased premises in Sydney Road Coburg and the purchase of a property has been a continuing matter of some priority for the Board.

Work and Training Limited

13. Work and Training Limited, a Tasmanian based not for profit group training Company was acquired by Apprenticeships Plus in October 2004.
14. Despite some initial operational and financial challenges the Company made a small surplus of \$2,901 in August following losses in recent months. Apprentice numbers at the end of August were 434.

Consultations

15. No significant community consultation occurred during the preparation of this report.

Financial Implications

16. Council does not derive direct financial benefit from the operations of A+.
17. In the recently completed 2004/05 financial year Councils 'interest' in Apprenticeships Plus was derecognised because Council, while having a position on the Board has no right to any share of the Company nor does it have any obligation for any liability current or future.

Economic Implications

18. The generation of employment for young people, and the organisation of apprenticeship training across the Northern Region is Melbourne is very important for the Yarra community.
19. Officers are working with A+ for the provision of eleven part-time trainees and one full-time trainee in the Revenue Management Unit through the State Government's Jobs for Young People programme.

Environmental Implications

20. There are no environmental implications arising from the report.

Social Implications

21. Employment is a key risk and protective factor in regard to social and cultural disadvantage. It is clear from Council's experience on neighbourhood renewal sites that real and ongoing employment is a key priority for these communities.
22. Discussions have been held recently between Council officers and officers of Apprenticeships Plus about opportunities for greater utilisation of services offered by Apprenticeships Plus to advance employment opportunities for Yarra residents and to assist with recruitment requirement for Council.

Council Plan, Strategy and Policy Implications

23. The provision of apprenticeship and employment opportunities for young people in the community is a priority for Council.

Legal Implications

24. Nil

Conclusion

25. A+ is a major provider of apprenticeship and training services in the northern region. It has operated effectively for over 20 years and continues to make available employment and apprenticeship opportunities for young people from the region and broader metropolitan area.

RECOMMENDATION

26. That Council note the Apprenticeships Plus Quarterly Report.

FINANCE & RESOURCES COMMITTEE RECOMMENDATION

Moved: Councillor Sekhon

Seconded: Councillor D'Agostino

That the recommendation be adopted.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor D'Agostino

Seconded: Councillor Fristacky

That the Finance and Resources Committee recommendation be adopted.

CARRIED

1.5 2005/06 Financial Report – Quarter Ending 30 September 2005

File: 40/40/02
Responsible Officer: Manager Finance

Purpose

1. To provide a financial report for the three months ending 30 September 2005 and information on the current status of Council's financial performance and position.

Background

2. The 2005/06 Annual Budget was adopted by Council on 12 July 2005.
3. This report is being presented in accordance with section 138 of the *Local Government Act 1989* and Regulation 5 of the *Local Government (Finance & Reporting) Regulations 2004*.
4. The report has been prepared on an accrual basis, to ensure accurate matching of income and expenditure, both operating and capital, for the quarter ending 30 September 2005.
5. The report is prepared on the basis of year to date, year-end forecast, cash and key balance sheet items analysing trends against budget.

Issues

6. The end of year forecast operating result at 30 September 2005 is projected to be a surplus of \$6.54m being a favourable variance of \$0.399m compared to the Annual Budget surplus of \$6.14m. This result is reflected by a favourable forecast income variance of \$1.08m and an unfavourable forecast expenditure variance of \$0.681m. The overall forecast variance comprises of the following significant variances:
 - (a) Government grants favourable to budget by \$0.192m;
 - (b) reimbursements & contributions favourable to budget by \$0.873m;
 - (c) maintenance unfavourable to budget by \$0.443m; and
 - (d) other materials & services unfavourable to budget by \$0.216m.

For the detailed forecast results, refer paragraph 16.

7. As outlined in the Statement of Financial Performance, the year to date operating result, before reserve transfers, reflects an unfavourable variance of \$0.142m. Refer paragraph 16.

8. The overall year to date variance in income is a favourable result of \$0.149m comprising the following significant variances:
 - (a) rates are favourable compared to budget by \$0.246m, or 1.9 percent, reflecting higher than anticipated income generated from supplementary valuations to date;
 - (b) reimbursements and contributions income favourable to budget by \$0.300m, or 77.3 percent, mainly due to higher than expected Public Open Space contributions raised for the year to date due to an increase in applications for residential development, a \$100k Capital grant for open space projects and additional road opening reimbursement from services authorities not expected with the introduction of the Road Management Act.; and
 - (c) proceeds from the disposal of assets is unfavourable to budget by \$0.374m, or 72.8 percent, due to the delay in the budgeted proportional change over of Councils vehicle fleet which was anticipated to be completed in the first quarter of this financial year.
9. The overall year to date variance in expenses is an unfavourable result of \$0.291m comprising the following variances:
 - (a) contract payments are unfavourable compared to budget by \$0.290m, or 7.5 percent, which mainly represents an earlier than anticipated payment to the Yarra Melbourne Library Corporation;
 - (b) other materials & services are unfavourable compared to budget by \$0.478m, or 9.7 percent, primarily reflecting higher than planned expenditure for consultants and professional services, contributions, materials, training and other expenses;
 - (c) depreciation and amortisation unfavourable to budget by \$0.206m or 5.9 percent, and due to the higher than anticipated capitalisation of work in progress during the 2004/05 financial year. Further analysis of the full year effect is currently being conducted in order to provide a year end forecast result; and
 - (d) written down value of assets sold is favourable to budget by \$0.467m, or 100 percent, due to the delay in the change over of Councils vehicle fleet anticipated to be completed in the first quarter of 2005/06.
10. Council's cash position at the end of September stood at \$13.6m, reflecting a net cash inflow of \$2.2m for the year to date.
11. Rates outstanding as at the end of September totalled \$40.4m, of which \$1.5m pertains to rates outstanding from previous rate years.
12. Parking debtors amounted to \$3.6m (net of doubtful debt provisions). Infringements outstanding for more than 90 days are referred to the PERIN Court for collection.
13. Other debtors (net of doubtful debt provisions), including GST receivable, outstanding at the end of September were \$3.0m of which \$1.1m has been outstanding for more than 90 days.

14. The attached capital works report reflects expenditure to the end of September of \$2.0m compared to a year to date budget of \$3.1m and represents 5.2 percent of the annual capital works program. The current year-end Capital Works program forecast is currently \$19.8m, which represents additional spending to budget of \$0.113m.
15. The purchase order compliance rate for the month of September was 99.7 percent against a target of 100 percent (excluding exempt payments). This reflects invoices processed against purchase orders in total. The percentage of orders raised before invoice was 83.8 percent. The compliance rate for purchase orders raised before the invoice date is 83.8% against a target of 90 percent.
16. Standard Statement of Financial Performance for the quarter ending 30 September 2005:

	Actual YTD \$,000	Budget YTD \$,000	Variance YTD \$,000	Adopted Budget \$,000	Current Forecast \$,000	Budget Variance \$,000
Revenue from ordinary activities						
Rates	13,416	13,170	246	53,529	53,508	(21)
Victoria Grants Commission	367	367	(0)	1,470	1,470	0
Government Grants	1,375	1,302	73	5,177	5,369	192
Parking Revenue	4,245	4,289	(44)	16,655	16,655	(1)
User Charges, Fees and Other Fines	2,119	2,031	88	9,332	9,347	15
Leisure Centre Fees	1,232	1,319	(87)	5,527	5,548	21
Interest Received from Other Entities	110	162	(53)	650	650	0
Reimbursements & Contributions	688	388	300	1,175	2,048	873
Proceeds from Disposal of Assets	139	514	(374)	514	514	(0)
Inner Northern Group Training Pty Limited	0	0	0	34	34	0
	23,691	23,542	149	94,063	95,142	1,079
Expenses from ordinary activities						
Employee Costs	7,643	7,743	100	31,142	31,171	(29)
Contract Payments	4,184	3,893	(290)	15,837	15,829	8
Maintenance	1,204	1,256	52	4,318	4,761	(443)
Other Materials and Services	5,393	4,915	(478)	19,495	19,711	(216)
Bad and Doubtful Debts	247	350	103	1,430	1,430	0
Depreciation & Amortisation	3,705	3,499	(206)	14,000	14,000	0
Borrowing Costs	346	307	(38)	1,230	1,230	0
Written Down Value of Assets Sold	0	467	467	467	467	0
	22,721	22,430	(291)	87,919	88,600	(681)
Net Result before Transfers	970	1,112	(142)	6,144	6,543	399
Transfers to Reserves	(237)	(352)	116	(1,410)	(1,410)	0
Transfers from Reserves	0	0	0	1,118	1,118	0
Net Result after Transfers	733	760	(27)	5,852	6,251	399

Community Implications

17. The 2005/2006 budget resources year six of the ten year vision endorsed by Council on 12 June 2001 and thus ensures achievement of the Council's strategic objectives and actions of the key strategic activities of the Council Plan 2005/09 adopted by Council at its meeting on Tuesday, 14 June 2005.

RECOMMENDATION

18. That the financial report for the three months ending 30 September 2005 as attached be noted by Council.

FINANCE & RESOURCES COMMITTEE RECOMMENDATION

Moved: Councillor Sekhon

Seconded: Councillor Meadows

That the recommendation be adopted.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor D'Agostino

Seconded: Councillor Fristacky

That the Finance and Resources Committee recommendation be adopted.

CARRIED

Attachment 1 – 2005/06 Monthly Financial Report – Quarter Ending 30 September 2005



Adobe Acrobat
Document

PLANNING & COMMUNITY DEVELOPMENT COMMITTEE MEETING

**Held on Tuesday 8 November 2005 at 8.00 pm
at the Richmond Town Hall**

The meeting concluded at 9.40 pm.

Attendance – Councillors

Councillor Jenny Farrar (Chairperson)

Councillor Stephen Jolly

Councillor Kathleen Maltzahn

Councillor Kay Meadows

Apologies and Requests for a Leave of Absence

Councillor Judy Morton

Nil.

Declarations of Pecuniary Interest and Conflict of Interest

Nil.

Attendance – Council Officers

Lydia Wilson (Chief Executive Officer)

Geoff Cockram (Director Corporate Services)

Jane Homewood (Director City Development)

Craig Kenny (Director Community Development)

Bryan Lancaster (Director Asset Management)

Erin Nairn-Marcon (Governance Adviser)

2.1 Implementation of Dog Controls at Edinburgh Gardens

File: 65/05/02
Responsible Officer: Manager Environment and Recreation Services

Purpose

1. To make an Order pursuant to Section 26(2) of the *Domestic (Feral and Nuisance) Animals Act 1994*. This Order will implement the resolution of Council made on 12 April 2005 regarding dog controls at Edinburgh Gardens.

Background

2. The Edinburgh Gardens Master Plan was considered by Council at its meeting held 12 April 2005. Council resolved that the finalisation of the Master Plan be delayed until the adoption of Council's Open Space Strategy, but also resolved as follows:
 - (a) proposed dog control zones plan 13 attached to the report be situated for plan 13 at page 42 of the Edinburgh Gardens Master Plan with the further substitution of dog off leash time share zones of 9:00pm to 8:00am for 6:00am – 8:00am. These zones are shown on the plan in *Attachment 1*; and
 - (b) that an order under the *Domestic (Feral and Nuisance) Animals Act 1994* be prepared to give effect to Master Plan recommendations relating to dog control.
3. To implement this decision Council is required to make an Order pursuant to Section 26(2) of the *Domestic (Feral and Nuisance) Animals Act 1994*. The Order must then be published in the Government Gazette and in a newspaper circulating in the municipal district.

Consultations

4. The Edinburgh Gardens Master Plan was the subject of extensive community consultation, with a well-attended meeting set aside to discuss specifically dog issues. In response to further representations, the proposed dog controls were further amended by the Steering Committee before being submitted to Council.

Issues

5. Companion dogs enrich the lives of their owners, and dog walking is one of the most popular activities in Edinburgh Gardens.
6. However they cause problems with droppings, and some other park users feel intimidated by dogs.
7. Most dog owners do pick up after their dogs, but a minority do not. The Order addresses the dropping problem by excluding dogs altogether from the most sensitive sites.

8. Some people feel intimidated by dogs, and some dogs can be inappropriately boisterous when people, especially children, do not welcome their attentions. Some dog owners are also fear that their own dog will be attacked.
9. On the other hand, dogs greatly enjoy running off-leash and many owners find it hard to provide enough exercise for dogs restrained by a leash. The Order provides a reasonable balance between on-leash and off-leash areas, and the Master Plan proposes a fenced area specifically to facilitate the exercising of dogs off-leash.

Resource and Financial Implications

10. These will be minimal, unless the level of enforcement is changed.

Environmental Implications

11. There may be a reduction in the dog waste left in the Gardens.

Proposal

12. That Council implement its decision of 12 April 2005 to make an Order under the provisions of Section 26(2) of the *Domestic (Feral and Nuisance) Animals Act 1994*.
13. This order will amend the existing Order made by Council on 30 June 1997 and published in the Victorian Government Gazette on 2 July 1998 pages 1827 & 1828. The Order was also published in the Melbourne Times on 8 July 1998 p.8 and the Melbourne Yarra Leader on 29 June 1998 p.12

RECOMMENDATION

14. That pursuant to Section 26(2) of the *Domestic (Feral and Nuisance) Animals Act 1994* the Order marked as Attachment 1 be adopted.
15. That the Order be published in the Government Gazette and in the Melbourne Times newspaper.

Submissions

Mr John Beckwith addressed the Committee on this matter.

PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATION

Moved: Councillor Maltzahn

Seconded: Councillor Meadows

That the recommendation be adopted.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor D'Agostino

Seconded: Councillor Fristacky

1. That pursuant to Section 26(2) of the *Domestic (Feral and Nuisance) Animals Act 1994* the Order marked as Attachment 1, but amended to add 'that the shaded area not be enforced until the bike path is extended', be adopted.
2. That the Order be published in the Government Gazette and in the Melbourne Times newspaper.

CARRIED

Attachment 1 – Dog Control Zones



Adobe Acrobat
Document

2.2 Busking Policy

File: I05/2383
Responsible Officer: Manager Building and Regulatory Services

Purpose

1. To seek Council's approval to adopt the draft Busking Policy (at Attachment 1) for a trial period of 6 months.

Background

2. In the past, busking has not been supported by Council. Retailers had provided feedback to Council Officers that buskers have a negative impact on their business.
3. At the request of Councillors, Council Officers have reviewed Council's approach to busking and developed a draft Busking Policy for Council endorsement and implementation on a trial basis for 6 months.

Key Issues

4. Busking can provide strip shopping centres with greater character and vitality, making them more attractive for people to visit and shop.
5. The issue of public liability has been addressed with Council's Risk Assessment Officer. Any possible liability, associated with a busker's performance, will be covered by Council's general public liability policy.
6. Buskers and their audience will need to conform with the Footpath Trading Policy and busk away from the building line and ensure a clear walkway zone.
7. Given previous concern by retailers regarding the negative impact of busking on business, and at this stage the impact of buskers on traders and/or residents is unknown; it is proposed that the Draft Policy be implemented on a trial basis of 6 months. This will enable Council to consider any necessary modifications and/or revisions prior to Council's consideration to adopt the Policy.

Consultations

8. Busking Policies of neighbouring Councils and two interstate Councils have been reviewed.
9. Consultation has taken place with Council's Governance Branch in regards to Council's obligations related to public liability and with the Community Amenity Unit regarding issuing and management of permits and policy compliance.
10. There has been no consultation with external groups, including retailers and/or trader groups.

Financial Implications

11. There are no direct financial implications for Council.

Social Implications

12. It is envisaged that buskers will contribute to the cultural life of the city.
13. There may be a negative amenity impact on traders and residents who live in, or adjacent to shopping centres where busking will occur.

Legal Implications

14. Yarra City Council's public liability insurance will cover buskers with permits in respect of any claims for injury, loss or damage by any third party arising from the use of approved area.

RECOMMENDATION

15. That Council adopt the draft Busking Policy for a trial period of six months.
16. That a report be provided to Council in six months outlining any issues regarding the implementation of the draft Busking Policy on public amenity.

Submissions

The following people addressed the Committee on this item:

Mr Tim Scanlan;

Mr Ian Quick;

Mr John Beckwith.

MOTION

Moved: Councillor Meadows

Seconded: Councillor Maltzahn

1. That Council send the draft Busking Policy to all businesses on Bridge Road for comment.

With the consent of the seconder, Councillor Meadows changed the wording of her motion to read:

1. That Council send the draft Busking Policy to all businesses located in Yarra's main retail strips for comment.
2. That a report be provided to Council following this consultation.

PROPOSED AMENDMENT

Councillor Jolly moved an amendment to the substantive motion, proposing an additional clause reading:

3. That the busking permit fee be reduced to zero dollars.

The proposed amendment lapsed for want of a seconder.

The Chairperson called Councillor Jolly to order on the basis that whilst speaking, his comments had been directed to members of the gallery and Councillors other than the Chairperson.

The Chairperson called Councillor Jolly to order for a second time on the basis that although he had ceased addressing the gallery or Councillors other than the Chairperson, Councillor Jolly had continued to discuss the substantive motion rather than remaining silent.

The substantive motion was then put and carried as below.

PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATION

Moved: Councillor Meadows

Seconded: Councillor Maltzahn

1. That Council send the draft Busking Policy to all businesses located in Yarra's main retail strips for comment.
2. That a report be provided to Council following this consultation.

CARRIED

IMPORTANT NOTICE

Council has received further information that corrects some of the advice contained in the preceding report. Individual buskers, with or without permits, will not be protected by Council's insurance policy and Council's risk is increased if buskers do not have their own insurance. Paragraph 5 of the draft Busking Policy has been amended to reflect this advice.

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor Barbara

That the Planning and Community Development Committee recommendation be adopted.

CARRIED

REVISED Attachment 1 – Busking Policy



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Document

2.3 Cities for Climate Protection™ Milestone 4 – Implementation of Greenhouse Action Plan

Executive Summary

Purpose

To present a summary of work undertaken to meet the requirements of Milestone 4 in the Cities for Climate Protection™ campaign.

To provide council with an update on the implementation of the Yarra Greenhouse Action Plan, and obtain support to ongoing implementation to achieve further emission reductions.

Key Issues

The actions of council to date in regards to purchasing Green Power for street lighting and replacing computer monitors with LCD flat screens have resulted in the abatement of greenhouse emissions equivalent to about one third of the reduction goal for council operations set in Milestone 2 of the CCP™ campaign. The reductions in community emissions are more difficult to quantify and more difficult to achieve, as they result from changes in individual behaviour in everyday activity. This means that ongoing Council commitment to community education programs is required to help achieve reduction goals.

Council received notification on 30 August 2005 from ICLEI (the International Council for Local Environment Initiatives), the organisation that manages the CCP™ campaign, that the requirement for Milestone 4 had been achieved.

Council Plan, Strategy and Policy Implications

The CCP™ campaign directly relates to a strategic goal of the Yarra Environment Strategy 2000, namely “to reduce the polluting forms of energy and improve the efficiency of energy use across the community”. Council’s commitment to the CCP™ campaign is also listed in the Council Plan 2005 – 2009, in action EPS04.

Financial Implications

The implementation of findings from audits and other actions undertaken to reduce energy consumption and associated greenhouse emissions can lead to substantial savings in long term running costs, and so can be seen as financial and environmental investments.

PROPOSAL

That Council note the progress of implementation of the Yarra Greenhouse Action Plan, and recognise that addressing climate change is an ongoing challenge requiring genuine financial and environmental commitment from Council.

RECOMMENDATION

1. It is recommended that Council attend the recognition ceremony at the annual ALGA conference to be held in Canberra on 8 November 2005 to receive acknowledgement of its achievements to date in progressing through the CCP™ program.
2. It is also recommended that Council note the progress of implementation of the Yarra Greenhouse Action Plan, and recognise that addressing climate change is an ongoing challenge requiring genuine financial and environmental commitment from Council.

PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATION

Moved: Councillor Maltzahn

Seconded: Councillor Meadows

1. That it be noted that that Councillor Morton attended the recognition ceremony at the annual ALGA conference in Canberra on 8 November 2005 to receive acknowledgement of Council's achievements to date in progressing through the CCP™ program.
2. That Council note the progress of implementation of the Yarra Greenhouse Action Plan, and recognise that addressing climate change is an ongoing challenge requiring genuine financial and environmental commitment from Council.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor Barbara

That the Planning and Community Development Committee recommendation be adopted.

CARRIED

Attachment 1 – Status Report on Proposed Actions



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Document

2.4 Cnr Madden Grove and Rooney Street, Burnley

File: C158380
Responsible Officer: Manager Assets

Purpose

1. To consider the sale of a small splay of Council owned land on the southeast corner of the intersection of Madden Grove and Rooney Street Burnley .

Background

2. Council has owned a small splay of land on the southeast corner of Madden Grove and Rooney Street in Burnley since 18 December 1990. The land is some 4.5m² in area and is described in Certificate of Title Volume 09527 Folio 188. It was created through Plan of Subdivision 135105. (Refer to Attachment 1).
3. The subject land abuts (diagonally) Lot 1 on Plan of Subdivision 518759X which has a 33 metre frontage to Madden Grove and an 18 metre frontage to Rooney Street. Refer to Attachment 2
4. The owners of the adjacent property have written to Council requesting they purchase the splay for incorporation into their site.
5. At a Council meeting on 9 August 2005, Council determined that the land is surplus to Council needs and resolved to approve the commencement of the statutory process, in accordance with Section 189 of the Local Government Act (1989), to effect the sale of the property.
6. Council also resolved that a further report on the results of the public notification and consultation process be presented to Council.

Legal Implications

7. The process of disposing of the subject site is following S 189 of the Local Government Act (1989) which states:
“S 189 – Restriction on power to sell land.
(2) Before selling or exchanging the land the Council must—
 - (a) ensure that public notice of intention to do so is given at least 4 weeks prior to selling or exchanging the land; and*
 - (b) obtain from a person who holds the qualifications or experience specified under S 13DA (1A) of the Valuation of Land Act (1960) a valuation of the land which is made not more than 6 months prior to the sale or exchange.*
- (3) A person has a right to make a submission under S 223 on the proposed sale or exchange.”*

Consultation

8. Engineering Branch and Statutory Planning have previously advised that there are no concerns with the sale of the splay.
9. Public notices were placed in The Age and the Melbourne Yarra Leader on 14 September 2005 and submissions were requested by 28 September 2005.
10. No submissions were received by the close of the public advertising process.

Economic Implications

11. The site has been valued at **\$1,900**, subject to valuation dated 6 July 2005 and in accordance with the Valuation of Land Act 1960.
12. The expenses associated with the sale of land are approximately as follows:

Public Notice Advertising	\$1,960
Legal Advice to Date	\$1,500
Conveyancing	<u>\$1,000</u>
Total	<u>\$4,460</u>
13. Reimbursement of the total selling cost will be sought from the prospective purchaser.
14. The sale of the land will be in accordance with the Transfer of Land Act (1958).

Proposal

15. Commence negotiations with the owners of the adjacent land for purchase of the subject site. The value of the settlement to include the costs generated by the City of Yarra during the public submission and the anticipated costs of the settlement process.
16. The subject site will be incorporated into the adjacent land and any costs associated with the consolidation of titles will be borne by the purchaser.

RECOMMENDATION

17. That Council commence negotiations with the owner/s of the land adjacent to the Council owned land on the southeast corner of Madden Grove and Rooney Street Burnley for the sale of the subject site for an amount equal to the value of the land plus sale costs (approximately \$6,360 in total) with settlement terms to be agreed upon.

PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATION

Moved: Councillor Meadows

Seconded: Councillor Maltzahn

That the recommendation be adopted.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Farrar

Seconded: Councillor Barbara

That the Planning and Community Development Committee recommendation be adopted.

CARRIED

Attachment 1 – Subject Site Title particulars
Attachment 2 – Plan of Subdivision 518759X



Adobe Acrobat
Document

2.5 Richmond City Soccer Club

Executive Summary

Purpose

To recommend actions in response to a request from the Richmond City Soccer Club (Club) to extend the clubroom and fencing at the Bastow One Soccer Ground, Kevin Bartlett Reserve, Richmond.

Key Issues

The Club has recently been promoted to the Victoria Premier League for the forthcoming 2006/07 season.

The Club has requested a contribution from Council for extensions to the clubrooms and erecting of fencing.

The Club has also requested that a review be undertaken in relation to use of facilities at Kevin Bartlett Reserve.

In order to be able to compete in the Premier League the Club needs the ground, fencing and clubroom to be upgraded.

Financial Implications

An amount of \$80,000 has been included in the 2005/06 capital works budget to upgrade the drainage, playing surface and irrigation on Bastow One. All other costs are to meet by the Club.

PROPOSAL

- (a) That Council approve in principal the proposed extension to the clubroom and erection of a perimeter fence (subject to necessary planning and building permits);
- (b) That the Club's request for financial assistance towards the cost of the extension and fencing is declined;
- (c) That Council assist the Club to seek an appropriate financial contribution from relevant private bodies and Government Departments towards the cost of fencing in order to resolve traffic management and safety issues;
- (d) That the Club's request for Council to review usage within the Kevin Bartlett sports precinct be deferred and considered as part of consultation for Council's Sports Plan; and
- (e) That Council grants permission to the Richmond City Soccer Club to restrict entry to Bastow One to people who have paid an entry fee of \$10 adult and \$7 concession on 13 occasions during the forthcoming 2006/07 season for the purpose of playing premier league soccer games. Dates to be approved by the Manager of Environment and Recreation Services.

RECOMMENDATION

1. That Council approve in principal the proposed extension to the clubroom and erection of a perimeter fence (subject to necessary planning and building permits).
2. That the Club's request for financial assistance towards the cost of the extension and fencing is declined.
3. That Council assist the Club to seek an appropriate financial contribution from relevant private bodies and Government Departments towards the cost of fencing in order to resolve traffic management and safety issues
4. That the Club's request for Council to review usage within the Kevin Bartlett sports precinct be deferred and considered as part of consultation for Council's Sports Plan.
5. That Council grants permission to the Club to restrict entry to Bastow One to people who have paid an entry fee of \$10 adult and \$7 concession; on 13 occasions during the forthcoming 2006/07 season for the purpose of playing premier league soccer games. Dates to be approved by the Manager of Environment and Recreation Services.

PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATION

Moved: Councillor Meadows

Seconded: Councillor Maltzahn

That the matter be deferred to Council for further consideration.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Morton

Seconded: Councillor Jolly

1. That Council approve in principal the proposed extension to the clubroom and erection of a perimeter fence (subject to necessary planning and building permits).
2. That the Club's request for financial assistance towards the cost of the extension and fencing is declined.
3. That Council assist the Club to seek an appropriate financial contribution from relevant private bodies and Government Departments towards the cost of fencing in order to resolve traffic management and safety issues
4. That the Club's request for Council to review usage within the Kevin Bartlett sports precinct be deferred and considered as part of consultation for Council's Sports Plan.
5. That Council grants permission to the Club to restrict entry to Bastow One to people who have paid an entry fee of \$10 adult and \$7 concession; on 13 occasions during the forthcoming 2006/07 season for the purpose of playing

premier league soccer games. Dates to be approved by the Manager of Environment and Recreation Services.

CARRIED

Attachment 1 – Football Federation Victoria Regulations

Attachment 2 – Richmond Soccer Club’s Letter Dated 19 July 2005.

Attachment 3 – Richmond Soccer club Letter and Schematic Plans Dated 18 August 2005

Attachment 4 – Football Federation Inspection Report 2 August 2005

Attachment 5 –Schematic Design for Fencing options

2.6 Management of Liquor Licensed Premises

Executive Summary

Purpose

To report to Council on the outcomes of the Liquor Licensing Management Working Group and propose a way forward for Council to better manage the planning process and the operation of Liquor Licensed premises.

Key Issues

At the April 2005 Council meeting it was resolved to establish a Liquor Licensing Management Working Group to report to Council on means of minimising the impact of licensed premises on neighbourhood amenity and preventing the proliferation of late night trading throughout the municipality.

Community and Social Implications

Council has a responsibility to appropriately manage the diverse land-uses and activities in the City.

Legal Implications

Council has sought legal advice regarding material contained in the report.

Financial Implications

There are no direct financial implications to Council.

Environmental Implications

To ensure that development is in accordance with the Yarra Planning Scheme.

City Plan, Strategy and Policy Implications

City Plan outlines the following objectives:

- (a) retain the appropriate mix of land uses across Yarra; and
- (b) work towards improving Yarra's public domain to facilitate greater activity and enjoyment.

Proposal

That Council endorse the use of the proposed Local Law to address music noise and patron behaviour at licensed premises.

That a Licensing Advisory Review Committee be established for a 6 months trial with representatives from the Victorian Police, Council's Statutory Planning Branch and Community Amenity Unit to review planning permit applications involving liquor licensing.

That a standard planning permit condition be adopted for a music noise limiter to be installed for premises where music is to be played after 11.00pm and applied to planning applications where appropriate.

Council continue to work on liquor licensing issues through the Inner Melbourne Action Plan implementation.

The current Municipal Strategic Statement review will address better ways to manage the interface of the varied and diverse activities and uses within the City of Yarra.

That a report is provided back to Council in February 2006, regarding the impact of the trial changes to parking restrictions in Stanley Street, Richmond. That the report include advice and recommendations to Council regarding the effectiveness of parking restrictions to control the negative amenity impacts of patrons accessing their cars after leaving liquor licence premises.

RECOMMENDATION

1. That Council endorse the use of the proposed Local Law to address music noise and patron behaviour at licensed premises.
2. That a Licensing Advisory Review Committee be established on a 6 months trial with representatives from Victorian Police, Council's Statutory Planning Branch and Community Amenity Unit to review planning permit applications involving liquor licensing.
3. That a standard planning permit condition be adopted for a music noise limiter to be installed for premises where music is to be played after 11.00pm and applied to planning applications where appropriate.
4. Council continue to work on liquor licensing issues through the Inner Melbourne Action Plan implementation.
5. The current Municipal Strategic Statement review will address better ways to manage the interface of the varied and diverse activities and uses within the City of Yarra.
6. That a report is provided back to Council in February 2006, regarding the impact of the trial changes to parking restrictions in Stanley Street, Richmond. That the report include advice and recommendations to Council regarding the effectiveness of parking restrictions to control the negative amenity impacts of patrons accessing their cars after leaving liquor licence premises.

Submissions

The following people addressed the Committee on this item:

Mr Ian Quick; and

Mr Geoff Barbour.

Councillor Jolly left the chamber during discussion of this item and returned prior to the commencement of debate.

PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATION

Moved: Councillor Maltzahn

Seconded: Councillor Meadows

That the matter be deferred to Council for further consideration.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Maltzahn

Seconded: Councillor Farrar

1. That:

- (a) the matter be deferred to a future meeting of Council;
- (b) the Liquor Licensing Management Working Group continue to meet in the interim.

CARRIED

Attachment 1 - Draft of Standard Planning Permit Condition

Attachment 2 – Draft of Local Law

Attachment 3 – Minutes of the Inner Melbourne Action Plan – Licensing Issues Forum



Adobe Acrobat
Document

2.7 Council Response to the Consultant Report on the Review of Policies and Controls for the Yarra River Corridor - Punt Road to Burke Road, by Planisphere (June 2005) for the Department of Sustainability and Environment

Executive Summary

Purpose

The report outlines the findings and recommendations included in the Consultant Report, prepared by Planisphere (June 2005) for Department of Sustainability and Environment (DSE). The report is a review of the policies and controls for the Yarra River Corridor, between Punt Road and Burke Road.

The Report has been produced for consultation purposes and includes recommendations regarding ways of strengthening the planning controls in the respective planning schemes to ensure the improved protection and enhancement of the valued qualities of the Yarra River corridor in this area. It includes land in the Cities of Yarra, Banyule, Stonnington and Boroondara.

Key Issues

The current regulatory and policy context for the management of land use and development along the Yarra River corridor through the above municipalities are not considered robust enough, or consistent throughout the corridor.

Financial Implications

There are no direct financial implications from the study at this stage. The study has been commissioned by DSE.

Environmental Implications

The proposed controls are additional planning permit triggers and performance standards for inclusion in the Yarra Planning Scheme for land along the Yarra River corridor. If adopted, they will enhance the environmental qualities of the riverside environment and assist in the prevention of inappropriate development along the River corridor.

Social Implications

A well-managed river environment with appropriate public access opportunities is considered a valuable recreational and community asset in the City of Yarra.

Council Plan, Strategy and Policy Implications

Protection of the Yarra River corridor is consistent with Yarra's Council Plan 2005 - 2009. The study has responded to the renewed policy and planning focus highlighted in *Melbourne 2030* to manage development along the Yarra River corridor.

PROPOSAL

The report forms the basis of Council's response to DSE on the above study and comments on the submissions received, as relevant to the City of Yarra.

RECOMMENDATION

1. Council support in principle the *Review of Policies and Controls for the Yarra River Corridor: Punt Road to Burke Road*, dated June 2005, prepared by Planisphere (June 2005), subject to the following recommendations and planning scheme amendment requirements:

Leafy Suburban Character Type

- (a) introduction of the revised strategies and guidelines, as appropriate, and inclusion of the proposed new additional performance standards for permit requirements in a revised ESO applying to the Fairfield and Alphington areas in the Leafy Suburban Character Type, as outlined in paragraphs 18 and 19 of this report as a first priority.
 - (b) As a second order priority, in the remainder of Alphington, from Alphington Park to Darebin Creek, the controls shall be revised to strengthen the following outcomes:
 - (i) retention of vegetation;
 - (ii) maintenance of building height subordinate to vegetation;
 - (iii) new vegetation encouraged'
 - (iv) colours and materials to complement vegetated environment;
 - (v) minimise impact of stormwater runoff; and
 - (vi) control of weeds in open space corridor.
2. LSIO and FO – Council officers undertake further discussions with Melbourne Water in relation to the replacement of the LSIO with an FO in the study area, based on Melbourne Water's recommendations.

Urban Industrial/Ex-Industrial Character Types

3. The ESO applying in the Urban Industrial/Ex-industrial Character types, as defined in the Report, be reviewed taking into account the revised provisions approved with the gazettal of Amendment C66 and to consider the following recommendations of the study:

Strengthening the planning objectives and performance standards for waterway and open space management under the ESO, as outlined for this character type in Attachment 1 to the Report.

4. An additional performance standard be applied in this area for jetties, boat ramps and mooring facilities – these should not require the removal of indigenous vegetation and should enhance the natural landscape character, through design and siting and provide for the enjoyment of all users of the River corridor.

Monash Freeway/City Link River Edge

5. The planning provisions applying under the ESO in this area be rationalised with the new DDO1 provisions in the planning scheme, as revised under Amendment C66, to ensure that there are no gaps in the areas affected by the DDO1 and ESO in this Riverside location, which require a permit for all buildings and works.

6. It is also recommended that the improved objectives and decision guidelines for the environment protection of the River edge environment (as outlined for this character type in Attachment 1 to the Report) be considered for inclusion in a revised ESO applying to this area (refer Attachment 5 of this report)
7. The following new performance standards be included in the schedule to the ESO:
 - (a) building height - add requirement for new development not to overshadow public spaces or the River and to avoid undesirable impacts on the River corridor.
 - (b) public access – development to facilitate public access to the River, especially between Punt Road and Cremorne Street and between Mary and Burnley Streets.
8. The Strategies and Guidelines for Managing Development in the Study Area, as outlined in Appendix 1 to the Consultant Report, be considered for incorporation into the Yarra Planning Scheme, as appropriate, as part of the current review of Council's MSS also be considered in any future review of the Local Planning Policy Framework (LPPF) of the Yarra Planning Scheme.

Securing Open Space and Public Access

9. Council give high priority to investigating the options to provide improved public access to the Yarra River between Rudder Grange and Alphington Park, Alphington (which includes the AMCOR sites), in consultation with the local community.
10. Council agree to further investigate additional public access to the Yarra River between Fairfield Park and Rudder Grange as a longer- term action, in consultation with the local community.
11. Council review the property ownership of land abutting the Yarra River between Walmer Street and Bridge Road, including Christine Crescent and consider the application of a PAO under the Yarra Planning Scheme along this section of the River, and include the land in the Public Park and Recreation Zone, in order to secure public access to and the continuation of the Main Yarra Trail, which currently exists along the River in the City of Yarra.
12. Council support future detailed design and development planning of the key sub-areas adjoining the Yarra River in the City of Yarra, as nominated in the Consultant Report.

PLANNING AND COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATION

Moved: Councillor Meadows

Seconded: Councillor Maltzahn

1. Council support in principle the *Review of Policies and Controls for the Yarra River Corridor: Punt Road to Burke Road*, dated June 2005, prepared by Planisphere (June 2005), subject to the following recommendations and planning scheme amendment requirements:

Leafy Suburban Character Type

- (a) introduction of the revised strategies and guidelines, as appropriate, and inclusion of the proposed new additional performance standards for permit requirements in a revised ESO applying to the Fairfield and Alphington areas in the Leafy Suburban Character Type, as outlined in paragraphs 18 and 19 of this report as a first priority.
 - (b) As a second order priority, in the remainder of Alphington, from Alphington Park to Darebin Creek, the controls shall be revised to strengthen the following outcomes:
 - (i) retention of vegetation;
 - (ii) maintenance of building height subordinate to vegetation;
 - (iii) new vegetation encouraged'
 - (iv) colours and materials to complement vegetated environment;
 - (v) minimise impact of stormwater runoff; and
 - (vi) control of weeds in open space corridor.
2. LSIO and FO – Council officers undertake further discussions with Melbourne Water in relation to the replacement of the LSIO with an FO in the study area, based on Melbourne Water's recommendations.

Urban Industrial/Ex-Industrial Character Types

3. The ESO applying in the Urban Industrial/Ex-industrial Character types, as defined in the Report, be reviewed taking into account the revised provisions approved with the gazettal of Amendment C66 and to consider the following recommendations of the study:

Strengthening the planning objectives and performance standards for waterway and open space management under the ESO, as outlined for this character type in Attachment 1 to the Report.

4. An additional performance standard be applied in this area for jetties, boat ramps and mooring facilities – these should not require the removal of indigenous vegetation and should enhance the natural landscape character, through design and siting and provide for the enjoyment of all users of the River corridor.

Monash Freeway/City Link River Edge

5. The planning provisions applying under the ESO in this area be rationalised with the new DDO1 provisions in the planning scheme, as revised under Amendment C66, to ensure that there are no gaps in the areas affected by the DDO1 and ESO in this Riverside location, which require a permit for all buildings and works.
6. It is also recommended that the improved objectives and decision guidelines for the environment protection of the River edge environment (as outlined for this character type in Attachment 1 to the Report) be considered for inclusion in a revised ESO applying to this area (refer Attachment 5 of this report)
7. The following new performance standards be included in the schedule to the ESO:

- (a) building height - add requirement for new development not to overshadow public spaces or the River and to avoid undesirable impacts on the River corridor.
 - (b) public access – development to facilitate public access to the River, especially between Punt Road and Cremorne Street and between Mary and Burnley Streets.
8. The Strategies and Guidelines for Managing Development in the Study Area, as outlined in Appendix 1 to the Consultant Report, be considered for incorporation into the Yarra Planning Scheme, as appropriate, as part of the current review of Council's MSS also be considered in any future review of the Local Planning Policy Framework (LPPF) of the Yarra Planning Scheme.

Securing Open Space and Public Access

9. Council give high priority to investigating the options to provide improved public access to the Yarra River between Rudder Grange and Alphington Park, Alphington (which includes the AMCOR sites), in consultation with the local community.
10. Council agree to further investigate additional public access to the Yarra River between Fairfield Park and Rudder Grange as a longer- term action, in consultation with the local community.
11. Council review the property ownership of land abutting the Yarra River between Walmer Street and Bridge Road, including Christine Crescent and consider the application of a PAO under the Yarra Planning Scheme along this section of the River, and include the land in the Public Park and Recreation Zone, in order to secure public access to and the continuation of the Main Yarra Trail, which currently exists along the River in the City of Yarra.
12. Council support future detailed design and development planning of the key sub-areas adjoining the Yarra River in the City of Yarra, as nominated in the Consultant Report.
13. That Council notes the submissions, including the late submissions, to the Consultant Report on the Review of Policies and Controls for the Yarra River Corridor.

CARRIED

REVISED OFFICER RECOMMENDATION

1. Council support in principle the *Review of Policies and Controls for the Yarra River Corridor: Punt Road to Burke Road*, dated June 2005, prepared by Planisphere (June 2005), subject to the following recommendations and planning scheme amendment requirements:

Leafy Suburban Character Type

- (a) introduction of the revised strategies and guidelines, as appropriate, and inclusion of the proposed new additional performance standards for permit requirements in a revised ESO applying to the Fairfield and Alphington areas in the Leafy Suburban Character Type, as outlined in paragraphs 18 and 19 of this report as a first priority.

- (b) As a second order priority, in the remainder of Alphington, from Alphington Park to Darebin Creek, the controls shall be revised to strengthen the following outcomes:
 - (i) retention of vegetation;
 - (ii) maintenance of building height subordinate to vegetation;
 - (iii) new vegetation encouraged'
 - (iv) colours and materials to complement vegetated environment;
 - (v) minimise impact of stormwater runoff; and
 - (vi) control of weeds in open space corridor.
- 2. LSIO and FO – Council officers undertake further discussions with Melbourne Water in relation to the replacement of the LSIO with an FO in the study area, based on Melbourne Water's recommendations.

Urban Industrial/Ex-Industrial Character Types

- 3. The ESO applying in the Urban Industrial/Ex-industrial Character types, as defined in the Report, be reviewed taking into account the revised provisions approved with the gazettal of Amendment C66 and to consider the following recommendations of the study:

Strengthening the planning objectives and performance standards for waterway and open space management under the ESO, as outlined for this character type in Attachment 1 to the Report.
- 4. An additional performance standard be applied in this area for jetties, boat ramps and mooring facilities – these should not require the removal of indigenous vegetation and should enhance the natural landscape character, through design and siting and provide for the enjoyment of all users of the River corridor.

Monash Freeway/City Link River Edge

- 5. The planning provisions applying under the ESO in this area be rationalised with the new DDO1 provisions in the planning scheme, as revised under Amendment C66, to ensure that there are no gaps in the areas affected by the DDO1 and ESO in this Riverside location, which require a permit for all buildings and works.
- 6. It is also recommended that the improved objectives and decision guidelines for the environment protection of the River edge environment (as outlined for this character type in Attachment 1 to the Report) be considered for inclusion in a revised ESO applying to this area (refer Attachment 5 of this report)
- 7. The following new performance standards be included in the schedule to the ESO:
 - (a) building height - add requirement for new development not to overshadow public spaces or the River and to avoid undesirable impacts on the River corridor.

- (b) public access – development to facilitate public access to the River, especially between Punt Road and Cremorne Street and between Mary and Burnley Streets.
8. The Strategies and Guidelines for Managing Development in the Study Area, as outlined in Appendix 1 to the Consultant Report, be considered for incorporation into the Yarra Planning Scheme, as appropriate, as part of the current review of Council's MSS also be considered in any future review of the Local Planning Policy Framework (LPPF) of the Yarra Planning Scheme.

Securing Open Space and Public Access

9. Council give high priority to investigating the options to provide improved public access to the Yarra River between Rudder Grange and Alphington Park, Alphington (which includes the AMCOR sites), in consultation with the local community.
10. Council agree to further investigate additional public access to the Yarra River between Fairfield Park and Rudder Grange as a longer- term action, in consultation with the local community.
11. Council review the property ownership of land abutting the Yarra River between Walmer Street and Bridge Road, including Christine Crescent and consider the application of a PAO under the Yarra Planning Scheme along this section of the River, and work with Parks Victoria as the acquiring authority, to include the land in the Public Park and Recreation Zone, in order to secure public access to and the continuation of the Main Yarra Trail, which currently exists along the River in the City of Yarra.
12. Council support future detailed design and development planning of the key sub-areas adjoining the Yarra River in the City of Yarra, as nominated in the Consultant Report.
13. That Council notes the submissions, including the late submissions, to the Consultant Report on the Review of Policies and Controls for the Yarra River Corridor.

COUNCIL RESOLUTION

Moved: Councillor Morton

Seconded: Councillor Fristacky

That the revised officer recommendation be adopted.

CARRIED

- Attachment 1 – Issues Analysis by Location and Recommended Planning Scheme Changes (from Consultant report June 2005).**
- Attachment 2 – Planning Controls and Policies by Municipality: Recommended Changes (from Consultant Report June 2005).**
- Attachment 3 – DSE Summary of Submissions with DSE Response and proposed Council Response.**
- Attachment 4 – Proposed Action Plan (from Consultant Report June 2005).**

Attachment 5 –

Strategies and guidelines for Managing Development in the Study Area (Appendix 1 – Consultants Report June 2005)



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COUNCIL BUSINESS ITEMS

3.1 Review of Council Delegations 2005

File: 25/25/02
Responsible Officer: Manager Governance

Purpose

1. To review Council's:
 - (a) *Instrument of Delegation to the Chief Executive Officer* (CEO's delegation) and *Instrument of Delegation to Council Staff* (Staff delegation) as required by s. 98(6) of the *Local Government Act 1989* (the Act); and
 - (b) *Protocol for the Use of Delegation by Strategic Planning and Statutory Planning* (Planning Protocol) (formerly entitled *Urban Planning Branch – delegation policy and procedures*).

Background

2. The Yarra City Council has three key governance tools for delegating authority.
3. These are the:
 - (a) *Instrument of Delegation to the Chief Executive Officer (CEO)*;
 - (b) *Instrument of Delegation to Council Staff*, and
 - (c) *Protocols for the Use of Delegation by Strategic Planning and Statutory Planning* (Planning Protocol) (formerly entitled *Urban Planning Branch – delegation policy and procedures* (which complements the *Instrument of Delegation to Council Staff*).
4. In addition, the CEO is able to sub-delegate, through a separate Instrument of Sub-delegation by the CEO to Staff.
5. Pursuant to section 98(6) of the Act, Council must review its delegations within 12 months of a general election.
6. The attachments to this report are based on the draft documents considered by Councillors at an informal briefing held Monday 7 November. Where further changes have been made to those documents, the changes are highlighted (tracked) on the attachments to this report.

Instrument of Delegation to the Chief Executive Officer (Attachment 1)

7. The current CEO's delegation was executed on 12 December 2001 and has been exercised by all Yarra's CEOs and acting CEOs since that date.
8. Council Officers have reviewed the current Instrument and recommend only minor 'house keeping; changes to complement amendments made to the Act since 2001.
9. The proposed (revised) Instrument of Delegation to the Chief Executive Officer is attached at Attachment 1.

10. The 'housekeeping' changes proposed are:
 - (a) deletion of the current clause 1.3 of the instrument (relating to the adoption of the Corporate Plan, pursuant to the now repealed s. 153 of the Act);
 - (b) substituting a new clause 1.3 relating to the adoption of the Council Plan (pursuant to s. 125 of the Act) and Strategic Resource Plan (pursuant to s. 126 of the Act.); and
 - (c) additional minor amendments to clarify that the CEO cannot determine revised budgets or the return of supplementary valuations etc.

Instrument of Delegation to Council Staff (Attachment 2)

11. The Instrument of Delegation to Council Staff (staff delegation) allows Council to delegate many powers and duties directly to appropriate Council staff.
12. The duties, functions and powers included in the staff delegation cover various sections of Acts and Regulations which are delegated directly by Council to officers as opposed to powers being delegated to the CEO for subsequent sub- delegation to officers (through an Instrument of Sub-Delegation by the CEO to Council Staff).
13. Following a review of the staff delegation by the Executive Management Team and specific managers, some minor (housekeeping) amendments are recommended.
14. The recommended amendments to Council's staff delegation encompass:
 - (a) updating the list of officer titles to reflect position titles within the current organisational structure;
 - (b) reducing the number of officer groups by consolidating the current seven groups to three grouping;
 - (i) by deleting Group 4 Officers, Group 5 Officers, Group A Officers and Group B Officers; and modifying the remaining Groups 1 to 3 inclusive, the Instrument is simplified without sacrificing prudent controls;
 - (c) revising the delegate (the recipient of the delegated authority) in a small number of instances within the City Development Division to better align the delegation with officer responsibilities;
 - (d) incorporating delegations pertaining to amendments to existing legislation, such as more recent provisions inserted in the *Planning and Environment Act 1987*; and
 - (e) incorporating delegations pertaining to new Acts (not included in the current delegation), such as the *Road Management Act 2004* and associated regulations.
15. The proposed staff delegation (Attachment 2) is essentially unchanged from the current staff delegation, other than the housekeeping changes outlined above. The same prudent governance principles used in delegating powers to officers in the current delegation have been maintained in the proposed delegation.

Protocols for the use of delegation authority (Attachment 3)

16. The *Protocols for the Use of Delegated Authority* (Planning Protocols) (formerly entitled *Urban Planning Branch – delegation policy and procedures*) has also been reviewed by the Executive Management Team and specific managers, and minor housekeeping changes are recommended.
17. The Planning Protocols complements the staff delegation by allowing Council to establish more refined guidelines for Statutory Planning staff and Strategic & Economic Planning & Development staff, in the way they exercise powers or duties conferred in the staff delegation.
18. The recommended minor amendments to the Planning Protocols encompass:
 - (a) revising the cover page and introduction to reflect the document's new title;
 - (i) the proposed title and introduction more clearly explains the document's purpose and function;
 - (b) deleting sections within the protocol which only repeat delegations made in the staff delegation;
 - (i) by deleting the pages of the document which only serve to duplicate the relevant sections of the staff delegation, the risk of the protocol inadvertently becoming inconsistent with the staff delegation is avoided;
 - (c) deleting the list of officer groupings from the protocol;
 - (i) by deleting the listing of officer groupings from the protocol, the risk of the protocol inadvertently becoming inconsistent with the staff delegation is avoided.

Financial Implications

19. There are no relevant financial implications.

Legal implications

20. This review of Council's delegations is based upon updated pro-forma delegations provided periodically by Council's solicitors. The now proposed delegations and protocols (attached to this report) also reflect further specific advice received from Council's solicitors.

RECOMMENDATION

21. That having reviewed its delegations pursuant to s. 98(6) of the *Local Government Act* 1989, Council:
 - (a) adopts the revised *Instrument of Delegation to the Chief Executive Officer* as attached (Attachment 1)
 - (b) adopts the revised *Instrument of Delegation to Council Staff* as attached (Attachment 2)

- (c) adopts the *Protocol for the Use of Delegation by Strategic Planning and Statutory Planning* as attached (Attachment 3),

and the said two Instruments of Delegation be signed and sealed accordingly.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Farrar

That the recommendation be adopted.

CARRIED

CONTACT OFFICER: Ivan Gilbert
TITLE: Manager Governance
TEL: 9205 5110

Attachment 1 – Proposed Instrument of Delegation to the Chief Executive Officer

Attachment 2 – Proposed Instrument of Delegation to Council Staff

Attachment 3 – Proposed Protocol for the Use of Delegation by Strategic Planning and Statutory Planning

PLEASE NOTE - All attachments have 'changes tracked' to highlight any differences between the attachments and the earlier drafts circulated to Councillors.



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3.2 Heritage Review Reference Group

File: 30/10/21
Responsible Officer: Strategic Planning

Purpose

1. For Council to endorse the membership of the Heritage Review Reference Group and the proposed process and consultation methodology prior to exhibiting the heritage review as a planning scheme amendment.

Background

Amendment C43

2. Council abandoned most of the previous heritage amendment (Amendment C43) after recommendations made by an Independent Planning Panel. One of the concerns raised by the Panel was the composition of the previous Steering Committee. The Panel criticised the composition of the previous Steering Committee as being biased and lacking in a wide representation of community interest; in particular the lack of representation from economic and business development members.
3. The Panel recommended any future composition of a Steering Committee include "representation from the business and economic development members of the community as well as community, residential and heritage representatives. Further, that the members of the Steering Committee be drawn in response to the Terms of Reference." The Panel had concerns that there was a disproportionate weighting on the Steering Committee given to heritage and community representatives and it had doubts that business or development representatives had any opportunity to meaningfully contribute to the preparation of the amendment. The Panel stated that there is little point in having a community based steering committee if it is to do no more than confirm pre-existing views. The Panel concluded that in any subsequent amendment Council should establish a Steering Committee from a wider base and with clear Terms of Reference.

Completed Work

4. Although the previous amendment went a long way in collecting and collating data, the Panel expressed concern about the level of error of this information. As a result Council has employed heritage consultants who have checked every property covered by Heritage Overlay controls (approximately eighteen thousand). They have taken photos of all properties currently in the Heritage Overlay and checked and assessed their significance. This work is nearing completion and a Reference Group should now be appointed as Council proceeds in refining heritage management tools.

Consultations

5. Council organised a Heritage Review Information Session on 21 June 2005 where the data checking work was explained to the community. There were 24 attendees. Attendees were advised that a Heritage Review Reference group would be established. All attendees were invited to note on the attendance sheets of their interest in being sent information on the proposed group.

6. Council advertised for Expressions of Interest in the Melbourne Times and Yarra Leader for three (3) consecutive weeks from mid-July to early August 2005. A notice was also posted on Council's website during this period and previous attendees to Council's Heritage Information Session who expressed interest were sent application forms and the Terms of Reference.
7. Twenty-five applications were received. Attachment 1 includes the Terms of Reference and Attachment 2 includes a table listing all applicants and a summary of their application (Confidential attachment).

Role of Reference Group

8. The Heritage Review Reference group will provide both sectoral interest representations and include members with expertise in related fields. The Reference Group will convene to review and comment on three key stages of the review: the proposed methodology, the draft heritage policy following input from community workshops and the final documents prepared for the Planning Scheme Amendment. Any additional meetings of the group can be called if necessary.
9. The Expressions of Interest submitted for the Heritage Review Reference Group included a wide variety of interests and experiences. The twenty-five candidates showed a breadth of knowledge of heritage issues in the City; some individuals had professional experience in dealing with heritage conservation matters, and some individuals had business interests in the City. It is considered that the Heritage Review Reference group could encompass all the individuals who expressed interest in participating in the group, bringing a variety of interests, experience and knowledge to the process.
10. An overview of the Heritage Review (including consultation strategy) is attached (see Attachment 3).
11. In addition to the Heritage Reference Group, Council will be seeking input from the community through a number of avenues including: public workshops, on-line surveys. Groups with a range of interests will be included in the consultation to ensure wide representation of views in accordance with the Panel recommendation.
12. Technical advice will be sought at key stages from Heritage Victoria and other experts as required.
13. An invitation was made to the Catholic Archdiocese of Melbourne as a large heritage property owner in the City, to have a representative on the Reference Group. The Property Officer of the Roman Catholic Trusts Corporation agreed to sit on the Reference Group.

Financial Implications

14. The costs of convening the Heritage Review Reference Group and subsequent Planning Scheme Amendments are included in the 2005/06 Strategic Planning budget.

Economic Implications

15. The City's heritage is an economic asset which should be fostered. This is the aim of the Heritage Review.

Environmental Implications

16. It is envisaged that the Amendment will enhance the environment by maintaining and conserving valued heritage assets.

Social Implications

17. The Review will have social implications in that it will enable better protection of the cultural heritage of the City.

City Plan, Strategy and Policy Implications

18. The Heritage Review Reference Group will ensure that the management of the City's heritage assets meets community expectations and needs in accordance with the Council Plan 2005/09.

Issues

19. The lack of development and business interest input into Amendment C43 was criticised by the Panel. It is difficult to gain interest from such representatives in Reference groups and as such the views of these interest groups will need to be specifically targeted. Direct invitation to community workshops, direct mail-out of questionnaires and other means of gathering information is required, and will be included in the consultation program.

RECOMMENDATION

20. That Council endorse the candidates who expressed an interest to be members of the Heritage Reference Group.

COUNCIL RESOLUTION

Moved: Councillor Morton

Seconded: Councillor Farrar

That the recommendation be adopted.

CARRIED

CONFIDENTIAL ATTACHMENTS

(Contained only within the confidential section of this agenda)

Attachment 1 – Summary of all Candidates

PUBLIC ATTACHMENTS

Attachment 2 – Terms of Reference

Attachment 3 – Heritage Review Overview (Stage 1)



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NOTICES OF MOTION

4.1 Protection of Significant Tree – Notice of Motion No. 13 of 2005 – Councillor Jolly

I hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on Tuesday 15 November 2005:

“1. That:

- (a) Council ensure that appropriate protection measures are put in place to protect the large and significant Eucalyptus Tree situated on the park section adjacent to Victoria Park at the corner of Bath and Turner Streets Abbotsford; and
- (b) this Tree be listed for protection on the Open Space Tree Data Base.”

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Farrar

1. That:

- (a) Council ensure that appropriate protection measures are put in place to protect the large and significant Eucalyptus Tree situated on the park section adjacent to Victoria Park at the corner of Bath and Turner Streets Abbotsford; and
- (b) this Tree be listed for protection on the Open Space Tree Data Base.

CARRIED

4.2 Climate Change – Notice of Motion No. 14 of 2005 – Councillor Maltzahn

I hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on Tuesday 15 November 2005:

- “1. That in the matter of Climate change as an important environmental and social problem:
- (a) Council:
 - (i) endorse the Citizen’s Guide to Climate Refugees;
 - (ii) recognise that as the industrial world’s largest per capita greenhouse polluter, Australia has a direct responsibility for resolving the displacement of people in the Pacific region due to climate change;
 - (iii) support the Climate Refugee forum to be held at the Sustainable Living Festival, on 18 February 2006, by promoting the event through Council’s advertisements in the Melbourne Times and Melbourne Leader and other appropriate forum. (The forum will include a presentation by Tuvaluan resident Don Kennedy);
 - (b) Council write to the:
 - (i) Federal Minister for Foreign Affairs expressing its concern about climate refugees in the Pacific, and urging the government to structure its aid program to address this problem;
 - (ii) Federal Minister for the Environment urging the federal government to sign the Kyoto protocol;
 - (iii) Federal Minister for Immigration urging her to make a recognise and accept climate refugees in Australia;
 - (c) Council, in response to the Citizen’s Guide to Climate Refugees ‘Simple Actions’ on climate change:
 - (i) write to the State Minister for the Environment condemning the expansion of the coal-fired Hazelwood Power Station, reported to be the most greenhouse-polluting power station in the OECD, and which will increase greenhouse gas emissions;
 - (ii) develop and/or disseminate educational information for Yarra residents, workers and students about the estimated \$9 billion per year support for the fossil fuel industry in Australia that is financed by government subsidies and investments from superannuation funds;
 - (iii) develop and/or disseminate educational information for Yarra residents, workers and students about the contribution of air travel to greenhouse gas emissions;
 - (iv) write to the Federal and State Transport Ministers calling for a new airport strategy which:

- (v) aims to reduce greenhouse gas emissions from air travel;
 - (vi) includes an emissions charge on air travel emissions;
 - (vii) rules out new airport developments in metropolitan Victoria;
- (b) Council support the 3 December 2005 International Day of Action on Climate Change by:
- (i) displaying posters about the event in all Council community places. (Posters can be secured from Environment Victoria); and
 - (ii) promoting the event through Council's advertisements in the Melbourne Times and Melbourne Leader and other appropriate forums."

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Maltzahn

Seconded: Councillor Farrar

That standing orders be suspended in order to hear public submissions.

CARRIED

Submissions

Mr Cam Walker addressed the Council on this item.

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Fristacky

Seconded: Councillor D'Agostino

That standing orders be resumed.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Maltzahn

Seconded: Councillor D'Agostino

1. That in the matter of Climate change as an important environmental and social problem:
 - (a) Council:
 - (i) endorse the Citizen's Guide to Climate Refugees;
 - (ii) recognise that as the industrial world's largest per capita greenhouse polluter, Australia has a direct responsibility for resolving the displacement of people in the Pacific region due to climate change;

- (iii) support the Climate Refugee forum to be held at the Sustainable Living Festival, on 18 February 2006, by promoting the event through Council's advertisements in the Melbourne Times and Melbourne Leader and other appropriate forum. (The forum will include a presentation by Tuvaluan resident Don Kennedy);
- (b) Council write to the:
- (i) Federal Minister for Foreign Affairs expressing its concern about climate refugees in the Pacific, and urging the government to structure its aid program to address this problem;
 - (ii) Federal Minister for the Environment urging the federal government to sign the Kyoto protocol and increase government support for alternative renewable energy sources for power generation;
 - (iii) Federal Minister for Immigration urging her to make a recognise and accept climate refugees in Australia;
- (c) Council, in response to the Citizen's Guide to Climate Refugees 'Simple Actions' on climate change:
- (i) write to the State Minister for the Environment expressing our grave concern and dismay at the expansion of the coal-fired Hazelwood Power Station, reported to be the most greenhouse-polluting power station in the OECD, and which will increase greenhouse gas emissions, and urging the State Government to increase government support for alternative renewable energy sources for power generation;
 - (ii) disseminate educational information (where available) about the estimated \$9 billion per year support for the fossil fuel industry in Australia that is financed by government subsidies and investments from superannuation funds, and to consider the inclusion of this issue in any educational material Yarra develops on climate change and related issues;
 - (iii) disseminate educational information (where available) about the contribution of air travel to greenhouse gas emissions, and to consider the inclusion of this issue in any educational material Yarra develops on climate change and related issues;
 - (iv) write to the Federal and State Transport Ministers calling for a new airport strategy which:
 - aims to reduce greenhouse gas emissions from air travel;
 - includes an emissions charge on air travel emissions;
- (d) Council support the 3 December 2005 International Day of Action on Climate Change by:

- (i) displaying posters about the event in all Council community places. (Posters can be secured from Environment Victoria); and
- (ii) promoting the event through Council's advertisements in the Melbourne Times and Melbourne Leader and other appropriate forums."

CARRIED

4.3 Impact of Gambling – Notice of Motion No. 15 of 2005 – Councillor Maltzahn

I hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on Tuesday 15 November 2005:

- “1. That in the matter of gambling and its impact on the health and well-being of both individuals and sections of the wider community:
- (a) Council notes that decisions on Electronic Gaming Machine (EGM) licences that result from the State Government Review of EGM Licences in Victoria will affect Yarra residents and the broader Victorian community for the next 27 years;
 - (b) consequently, Council believes that it is essential that the Review is thorough and widely consultative in order to achieve outcomes that:
 - (i) are in the best interest of the Victorian community, including Yarra residents;
 - (ii) reflect community attitudes;
 - (iii) reflect the State Government’s duty of care to community health and wellbeing;
 - (c) Council believes that the Review of the EGM Licences should be transparent, and that the Terms of Reference for the Review of Electronic Gaming Machine Licences should include:
 - (i) consideration of the emerging evidence that EGMs, in their current form, pose inherent dangers and cause problem gambling;
 - (ii) consideration of all possible outcomes for the future of the EGM industry, including the potential non-renewal of licenses;
 - (iii) a thorough cost-benefit analysis;
 - (iv) comprehensive community and expert consultation via written submissions and public hearings;
 - (d) Council hold three public forums in the first quarter of 2006 to inform Yarra residents of the Review and to enable community concerns and opinion to be expressed, and such forums be held in key locations across the municipality, be advertised prominently in the Council newsletter, Council website, and a half-page advertisement in The Melbourne Times and Yarra Leader editions one week prior to each forum;
 - (e) Council write to Premier Bracks and Minister Pandazopoulos advising the Council’s position on the Review of Electronic Gaming Machine Licences, particularly including (a), (b) and (c) of this motion;
 - (f) Council write to the State Member, Richard Wynne, and Federal Member, Lindsay Tanner, advising of Council’s position on the Review and requesting a public statement as to their positions on same.

- (g) Yarra Council submit an appropriately amended version of this motion to the Municipal Association of Victoria and the Victorian Local Government Association for consideration; and
- (h) Yarra Council issue a media statement on this motion before 18 November 2005.”

COUNCIL RESOLUTION

Moved: Councillor Maltzahn

Seconded: Councillor Farrar

1. That in the matter of gambling and its impact on the health and well-being of both individuals and sections of the wider community:
 - (a) Council notes that decisions on Electronic Gaming Machine (EGM) licences that result from the State Government Review of EGM Licences in Victoria will affect Yarra residents and the broader Victorian community for the next 27 years;
 - (b) consequently, Council believes that it is essential that the Review is thorough and widely consultative in order to achieve outcomes that:
 - (i) are in the best interest of the Victorian community, including Yarra residents;
 - (ii) reflect community attitudes;
 - (iii) reflect the State Government’s duty of care to community health and wellbeing;
 - (c) Council believes that the Review of the EGM Licences should be transparent, and that the Terms of Reference for the Review of Electronic Gaming Machine Licences should include:
 - (i) consideration of the emerging evidence that EGMs, in their current form, pose inherent dangers and cause problem gambling;
 - (ii) consideration of all possible outcomes for the future of the EGM industry, including the potential non-renewal of licenses;
 - (iii) a thorough cost-benefit analysis;
 - (iv) comprehensive community and expert consultation via written submissions and public hearings;
 - (d) Council hold three public forums in the first quarter of 2006 to inform Yarra residents of the Review and to enable community concerns and opinion to be expressed, and such forums be held in key locations across the municipality, be advertised prominently in the Council newsletter, Council website, and a half-page advertisement in The Melbourne Times and Yarra Leader editions one week prior to each forum;
 - (e) Council write to Premier Bracks and Minister Pandazopoulos advising the Council’s position on the Review of Electronic Gaming Machine Licences, particularly including (a), (b) and (c) of this motion;

- (f) Council write to all local members, advising of Council's position on the Review and requesting their support fir the transparent process of review as outlined in 1(b);
- (g) Yarra Council submit an appropriately amended version of this motion, also reflecting the proposed motion to the MAV passed by Council on 12 April 2005, to the Municipal Association of Victoria and the Victorian Local Government Association for consideration; and
- (h) Yarra Council issue a media statement on this motion before 18 November 2005.

CARRIED

4.4 The Cottage – Notice of Motion No. 16 of 2005 – Councillor Jolly

I hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on Tuesday 15 November 2005:

- “1. That in the matter of ‘The Cottage’ currently operated by the Brotherhood of St Laurence:
- (a) Council believes that the protection of services for Yarra City’s most disadvantaged residents is a primary concern for this organization;
 - (b) Council is aware of the fact that many economically disadvantaged families (including some 200 children), originally from the Horn of Africa, Afghanistan and Vietnam, access child developmental programs, individual counselling, play group, outreach work and family needs assessments at the Cottage, on a weekly basis;
 - (c) Council notes that:
 - (i) The Cottage in Napier St, Fitzroy has, in the words of Dr Ola Krupinska, Consultant Child, Adolescent and Family Psychiatrist at the Austin Hospital, "for the past ten years provided an exemplary multi-focal services to preschool children and their families living predominantly in Atherton Gardens Housing, an area of socio-economic disadvantage and cultural diversity comprising 800 high rise units and which accommodate 2500 people, including at least 500 children under 6 years of age”;
 - (ii) the great strength (of The Cottage) is its combination of being extremely accessible, user friendly and embedded in the community;
 - (iii) the great theoretical sophistication and immense professionalism of The Cottage is evident in the programs provided as well as multiple links with other services;
 - (d) Council notes that the Brotherhood of St Laurence has announced the closure of The Cottage for the end of November 2005 and that the danger, as Dr Krupinska put it, is "that once the bridge to mainstream culture provided by the Cottage for these very vulnerable children and families is taken away, many of them will fall by the wayside with tragic, and in the long term very expensive, consequences”;
 - (e) Council congratulate the work of the State Member for Richmond, Richard Wynne, in seeking a one-year bridging plan to keep The Cottage open on the basis of a one third contribution from the State Government, one third from the Brotherhood and one third from Yarra Council;
 - (f) Council will not shirk its responsibilities to these families in Yarra; and
 - (g) Council therefore agrees to make available no more than 1% of our Discretionary Reserves as an emergency contribution to the saving of this service only on the basis that this amount is matched by the State Government and the Brotherhood of St Laurence.”

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Barbara

1. That in the matter of 'The Cottage' currently operated by the Brotherhood of St Laurence (BSL):
 - (a) Council believes that the protection of services for Yarra City's most disadvantaged residents is a primary concern for this organization;
 - (b) Council is aware of the fact that many economically disadvantaged families (including some 200 children), originally from the Horn of Africa, Afghanistan and Vietnam, access child developmental programs, individual counselling, play group, outreach work and family needs assessments at the Cottage, on a weekly basis;
 - (c) Council notes that:
 - (i) The Cottage in Napier St, Fitzroy has, in the words of Dr Ola Krupinska, Consultant Child, Adolescent and Family Psychiatrist at the Austin Hospital, "for the past ten years provided an exemplary multi-focal services to preschool children and their families living predominantly in Atherton Gardens Housing, an area of socio-economic disadvantage and cultural diversity comprising 800 high rise units and which accommodate 2500 people, including at least 500 children under 6 years of age";
 - (ii) the great strength (of The Cottage) is its combination of being extremely accessible, user friendly and embedded in the community;
 - (iii) the great theoretical sophistication and immense professionalism of The Cottage is evident in the programs provided as well as multiple links with other services;
 - (d) Council notes that the BSL has announced the closure of The Cottage for the end of November 2005 and that the danger, as Dr Krupinska put it, is "that once the bridge to mainstream culture provided by the Cottage for these very vulnerable children and families is taken away, many of them will fall by the wayside with tragic, and in the long term very expensive, consequences";
 - (e) Council congratulate the work of the State Member for Richmond, Richard Wynne, in seeking a one-year bridging plan to keep The Cottage open on the basis of a one third contribution from the State Government, one third from the BSL and one third from Yarra Council;
 - (f) Council will not shirk its responsibilities to these families in Yarra;
 - (g) Council endorse the placement of an existing City of Yarra Family Support Worker (0.5 EFT) to work from 134 Napier Street (equivalent value \$25,000 per annum) for a twelve month period;
 - (h) Council make a commitment of additional funding up to \$38,000 subject to successful negotiations with BSL and the State over mutual contributions from the Community Project Fund (income from 239 Brunswick Street) for a twelve month period;

- (i) Council enter into immediate discussions with BSL and the State regarding Part Three of the proposal provided to Council by BSL on 11 November 2005 entitled 'Support for Universal Children's services in the Atherton Gardens Precinct in South Fitzroy Project Proposal and Request for Support' which appears to be premised on the recent State Government announcement relating to CSF Funding for the Atherton Gardens Estate; and
- (j) Council develop a transition plan in conjunction with the BSL and State Government to ensure that the specialist needs of families impacted by the cessation of BSL services are met.
- (k) Council seek to further the issue by writing to the State Minister for Children and the local members of State Parliament; and
- (l) Council's response to the Cottage be reviewed at the February 2006 Council meeting and a report be prepared to facilitate this process.

CARRIED

4.5 Parkies Inc – Notice of Motion No. 17 of 2005 – Councillor Jolly

I hereby give notice that it is my intention to move the following motion at the Ordinary Meeting of Council to be held on Tuesday 15 November 2005:

“That Council officers prepare a report for the December cycle as to the options available for larger accommodation for Parkies Inc within our municipality.”

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Sekhon

That Council officers prepare a report for the December cycle as to the options available for larger accommodation for Parkies Inc within our municipality.

CARRIED

The Council meeting closed at 10.41pm

Confirmed this 13th day of December 2005.

Mayor