



Ordinary Meeting of Council Minutes

held on Tuesday 4 July 2017 at 7.00pm
Richmond Town Hall

****Corrected by resolution of Council on Tuesday 18 July 2017**

www.yarracity.vic.gov.au

1. Statement of Recognition of Wurundjeri Land

"Welcome to the City of Yarra."

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

1A. Award – Climate Action

The Mayor announced that in early June, Yarra won the Local Government Climate Action category at the United Nations Association of Australia World Environment Day, Climate Action Awards 2017. The award was recognised for Yarra's innovative efforts to reduce the impact of climate change by implementing a set of tools that help officers assess and mitigate climate change risks for Council projects.

The Mayor thanked and congratulated Yarra's Sustainability team, in particular, Manager Sustainability and Strategic Transport, Michael Oke and Environmental Programs Officer, Karen Cameron.

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

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

Council officers

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

Apologies

- Cr Misha Coleman

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

Nil

4. Confidential business reports

Item

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

Confidential business reports

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 89 (2) of the *Local Government Act* 1989. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Chen Yi Mei

1. That the meeting be closed to members of the public, in accordance with section 89 (2) of the *Local Government Act* 1989, to allow consideration of matters prejudicial to Council and/or any person.
2. That all information contained within the Confidential Business Reports section of this agenda and reproduced as Council Minutes be treated as being and remaining strictly confidential in accordance with the provisions of sections 77 and 89 of the *Local Government Act* 1989 until Council resolves otherwise.

CARRIED

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

5. Confirmation of minutes

COUNCIL RESOLUTION

Moved: Councillor McEvoy

Seconded: Councillor Nguyen

That the minutes of the Ordinary Council Meetings held on Tuesday 6 June and Tuesday 27 June 2017 be confirmed.

CARRIED

6. Petitions and joint letters

Nil

7. Public question time

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8. General business

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9. Delegates' reports

Nil

10. Questions without notice

Nil

11. Council business reports

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2. Notices of motion

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13. Urgent business

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6. Petitions and joint letters

Nil

7. Public question time

7.1 Ms Dorothy James - Budget Information Sessions

Question:

Can all residents be accommodated when Information Sessions are set up so that elderly residents don't have to travel far?

Response:

The question was taken on notice.

Cr Jolly suggested having information sessions at each ward.

7.2 Mr Mark Waters - Hosie Street Centre

Question:

Can Council offer/look into more activities i.e. Pool table etc. at the Hosie Street Richmond Centre?

Response:

The question was taken on notice.

7.3 Mr Herschel Landes - Telecommunication Pits

Question:

Yarra Council is the statutory authority for the purposes of the public footpath space- to manage and maintain and to ensure access to buildings, equitable pedestrian amenity and safe public transport interfaces, bicycle storage, seating, plantings etc. while balancing a wide range of permitted activity.

Of recent times there has been increased activity when it has come to the upgrade of telecommunication infrastructure.

I refer to general disruption and the management and maintenance of telecommunication access pits and lids. As I have previously noted, increased density of access pits has become a visual dogs breakfast in some places while the lack of maintenance is creating numerous trip hazards and areas of poor pedestrian accessibility.

In the examples I have tabled the matter has been before Council over an extended time period of many months.

Could Council please explain why is not able to provide a reasonable and timely response to ensure that telecommunication access pits are managed with minimum access disruption for relevant stakeholders and that lids are maintained in reasonable and safe condition?

Question:

I refer to a pictorial advertisement on page 5 of a recent Council publication - Yarra News.

This pictorial seeks to purport the distribution of \$100 of rate revenues under a heading - *Where do your rates go?*

The \$100 base in the pictorial advertisement actually refers to the Council's \$205 million total expenditure budget (including capital), rather than, Council's \$105 million rates revenue income. The \$100 million gap is made up of variable fees, fines, charges, grants, contributions should be have been explained in the advertisement.

I believe it was misleading not to have clearly identified the \$31million or so cost of indirect Council administration expenses such as CEO's office, finance, interest, public relations etc. being spread across all categories. I put it to Council that this would have represented one of the top expense categories for the illustration and which may not have been looked upon favourably, by rate payers- especially after the bin tax and three adverse Herald Sun editorials.

Section 136 of the Local Government Act requires Council to ensure full, accurate and timely disclosure of financial information relating to the Council.

My question goes to the validity of a budget submission process when Council publishes material that is misleading or seen to be misleading and will not provide readers with an informed view of Council income and expenditure in a draft budget that is the subject of feedback.

Response:

The Director City Works and Assets advised that the pits are not a Council asset. Council officers can investigate the site to ensure that the site is not a safety hazard and can write to the Telecommunication company to inform them of some of the issues.

The Mayor advised that the graphic was merely one piece of a vast array of information publicly available.

Local Government budgets and performance are more transparent than any other level of government, government entity or indeed any other sector.

We welcome scrutiny by the community and our performance is overseen by a vast array of external bodies from VAGO and the Essential Services Commission through to Local Government Victoria and the Victorian Ombudsman.

The illustration you have focused on this instance is just a snapshot. We actively encourage people to look at the detail.

7.4 Mr Zev Landes - Works on Bridge Road

Question:

My business located at 194 Bridge Road is being affected by the current works. The contractors working there are making it difficult for people to enter my business and have been verbally abusive to me and my staff. I have also seen a contractor urinating near my store. The Council Manager Construction Management has been helpful with my issues but I would like to know if Council can assist further?

Response:

The question was taken on notice.

8. General business

8.1 Councillor McEvoy - Bike Parking

Background

Yarra City Council is committed to encouraging sustainable transport.

Our most recent Bike Strategy states:

“In Yarra, a cycling culture has existed for many years with the number of residents regularly cycling being the highest of any Council area in Australia. Approximately half of all cycle trips in Yarra are from neighbouring areas who travel to Yarra for work, shopping, leisure and education purposes, or are travelling through Yarra to access the CBD and other neighbouring precincts including Melbourne University, Docklands, and St Kilda Road.

The City of Yarra Strategic Transport Statement 2012-2016 committed Yarra to providing the community with attractive alternatives to car use. A key component of this commitment is to deliver infrastructure projects and support behaviour change measures that encourage a broad cross section of the community to travel through, to, from and within Yarra by bicycle. Cycling volumes on Yarra’s streets and of-road paths have continued to steadily rise over the last ten years, and a number of strategic demographic, socio-economic and transport factors suggest this trend will continue for the foreseeable future.

Yarra has set ambitious targets for bicycle mode share increases over the coming years that will align it with those of other world-leading cycle cities such as Amsterdam and Copenhagen.”

Bike share schemes should be supported as part of these goals.

However, the use of public space in Yarra is often highly contested, and Yarra City Council has policies to manage car parking, footpaths, parks and open space, especially where private enterprise seeks to utilise the space. For example, businesses are required to apply for permits for café tables and signage, and when personal trainers use public parks for fitness classes.

Each year the City of Yarra commits money to expand and maintain public bike parking throughout the municipality. It is recognised that as cycling rates increase, bike parking is a growing need. Cyclists are permitted to park their bikes on footpaths and at designated bike hoops. In some instances, however, abandoned bikes are removed by Council officers under local laws.

The recent arrival of O-Bike, a commercial bike share scheme, is cautiously welcomed by our community. A balanced response is required to manage the impacts on public space while encouraging cycling as an alternative mode of transport.

COUNCIL RESOLUTION

Moved: Councillor McEvoy

Seconded: Councillor Fristacky

1. That Council receive a briefing from Officers detailing:

- (a) the impacts of O-Bike on public space and a proposed strategy for a balanced response to manage the impacts while encouraging cycling and

bike share within the municipality;

- (b) the strategies and responses of other municipalities in Melbourne and around the world to private bike share schemes;
- (c) the Progress of Melbourne's Public Bike Sharing scheme review; and
- (d) relevant information from CyclePort, BYKKO, Bicycle Network and other industry leaders about the benefits of E-bike share systems and how they might be implemented in the City of Yarra.

CARRIED UNANIMOUSLY

8.2 Councillor Stone - Strategic Planning for Activity Centres

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Searle

1. That Officers provide a report to Council on the Strategic Planning Programme in Activity Centres for 2017-18.
2. That this report include:
 - (a) an update on current strategic planning work being undertaken for Major Activity Centres;
 - (b) projected planning work for those activity strips experiencing increasing development pressure, in particular Heidelberg Road Alphington, in conjunction with Darebin Council; St Georges Road, North Fitzroy; Nicholson Street Bus Depot, North Fitzroy and Wellington Street, Collingwood;
 - (c) projected timelines for the commencement of future work; and
 - (d) anticipated costs for future work.

CARRIED

8.3 Councillor Jolly - Community Cup at Victoria Park

MOTION

Moved: Councillor Jolly

Seconded: Councillor Nguyen

Council instructs Mayor to write to Victorian Attorney General and Victorian Premier asking for their assistance in getting withdrawal of charges against streakers at the recent Community Cup at Victoria Park.

AMENDMENT

Moved: Councillor Fristacky

That Council write to the Victorian Attorney General and the Victorian Premier questioning the laying of charges against streakers at the recent Community Cup at Victoria Park.

The mover accepted the amendment and it was then incorporated into the motion.

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Nguyen

That Council write to the Victorian Attorney General and the Victorian Premier questioning the laying of charges against streakers at the recent Community Cup at Victoria Park.

CARRIED

CALL FOR A DIVISION

For: Councillors Fristacky, Jolly, Chen Yi Mei, McEvoy and Nguyen

Against: Councillors Stone, Searle and Bosler

9. Delegates' reports

Nil

10. Questions without notice

Nil

11.1 Yarra Planning Scheme Amendment C188 - 5-15 Mayfield Street Abbotsford - Consideration of Submissions

Trim Record Number: D17/81872

Responsible Officer: Coordinator Strategic Planning

RECOMMENDATION

1. That Council note the report of officers in relation to the rezoning proposal initiated by the Council as outlined in Amendment C188 as it relates to 5 – 15 Mayfield Street, Abbotsford.
2. That Council, in the context of the processes to date in relation to this matter, determine to refer Amendment C188 to an Independent Panel for further planning analysis so that Council can then make an informed judgement in respect to the Amendment.
3. That Officers advise all the submitters of the resolution.

Public Submissions

The following people addressed Council on the matter:

Mr Robert Thornton;

Mr James Steven; and

Mrs Christina Thornton

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Fristacky

1. That Council note the report of officers in relation to the rezoning proposal initiated by the Council as outlined in Amendment C188 as it relates to 5 – 15 Mayfield Street, Abbotsford.
2. That Council, in the context of the processes to date in relation to this matter, determine to refer Amendment C188 to an Independent Panel for further planning analysis so that Council can then make an informed judgement in respect to the Amendment.
3. That Officers advise all the submitters of the resolution.

CARRIED

CALL FOR A DIVISION

For: Councillors Fristacky, Jolly, Stone, Bosler and Nguyen

Against: Councillors Chen Yi Mei and McEvoy

Abstained: Councillor Searle

11.2 Amendment C218 - 18-62 Trenerry Crescent - Consideration of Submissions

Trim Record Number: D17/81873

Responsible Officer: Manager City Strategy

RECOMMENDATION

1. That Council:
 - (a) notes the officers report in relation to Amendment C218 relating to 18 – 62 Trenerry Crescent, Abbotsford, including the responses to submissions received;
 - (b) endorses the proposed changes to the amendment, including the DPO Schedule and Incorporated Plan as shown in Attachment 4;
 - (c) requests that the Minister for Planning appoint a Planning Panel to consider Amendment C218 in accordance with Section 23 of the Act;
 - (d) include the citation prepared by GJM as a reference document listed in clause 22.02-8 as a post-exhibition change to the amendment; and
 - (e) notify the submitter parties of the post-exhibition changes to the amendment outlined in the report.
2. That Officers advise all submitters of Council's decision.

Public Submissions

The following people addressed Council on the matter:

Mr Will Fowles; and

Ms Janet Taylor.

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Bosler

1. That Council:
 - (a) notes the officers report in relation to Amendment C218 relating to 18 – 62 Trenerry Crescent, Abbotsford, including the responses to submissions received;
 - (b) endorses the proposed changes to the amendment, including the DPO Schedule and Incorporated Plan as shown in Attachment 4;
 - (c) requests that the Minister for Planning appoint a Planning Panel to consider Amendment C218 in accordance with Section 23 of the Act;
 - (d) include the citation prepared by GJM as a reference document listed in clause 22.02-8 as a post-exhibition change to the amendment; and
 - (e) notify the submitter parties of the post-exhibition changes to the amendment outlined in the report.
2. That Officers advise all submitters of Council's decision.

CARRIED UNANIMOUSLY

11.3 Amendment C219 - 112-124 & 126-142 Trenerry Crescent - Consideration of Submissions

Trim Record Number: D17/81874

Responsible Officer: Manager City Strategy

RECOMMENDATION

1. That Council:
 - (a) notes the officers report in relation to Amendment C219 relating to 112-124 & 126-142 Trenerry Crescent, Abbotsford, including the responses to submissions received;
 - (b) endorses the proposed changes to the amendment, including the DPO Schedule and Incorporated Plan as shown in Attachment 4;
 - (c) requests that the Minister for Planning appoint a Planning Panel to consider Amendment C219 in accordance with Section 23 of the Act;
 - (d) include the citation for the building known as Austral Silk & Cotton Mills, at 112 – 124 Trenerry Crescent, prepared by GJM as a reference document listed in clause 22.02-8 as a post-exhibition change to the amendment; and
 - (e) notify the submitter parties of the post-exhibition changes to the amendment outlined in the report.
2. That Officers advise all submitters of Council's decision.

Councillor McEvoy left the meeting at 9.07pm

Councillor McEvoy returned to the meeting at 9.09pm

Public Submissions

The following people addressed Council on the matter:

Mr Brendan Rogers of Urbis; and

Ms Janet Taylor.

COUNCIL RESOLUTION

Moved: Councillor Bosler

Seconded: Councillor Jolly

1. That Council:
 - (a) notes the officers report in relation to Amendment C219 relating to 112-124 & 126-142 Trenerry Crescent, Abbotsford, including the responses to submissions received;
 - (b) endorses the proposed changes to the amendment, including the DPO Schedule and Incorporated Plan as shown in Attachment 4;
 - (c) requests that the Minister for Planning appoint a Planning Panel to consider Amendment C219 in accordance with Section 23 of the Act;
 - (d) include the citation for the building known as Austral Silk & Cotton Mills, at 112 – 124 Trenerry Crescent, prepared by GJM as a reference document listed in clause 22.02-8 as a post-exhibition change to the amendment; and
 - (e) notify the submitter parties of the post-exhibition changes to the amendment outlined in the report.
2. That Officers advise all submitters of Council's decision.

CARRIED UNANIMOUSLY

11.4 Community Partnership Grants Recommendation Report

Trim Record Number: D17/81876

Responsible Officer: Community Partnerships Unit Manager

RECOMMENDATION

1. That:
 - (a) Council endorses the recommendation to support the 12 grant projects listed in this report over the next four years in the Community Partnership Grants program to the value of \$435,842 in 2017/18, \$442,379.63 in 2018/19 (pending budget approval), \$449,015.32 in 2019/20 (pending budget approval), and \$455,750.55 in 2020/21 (pending budget approval).

Councillor Bosler left the meeting at 9.29pm

Councillor Bosler returned to the meeting at 9.31pm

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Fristacky

1. That:
 - (a) Council endorses the recommendation to support the 12 grant projects listed in this report over the next four years in the Community Partnership Grants program to the value of \$435,842 in 2017/18, \$442,379.63 in 2018/19 (pending budget approval), \$449,015.32 in 2019/20 (pending budget approval), and \$455,750.55 in 2020/21 (pending budget approval).

CARRIED

11.5 Urban Agriculture Committee Membership

Trim Record Number: D17/81877

Responsible Officer: Assistant Director Planning and Place Making

RECOMMENDATION

1. That Council note the report of officers in relation to the Urban Agriculture Committee.
2. The Council, having considered the nominations received for community representative positions, appoint the following applicants to the Urban Agriculture Committee:
 - (a) Nominee
 - (b) Nominee
 - (c) Nominee
 - (d) Nominee
 - (e) Nominee
 - (f) Nominee
 - (g) Nominee
 - (h) Nominee
 - (i) Nominee
 - (j) Nominee
3. That the successful and non-successful nominees be advised in writing of the outcome of their nomination.

COUNCIL RESOLUTION

Moved: Councillor Searle

Seconded: Councillor McEvoy

1. That Council note the report of officers in relation to the Urban Agriculture Committee.
2. The Council, having considered the nominations received for community representative positions, appoint the following applicants to the Urban Agriculture Committee:
 - (a) Danielle Clarke;
 - (b) Kit Duncan-Jones;
 - (c) Richard Hancock;
 - (d) Clare Harvey;
 - (e) Jane Miller;
 - (f) Dr Kersti Nogeste;
 - (g) Patricia Pringle;
 - (h) Chris Saray;
 - (i) Carlos Semmens; and
 - (j) Phillip Withers.
3. That the successful and the non-successful nominees be advised in writing of the outcome of their nomination and invite non-successful nominees to attend as observers.

CARRIED UNANIMOUSLY

Councillor Jolly abstained

11.6 Road Management Plan 2017 Draft

Trim Record Number: D17/81878

Responsible Officer: Manager Engineering and Asset Management

RECOMMENDATION

1. That Council:
 - (a) adopts the amended Road Management Plan as presented in Attachment 1;
 - (b) publishes a notice of the adoption of Yarra's amended Road Management Plan in the Government Gazette and a local daily newspaper as required by S.55 of the Road Management Act 2004;
 - (c) notes the budget implications as detailed in the Report; and
 - (d) publish a copy of the adopted Road Management Plan on Yarra's public website.

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Fristacky

1. That Council:
 - (a) adopts the amended Road Management Plan as presented in Attachment 1;
 - (b) publishes a notice of the adoption of Yarra's amended Road Management Plan in the Government Gazette and a local daily newspaper as required by S.55 of the Road Management Act 2004;
 - (c) notes the budget implications as detailed in the Report; and
 - (d) publish a copy of the adopted Road Management Plan on Yarra's public website.

CARRIED UNANIMOUSLY

MOTION

Moved: Councillor Jolly

That the order of the agenda items be heard based on the number of residents present for the item.

The motion lapsed due to no seconder.

11.7 Yarra Libraries Draft Strategic Plan 2017 - 2020

Trim Record Number: D17/79332

Responsible Officer: Director Community Wellbeing

RECOMMENDATION

1. That:

- (a) Council approves the release of the Yarra Libraries Draft Strategic Plan 2017–2020 for public exhibition, for a period of four weeks commencing 6 July 2017, prior to consideration of submissions and adoption by Council.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor McEvoy

1. That:

- (a) Council approves the release of the Yarra Libraries Draft Strategic Plan 2017–2020 for public exhibition, for a period of four weeks commencing 6 July 2017, prior to consideration of submissions and adoption by Council; and
- (b) public exhibition will involve active consultation including promotion and making downloadable copies available via Councils website, copies provided and promoted at each Library Branch, promotion via social media, circulation of the draft Strategy directly to stakeholders such as Neighbourhood Houses, local housing estates and other members of the community who have participated in consultation to inform the draft, promotion via Councils mailing lists, email to all Library members and staff promotion at events and activities.

CARRIED UNANIMOUSLY

11.8 Outcomes from 'Reimagining Victoria Street' Community Engagement Process and Next Steps

Trim Record Number: D17/84966

Responsible Officer: Group Manager - People, Culture and Community

RECOMMENDATION

1. That Council:
 - (a) note the outcomes from the Reimagining Victoria Street community engagement process;
 - (b) note that the an internal working group will be set up, which will report back to the Executive; and
 - (c) note the working groups' key priorities, including mapping out which stakeholders play a part in addressing the issues raised, developing an action plan, engaging with key external stakeholders around how to best manage issues that are beyond Council's jurisdiction, and strengthening advocacy around the implementation of a Supervised Injecting Facility and other harm reduction strategies.

Public Submission

Mr Alan Choong addressed Council on the matter.

MOTION

Moved: Councillor Chen Yi Mei

Seconded: Councillor Searle

1. That Council:
 - (a) note the outcomes from the Reimagining Victoria Street community engagement process;
 - (b) note that the an internal working group will be set up, which will report back to the Executive; and
 - (c) note the working groups' key priorities, including mapping out which stakeholders play a part in addressing the issues raised, developing an action plan, engaging with key external stakeholders around how to best manage issues that are beyond Council's jurisdiction, and strengthening advocacy around the implementation of a Supervised Injecting Facility and other harm reduction strategies.

AMENDMENT

Moved: Councillor Stone

- (b) note that the an internal working group will be set up, which will report back to the Executive and Council;
- (d) note the community desire for urgent action on the public health, safety and amenity issues in the Victoria St precinct; and
- (e) use the data collected in this project as the basis of an increased advocacy campaign for a MSIF in North Richmond.

The amendments were accepted by the mover and seconder and incorporated into the substantive motion below.

COUNCIL RESOLUTION

Moved: Councillor Chen Yi Mei

Seconded: Councillor Searle

1. That Council:
 - (a) note the outcomes from the Reimagining Victoria Street community engagement process;
 - (b) note that the an internal working group will be set up, which will report back to the Executive and Council;
 - (c) note the working groups' key priorities, including mapping out which stakeholders play a part in addressing the issues raised, developing an action plan, engaging with key external stakeholders around how to best manage issues that are beyond Council's jurisdiction, and strengthening advocacy around the implementation of a Supervised Injecting Facility and other harm reduction strategies;
 - (d) note the community desire for urgent action on the public health, safety and amenity issues in the Victoria St precinct; and
 - (e) use the data collected in this project as the basis of an increased advocacy campaign for a MSIF in North Richmond.

CARRIED UNANIMOUSLY

11.9 Lennox Street / Nicholson Street Intersection Upgrade

Trim Record Number: D17/75710

Responsible Officer: Coordinator Urban Design

RECOMMENDATION

1. That Council:
 - (a) note the report of officers regarding the proposed urban design improvements to the area abutting the Victoria Street/Lennox Street intersection;
 - (b) note the two options presented for these urban design improvements;
 - (c) note the funding arrangements comprising a State Government grant and Council funding and the funding criteria; and
 - (d) determine which option is to be placed on public exhibition to seek community feedback.

Public Submission

Mr Troy Parsons addressed Council on the matter.

Councillor Nguyen left the meeting at 10.38pm

Councillor Nguyen returned to the meeting at 10.40pm

Councillor Bosler left the meeting at 10.39pm

COUNCIL RESOLUTION

Moved: Councillor McEvoy

Seconded: Councillor Searle

1. That Council:
 - (a) note the report of officers regarding the proposed urban design improvements to the area abutting the Victoria Street/Lennox Street intersection;
 - (b) note the two options presented for these urban design improvements;
 - (c) note the funding arrangements comprising a State Government grant and Council funding and the funding criteria;
 - (d) support in principle Option 2;
 - (e) amend plans for Option 2 to include a memorial plaque for people who have died in Yarra from drug overdoses;
 - (f) direct officers to consider a 10k or 20k speed limit; and
 - (g) place the amended plans for Option 2 on public exhibition to seek community feedback.

CARRIED

CALL FOR A DIVISION

For: Councillors Fristacky, Stone, McEvoy and Searle

Against: Councillors Jolly, Chen Yi Mei, Bosler and Nguyen

11.10 Draft Bridge Road Streetscape Master Plan

Trim Record Number: D17/78516

Responsible Officer: Manager City Strategy

RECOMMENDATION

1. That Council note the draft Bridge Road Streetscape Masterplan for the purpose of undertaking community consultation and authorise its exhibition in July- August 2017.
2. That Officers provide a further report to Council on the outcome of the public exhibition and consultation in October 2017.

Public Submissions

The following people addressed Council on the matter:

Ms Elizabeth Honey;

Mr Herschel Landes;

Mr Troy Parsons; and

Mr Zev Landes.

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Fristacky

Seconded: Councillor Searle

That the meeting be extend a further 30 mins.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Chen Yi Mei

Seconded: Councillor Nguyen

1. That Council note the draft Bridge Road Streetscape Masterplan for the purpose of undertaking community consultation and authorise its exhibition in July- August 2017.
2. That Officers provide a further report to Council on the outcome of the public exhibition and consultation in October 2017.

CARRIED UNANIMOUSLY

11.11 Amendment C214 - Proposed Doonside Heritage Amendment

Trim Record Number: D17/76252

Responsible Officer: Director Planning and Place Making

RECOMMENDATION

1. That Council note the report of officers and the findings and recommendations of the Panel regarding Amendment C214.
2. That Council, having considered the Panel report and the officer recommendations, Council resolves to abandon Amendment C214.
3. That Council:
 - (a) writes to the Minister for Planning to advise that the amendment has been abandoned, in accordance with Section 28 of the Act;
 - (b) advises the Minister for Planning to remove the interim heritage controls (HO500) from 77-79 Burnley Street, Richmond; and
 - (c) advises the Minister for Planning that it will not pursue interim heritage controls on 1-9 Doonside Street, Richmond and also abandons Amendment C228 which sought these controls, in accordance with Section 28 of the Act.
4. That Officers advise all submitters to Amendment C214 of the Council's decision.

COUNCIL RESOLUTION

Moved: Councillor Searle

Seconded: Councillor Nguyen

1. That Council note the report of officers and the findings and recommendations of the Panel regarding Amendment C214.
2. That Council, having considered the Panel report and the officer recommendations, Council resolves to abandon Amendment C214.
3. That Council:
 - (a) writes to the Minister for Planning to advise that the amendment has been abandoned, in accordance with Section 28 of the Act;
 - (b) advises the Minister for Planning to remove the interim heritage controls (HO500) from 77-79 Burnley Street, Richmond;
 - (c) advises the Minister for Planning that it will not pursue interim heritage controls on 1-9 Doonside Street, Richmond and also abandons Amendment C228 which sought these controls, in accordance with Section 28 of the Act; and
 - (d) notes with disappointment the omission by DELWP which led to the amendment being challenged and the successful delay/divide strategy executed by Salta to prevent the properties they have purchased from being subject to heritage protection.
4. That Officers advise all submitters to Amendment C214 of the Council's decision.

CARRIED

11.12 Update on Council's Syringe Management Services

Trim Record Number: D17/81875

Responsible Officer: Group Manager - People, Culture and Community

RECOMMENDATION

1. That Councillors:
 - (a) note that overall, Council's data does not reflect an increase in the amount of discarded injecting equipment;
 - (b) note the current activity in this space, including the installation of CCTV along Victoria and Lennox Streets, is likely to impact on Council's syringe management services;
 - (c) note that, as a result, it is inadvisable to make any changes to Council's syringe management services contract at this point in time; and
 - (d) note that the syringe management services contract manager will monitor the situation and if necessary include a new initiative bid in the 2017/18 budget for an increased service response.

Public Submission

Mr Alan Choong addressed Council on the matter.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Fristacky

1. That Council note that the data from the current Syringe Management Contract cannot be used reliably to inform current or future practice due to the additional collections funded by DHHS since May 2017, without notification to Yarra Council, and which consequently contaminated this data.
2. Council considers such oversight unacceptable and writes to the Minister for Health advising of this and requesting:
 - (a) formal notification of DHHS funded syringe collection activity in the North Richmond and Abbotsford precinct and where it overlaps with Council's contract; and
 - (b) how DHHS intend to work with Yarra Council to ensure a responsive service and provide accurate and useful data to council officers to inform future planning and reports to Council.

CARRIED UNANIMOUSLY

12.1 Notice of Motion No 15 of 2017 - Submission to West Gate Tunnel Environmental Effects Statement

Trim Record Number: D17/81879

Responsible Officer: Chief Executive Officer

Background: Submission to West Gate Tunnel Environmental Effects Statement

Melbourne's geography demands a deep and thorough understanding of the interconnected relationships between all transport modes. Localised solutions, such as the West Gate Tunnel project, especially when focussed on one transport mode cannot be assessed in isolation from this broader perspective. Even the funding of these types of solutions is important, as they have long term impacts on other modes and transport options. Yarra Council asserts that a solution to traffic congestion such as this is the opposite of future proofing. It consumes limited connection points into the city, creating not just more induced traffic, but making future solutions longer or more complicated to achieve, as well as restricting the flexibility to introduce other mode solutions. The West Gate Tunnel Project has been proposed by a stakeholder which will benefit from its construction (Transurban) and not as part of a wider strategic approach to sustainable transport planning in Melbourne. The environmental effects are being considered as an afterthought and not built into its conception or rationale. For these are the following specific reasons, the Project should be rejected.

Whilst the West Gate Tunnel project is proposed for the west of Melbourne connecting transport routes between the port, Citylink and the city connections, the impacts will be experienced more broadly, especially in relation to traffic flows in Melbourne's inner north and in the City of Yarra.

The West Gate Tunnel will generate tens of thousands more vehicles commutes into inner Melbourne every day. Some of this traffic will be pushed through North Melbourne and Parkville and into the City of Yarra. This traffic will worsen local traffic conditions in the City of Yarra, particularly along arterials such as Victoria Parade and Alexandra Parade which are already at capacity.

Data in Chapter 25, Figure 25.6 shows an expected additional 2,000 vehicles per day along the eastern end of Victoria Parade, an additional 1,000 along Queensbury Street and an additional 900 along Grattan Street. All 3 streets have traffic originating in or through Yarra, either from key transport routes to/from the north and east or via the Eastern Freeway.

Whilst described in the EES as "minimal", these amounts add to increasing traffic burdens and act to undermine recent measures taken in Victoria Parade to provide dedicated bus and bicycle routes to prioritise and encourage these modes of travel.

The City of Yarra notes with concern the separate findings in the City of Melbourne report on the Project (Melbourne City Council Meeting Agenda Item 6.5, 4 July 2017) that:

- the Dynon Road connection will feed traffic into the local road network exacerbating congestion creating peak hour conditions for 12-14 hours every day along key inner Melbourne east-west streets;
- added congestion will negatively impact tram performance of 13 trams routes in Melbourne's inner north and west;
- the Project is inconsistent with developing land use in the E-Gate, Arden - McCauley Road area and along the Maribyrnong River;
- it will negatively impact open space along the Maribyrnong River and Moonee Ponds Creek.

Extensive experience in Melbourne, interstate and internationally has shown that ~~such~~ toll roads within cities do not improve traffic conditions. They induce traffic such that travel times return to

baseline soon after the toll road is opened. This is a concern, held by Yarra Council, that the “modest” increases in induced traffic along these three routes will not contribute to improved transport across inner Melbourne and, on the contrary, will continue to provide further pressure to construct more major road projects, such as the rejected East West Link, which are unsustainable and would have a detrimental impact on the residents of Yarra. It is assessed that any initial benefits will, through such induced traffic, likely be eroded within 3 years, and at best, within 5 years.

The only way to provide ongoing sustainable transport options, to reduce congestion and improve quality of life in the western suburbs of Melbourne is to invest in public transport, particularly rail services and feeder buses, to enhance conditions for walking and cycling, and to shift freight from trucks to rail. As the WestGate Tunnel project will be counter-productive in alleviating congestion, and will negatively impact on public transport, walking and cycling, it should not be approved.

There is further concern that the West Gate Tunnel Project is being pursued in the absence of proper transport planning in accordance with the requirements of the Transport Integration Act 2010. Section 63 of the Act requires the State to prepare a long and medium term transport plan having regard to mandated transport objectives and decision making principles. These include economic social and environmental parameters as well as objectives to reduce reliance on private motor vehicle transport and support sustainable means of transport. There is no such State transport plan which has been prepared let alone one which includes the West Gate Tunnel project. In the absence of this mandated planning requirement, it is submitted that it is inappropriate to proceed with a project such as the West Gate Tunnel.

The Act also requires that all government transport and planning bodies have regard to the Act’s mandated transport system objectives and decision making principles. Given the projected induced transport demand from the West Gate Tunnel, and the anticipated exacerbation of city congestion arising, it cannot be said that a decision to proceed with the West Gate Tunnel project would have had appropriate regard to those transport system objectives and decision making principles which require sustainable means of transport.

It is therefore submitted that the Project is contrary to proper transport planning in accordance with the requirements of the Transport Integration Act and thus should not proceed.

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Jolly

Seconded: Councillor Fristacky

That the meeting be extend a further 5 mins.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Fristacky

1. That Yarra City Council make a submission to the West gate Tunnel project Environmental Effects Statement ,containing the following points:
 - (a) that whilst the West Gate Tunnel project is proposed for the west of Melbourne connecting transport routes between the port, Citylink and the city connections, the impacts will be experienced more broadly, especially in relation to traffic flows in the inner north in the City of Yarra;
 - (b) the West Gate Tunnel will generate tens of thousands more car commutes into inner Melbourne every day, some of which traffic will be pushed through North Melbourne and Parkville into the City of Yarra and will worsen local traffic conditions in the City of Yarra, particularly along arterials such as Victoria Parade and Alexandra Parade.
(Data in Chapter 25, Figure 25.6 shows an expected additional 2000 vehicle per day along the eastern end of Victoria Parade, an additional 1000 along Queensbury Street and an additional 900 along Grattan Street. All 3 streets have traffic originating in or through Yarra, either from key transport routes to/from the north and east or via the Eastern Freeway.);
 - (c) whilst described in the EES as “minimal”, these amounts of traffic add to increasing traffic burdens and act to undermine recent measures taken in Victoria Parade to provide dedicated bus and bicycle routes to prioritise and encourage these modes of travel;
 - (d) extensive experience in Melbourne, interstate and internationally has shown that toll roads do not improve traffic conditions, rather they induce traffic such that travel times return to baseline soon after the toll road is opened. This is a concern, held by Yarra City Council, that the “modest” increases in induced traffic along these three routes will not contribute to improved transport across inner Melbourne, and on the contrary continue to provide further pressure to construct more major road projects, such as the rejected East West Link, which are unsustainable and would have a detrimental impact on the residents of Yarra; and
 - (e) the only way to provide sustainable transport options and improve quality of life in the western suburbs of Melbourne is to shift freight from trucks to rail and invest in public transport, particularly rail services and feeder buses.
2. That additional points as circulated to Councillors be included in this submission.
3. That the Mayor be authorised to finalise this submission in consultation with interested Councillors of lodgement by the due date.

CARRIED UNANIMOUSLY

Urgent Business

13.1 Councillor Nguyen - O Bike Scheme

Background

The bicycles first appeared a week ago when the large fleet of bright yellow bicycles were placed adjacent to the Council's public bicycle hoops and/or other infrastructure along the length of Bridge Road.

Of note is that:

- O Bike scheme is a commercial operation;
- The operating Company has not made any formal attempt to obtain agreement for their scheme to operate within the City of Yarra;
- The bicycle hire scheme is utilising public space and commercialising public resources including footpaths, bike-loops, bike-racks and other infrastructure;
- Community members have raised their inability to find suitable space to lock up their bikes on the publicly provided bike loops or racks due to them being fully occupied by the O Bike hire bicycles.

It is understood that:

- The Hire bicycles are available for hire via
 - a subscription scheme, and then;
 - a smart phone application request from which the hirer is then able to access the bicycle from that location;
- The bicycles are able to be tracked by the operating company as they are equipped with a GPS system

MOTION

Moved: Councillor Nguyen

Seconded: Councillor Chen Yi Mei

1. That in the matter of the so called O Bike scheme, of which the operating company has over recent days deposited many hire bicycles in the commercial precincts of Richmond (Bridge Road and Swan Street, etc.) placing the hire bicycles adjacent to public bicycle hoops and other infrastructure located on the footpaths, Council resolve to:
 - (a) request the operating company to collect all of their bikes currently being parked in the Yarra Municipality, before close of business 17 July 2017; and
 - (b) seek advice on the Council's position in being able to control the placement of bicycles in public areas and/or attached to public infrastructure within the municipality.

AMENDMENT

Moved: Councillor Fristacky

- (a) **in addition to the resolution in the General Business Motion 8.1,** seek advice on the Council's position in being able to control the placement of bicycles in public areas and/or attached to public infrastructure within the municipality.

The mover did not accept the amendment.

AMENDMENT

Moved: Councillor Fristacky

Seconded: Councillor McEvoy

1. That in the matter of the so called O Bike scheme, of which the operating company has over recent days deposited many hire bicycles in the commercial precincts of Richmond (Bridge Road and Swan Street, etc.) placing the hire bicycles adjacent to public bicycle hoops and other infrastructure located on the footpaths, Council resolve to:
 - (a) in addition to the resolution in the General Business Motion 8.1, seek advice on the Council's position in being able to control the placement of bicycles in public areas and/or attached to public infrastructure within the municipality.

CARRIED

Councillor Nguyen withdrew his motion.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor McEvoy

1. That in the matter of the so called O Bike scheme, of which the operating company has over recent days deposited many hire bicycles in the commercial precincts of Richmond (Bridge Road and Swan Street, etc.) placing the hire bicycles adjacent to public bicycle hoops and other infrastructure located on the footpaths, Council resolve to:
 - (a) in addition to the resolution in the General Business Motion 8.1, seek advice on the Council's position in being able to control the placement of bicycles in public areas and/or attached to public infrastructure within the municipality.

CARRIED

Conclusion

The meeting concluded at 11.34pm.

Confirmed Tuesday 18 July 2017

Mayor