



Ordinary Meeting of Council Minutes

**held on Tuesday 6 March 2018 at 7.09pm
Collingwood Town Hall**

www.yarracity.vic.gov.au

1. Statement of Recognition of Wurundjeri Land

"Welcome to the City of Yarra."

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

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

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

Council officers

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

Apologies

- Cr Danae Bosler
- Cr Stephen Jolly

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

Nil

4. Confidential business reports

Item

- 4.1 Contractual matters
- 4.2 Contractual matters
- 4.3 Personnel matters

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 Coleman

1. That the meeting be closed to members of the public, in accordance with section 89 (2) of the *Local Government Act* 1989, to allow consideration of:
 - (a) contractual matters; and
 - (b) personnel matters.
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 Fristacky

Seconded: Councillor Stone

That the amended minutes of the Ordinary Council Meeting held on Tuesday 20 February 2018 be confirmed.

CARRIED UNANIMOUSLY

6. Petitions and joint letters

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7. Public question time

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12. Notices of motion

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13. Urgent business

Nil

6. Petitions and joint letters

6.1 Support for no left turn from Victoria Parade onto George Street, Fitzroy

Reference: D18/43048

A petition signed by 32 local residents are requesting that Council consider making George Street a one way street so that cars are completely prohibited from turning left onto George Street from Victoria Parade.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor McEvoy

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

CARRIED UNANIMOUSLY

7. Public question time

7.1 Ms Lindsey Mineff - Collingwood Sailors and Soldiers Memorial Hall

Question:

I would like to ask about 152 Hoddle Street, Abbotsford, 3067, the Collingwood Sailors` & Soldiers` Memorial Hall. It's my understanding that it's been years of conversation on what will happen to the building. At the moment this beautiful building is dying and I want to put life back into it. I would like to propose it be first renovated to its formal self and then used as a space for local artists.

Photographers, graphic designers, print makers and the like could use the space at an extremely low cost. In exchange, the artists would agree to teaching their skills to the local HeadSpace as part of their YouthProgram or something of the like that gives back to the community.

This project could all be subsidised by grants, the city and possible connections to larger corporations (of which I'm connected personally). I would do the work. Apply for the grants, speak with the corporations and submit applications to the city, as well as run the program once it's up and running.

My question is how do I go about making this happen and turning this amazing building into an creative, fun, safe and exciting environment sooner rather than later?

Response:

The Mayor responded

7.2 Royal Commission into Institutional Responses to Child Sexual Abuse/ National Redress Scheme

Question:

To what extent has Council engaged in discussing its own redress matters for survivors of child sex abuse as well as adult sex abuse?

Such as gifting child sex abuse survivors with a laptop to assist them with integration or gifting them with pets otherwise ameliorating costs for them by scrapping parking fees and parking permits.

Response:

The Mayor and Acting Director Community Wellbeing responded.

7.3 Mr Maurice Sheehan - Finance/ Developments

Question:

I note that there is no Finance Report in tonight's agenda and believe that the opportunity is there to be updated at these meetings.

I was advised by Coles that action would take place in February, but am now advised via an indirect source of Coles that they will wait until August. I would be interested to know what is taking place.

What is the Strategy that Council has with regards to high development and development generally across the City of Yarra? Particularly within the Richmond area there are all sorts of requests going in and yet understanding where they are at seems to be somewhat of a question mark.

Response:

The Mayor responded

7.4 Mr Herschel Landes - Open Space Reserve

Question:

In 2015/16 budget it was reported that while \$3.13mil had been spent on open space that Council had received \$8mil in contributions, leaving a surplus of \$5mil, in other words by the end of the financial year 2016, there should have been sufficient cash to back up a balance of \$22mil in open space. So the lack of sufficient cash still requires a public explanation.

Why wasn't there a public process or public disclosure of the retrospective acquittal of the open space reserve that should have been in the public domain?

In 2016 Council acquitted \$22mil of open space reserve and as far as I'm concerned is a public transaction and it should have been part of a public process?

Response:

The Mayor responded

7.5 Ms Heather Hinwood - Richmond Scout Group

Question:

When will the future use of the Loughnan Hall be considered and what will be the consultation process?

Response:

The Director City Works and Assets and Chief Executive Officer responded.

8. General business

8.1 Single Use Plastics in Public Places in Yarra

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Fristacky

1. That Council in noting:

- (a) the increasing community interest in and concern about the impact of single-use plastics on our environments and ultimately on human health;
- (b) the recent resolution by Darebin City Council to adopt a Single-Use Plastic Free Events Policy;
- (c) the current review of Yarra's Waste and Resource Recovery Strategy and the community engagement process underway; and
- (d) Council's long term policy of reducing and re-using waste, especially plastic, and active campaigns to reduce the amount of plastic litter in waterways; and

now refer these community concerns to the Waste and Resource Recovery Strategy review and the requested steps to minimise the use of single use plastics, including plastic bags, food and drink containers and balloons, as part of this review and report back to Council following the review.

CARRIED UNANIMOUSLY

8.2 Non-rateable Properties

COUNCIL RESOLUTION

Moved: Councillor Searle

Seconded: Councillor Nguyen

1. That Council:

- (a) notes recent Fairfax media reporting of the Catholic Church owning over \$600 million worth of property in the City of Yarra; and
- (b) receives a report in the May meeting cycle outlining:
 - (i) the rateable/non-rateable status of properties in the City of Yarra owned by religious, charitable and not-for-profit organisations;
 - (ii) any other benefits/discounts that those organisations enjoy as a result of their religious, charitable or not-for-profit status; and
 - (iii) an estimate on the proportion of rates that would be payable by those organisations if non-rateable properties were rateable.

CARRIED UNANIMOUSLY

8.3 Festival of Oneness

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Nguyen

That Council note:

- (a) Yarra's Baha'i faith community which was formed as a part of the Festival of Oneness in October last year; and
- (b) a framed poster commemorating the 200th Anniversary of the birth of BAHÁ'U'LLAH was presented to Council.

CARRIED UNANIMOUSLY

9. Delegates' reports

9.1 Disability Advisory Committee

Appointed Councillors Cr Daniel Nguyen and Cr Stephen Jolly

Date of Council Meeting 6 March 2018

Date of Report 16 February 2018

Report Author Cr Daniel Nguyen

David Brandt, member of the Disability Advisory Committee presented the outcomes of the meeting:

At its meeting on 14 November 2017, the Disability Advisory Committee endorsed the report developed by its Public Transport Sub-committee titled *Community Appraisal of Disability Access at Railway Stations in the City of Yarra*; and the *Appendix 3 Appraisal Data*.

The evidence in this report identifies issues of compromised safety experienced by commuters with a disability at all nine railway stations within the City of Yarra. The significance of this report rests on the fact that all data and evidence is based on direct experiences of people with physical and sensory disabilities who conducted the Community Access Appraisal at each railway station. Their particular access requirement levels were used as an experiential approach to data collection.

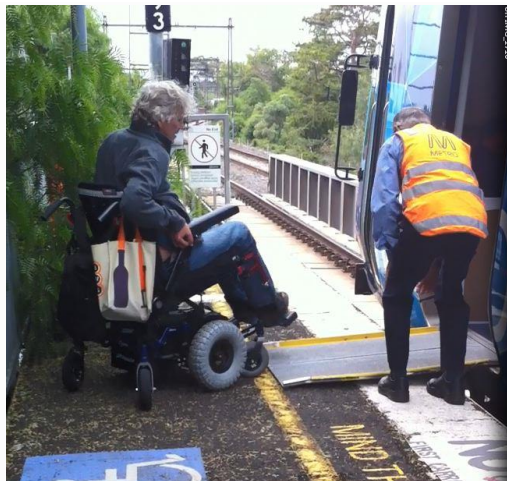
Input into the project planning, technical expertise, data collection and analysis, and compiling of the final report, was provided by Council's officers from Strategic Transport, Parking Management and Aged and Disability Services.

The findings of the Community Access Appraisals were that none of the nine railway stations in the City of Yarra meet all disability compliance requirements. Commuters with mobility issues and who use wheelchairs, scooters or walking frames have difficulty in accessing Yarra's railway stations.

A series of videos documenting the commuter experience at each railway station was compiled to support this analysis, and still images from some of those videos can be seen below.



North Richmond Railway Station, Platform 1



North Richmond Railway Station, Platform 2



Collingwood Railway Station, Platform 1

The Disability Advisory Committee is recommending that Council endorse this report; forward it to Public Transport Victoria, Metro Trains and other relevant organisations; and engage in consultations with the relevant authorities advocating for upgrades to Yarra's railway stations as outlined in the report.

COUNCIL RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor McEvoy

1. That Council:

- (a) note this Delegates Report;
- (b) acknowledge outstanding work of the Disability Advisory Committee in developing this report; and
- (c) Officers present a Council report together with the Disability Advisory Committee's report *Community Appraisal of Disability Access at Railway Stations in the City of Yarra* at a future Council meeting.

CARRIED UNANIMOUSLY

9.2 Early Reference Group

Appointed Councillors	Cr Amanda Stone
Date of Council Meeting	6 March 2018
Date of Report	20 February 2018
Report Author	Cr Amanda Stone

The Early Years Reference Group - comprising Early Years professionals in Yarra - meets quarterly to provide input to council policy and strategic direction in early years education, to share experiences and to benefit from professional development.

Last month's meeting focused on providing input to Yarra's Open Space Strategy – with open space being consistently cited as a key interest for both young children and their educators and carers.

An update was provided on Yarra's 0-25 Strategy with consultation already well underway.

With a new year commencing, there was discussion about utilisation rates with a number of smaller community-based providers reporting lower numbers this year and noting the increased numbers of places overall in Yarra with 3 new large commercial providers having opened in the past 12 -18 months. Whilst there are many factors impacting on utilisation rates, the advent of these large new providers creates a new landscape in Yarra where previously childcare places were keenly sought. For smaller providers, there is some uncertainty about future trends.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor McEvoy

1. That:

- (a) Council note this Delegate's Report; and
- (b) Council be provided with a report on the status of childcare supply and demand in Yarra - and an assessment of the impact of the increased number of places - by June 2018.

CARRIED UNANIMOUSLY

9.3 Environment Advisory Committee

Councillor McEvoy reported the following:

As the delegate of the Environment Advisory Committees Waste Minimisation Working Group we met on Tuesday 13 February mainly as a consultation as part the Waste Resource and Recovery Strategy; a great workshop with lots of good input from members of the committee and also we received an update on Food Scraps Recycling Trial of around 400 households in Abbotsford.

COUNCIL RESOLUTION

Moved: Councillor McEvoy

Seconded: Councillor Fristacky

That Council note the delegates report.

CARRIED UNANIMOUSLY

9.4 Clifton Hill Cricket Club Women's XI

Councillor Stone reported the following:

The Clifton Hill Cricket Club after 50 years of male only teams put together a woman's group mainly local mums. Within a year of forming the group, won the grand final of the Northern Metro Cricket Association, held last Sunday. I would like to congratulate Liddy Clarke, the team captain and her team, mentor Ralph Saubern and coach Scott Mills.



COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Nguyen

That Council note the report.

CARRIED UNANIMOUSLY

9.5 Edinburgh Cricket Club 40th Anniversary

Councillor Fristacky reported the following:

The Mayor and I attended a function to celebrate the Edinburgh Gardens Cricket Club 40th Anniversary.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Nguyen

That Council note the report and write to the Edinburgh Gardens Cricket club congratulating them on their 40th Anniversary.

CARRIED UNANIMOUSLY

10. Questions without notice

10.1 Councillor Fristacky - Collingwood Town Hall Clock

Question:

I noticed on the way to meeting that the clock on the town hall was incorrect. What action has been taken to correct the accuracy of the clock settings?

Response:

The Director City Works and Assets advised that a response would be provided to Councillors within the week.

11.1 Edinburgh Gardens North Precinct Update

Trim Record Number: D18/36014

Responsible Officer: Manager Open Space and Recreation

RECOMMENDATION

1. That Council:
 - (a) notes the further officer report regarding the Edinburgh Gardens Northern Precinct Playground Upgrade Plan;
 - (b) notes and thanks the community for their contribution to the discussion on the revised playground upgrade plan;
 - (c) endorses the final Edinburgh Gardens Northern Precinct Playground Upgrade Plan (refer Attachment 1); and
 - (d) notes that \$400,000 in funding is available in the 2017/18 Open Space Capital Works Budget and authorises officers to commence construction works on the upgrade of the Edinburgh Gardens north playground.

MOTION

Moved: Councillor Coleman

Seconded: Councillor Fristacky

That the item be deferred.

LOST

COUNCIL RESOLUTION

Moved: Councillor McEvoy

Seconded: Councillor Stone

1. That Council:
 - (a) notes the further officer report regarding the Edinburgh Gardens Northern Precinct Playground Upgrade Plan;
 - (b) notes and thanks the community for their contribution to the discussion on the revised playground upgrade plan;
 - (c) endorses the final Edinburgh Gardens Northern Precinct Playground Upgrade Plan (refer Attachment 1); and
 - (d) notes that \$400,000 in funding is available in the 2017/18 Open Space Capital Works Budget and authorises officers to commence construction works on the upgrade of the Edinburgh Gardens north playground.

CARRIED

CALL FOR A DIVISION

For: Councillors Stone, Chen Yi Mei, McEvoy, Searle and Nguyen

Against: Councillor Coleman

Abstained: Councillor Fristacky

11.2 Property Strategy

Trim Record Number: D18/14546

Responsible Officer: Chief Executive Officer

RECOMMENDATION

1. That Council:
 - (a) adopt the Property Strategy (**Attachment 1**);
 - (b) adopt the Property Strategy Assessment Framework (**Attachment 2**); and
 - (c) note that Officers will progressively present reports prepared in accord with the Property Strategy Assessment Framework, to assist the Council in its progressive consideration of individual properties in its portfolio, in a manner which will enable Council to:
 - (i) effectively meet its statutory obligations;
 - (ii) consider the existing and future needs of the community;
 - (iii) take into account the adequacy of current community facilities and community expectations;
 - (iv) be aware of any exposure to risk; and
 - (v) consider and assess the most effective and efficient use of its resources.

Public Submission

The following people addressed Council on the matter:

Mr Herschel Landes; and

Mr Maurice Sheehan.

COUNCIL RESOLUTION

Moved: Councillor McEvoy

Seconded: Councillor Coleman

1. That Council:
 - (a) adopt the Property Strategy as amended (revised **Attachment 1**);
 - (b) adopt the Property Strategy Assessment Framework as amended (revised **Attachment 2**); and
 - (c) note that Officers will progressively present reports prepared in accord with the Property Strategy Assessment Framework, to assist the Council in its progressive consideration of individual properties in its portfolio, in a manner which will enable Council to:
 - (i) effectively meet its statutory obligations;
 - (ii) consider the existing and future needs of the community;
 - (iii) take into account the adequacy of current community facilities and community expectations;
 - (iv) be aware of any exposure to risk; and
 - (v) consider and assess the most effective and efficient use of its resources.

CARRIED UNANIMOUSLY

11.3 Submission to the Exposure Draft of the Local Government Bill 2018

Trim Record Number: D18/38448

Responsible Officer: Group Manager Chief Executive's Office

RECOMMENDATION

1. That in response to the Victorian Government's ongoing review of the Local Government Act 1989 and specifically the publication of the Exposure Draft of the Local Government Bill 2018, Council:
 - (a) endorse the *Yarra City Council – Submission to the Exposure Draft of the Local Government Bill 2018* attached to this report as Attachment 1; and
 - (b) submit the endorsed response to the Local Government Act Review Secretariat by 16 March 2018.
2. That the Mayor send copies of Council's submission to:
 - (a) The Hon. Marlene Kairouz MP, Minister for Local Government;
 - (b) David Morris MP, Shadow Minister for Local Government;
 - (c) Samantha Dunn MP, Local Government portfolio holder, Victoria Greens; and
 - (d) Lizzie Blandthorn MP, Chairperson, Scrutiny of Acts and Regulations Committee.

MOTION

Moved: Councillor Fristacky

Seconded: Councillor Searle

1. That in response to the Victorian Government's ongoing review of the Local Government Act 1989 and specifically the publication of the Exposure Draft of the Local Government Bill 2018, Council:
 - (a) endorse the *Yarra City Council – Submission to the Exposure Draft of the Local Government Bill 2018* attached to this report as Attachment 1; and
 - (b) submit the endorsed response to the Local Government Act Review Secretariat by 16 March 2018;
 - (c) endorses with the following additional section and authorises the CEO to finalise the submission: "The City of Yarra re-iterates its opposition to the government's rate capping policy and other state charges; many areas of Council expenses increase year on year at a rate greater than the level of the rate cap. A growing population increases the cost of providing services while providing no additional income. Rate capping inhibits local government's ability to deliver services to local communities and removes the ability of democratically elected Councillors to respond to community needs."
2. That the Mayor send copies of Council's submission to:
 - (a) The Hon. Marlene Kairouz MP, Minister for Local Government;
 - (b) David Morris MP, Shadow Minister for Local Government;
 - (c) Samantha Dunn MP, Local Government portfolio holder, Victoria Greens;
 - (d) Lizzie Blandthorn MP, Chairperson, Scrutiny of Acts and Regulations Committee;
 - (e) Victorian Local Government Association (VLGA); and
 - (f) Municipal Association of Victoria (MAV).

AMENDMENT

Moved: Councillor Stone

Insert at the end of 1. (a).

subject to the inclusion in the section "The Role of Government" reference to other aspects of the current Act which are equally important as advocacy yet omitted from the exposure draft, specifically "Fostering community cohesion and encouraging active participation in civic life" and "improve the overall quality of life of people in the community";

The amendment was accepted by the mover and seconder and incorporated in to the motion below.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Searle

1. That in response to the Victorian Government's ongoing review of the Local Government Act 1989 and specifically the publication of the Exposure Draft of the Local Government Bill 2018, Council:
 - (d) endorse the *Yarra City Council – Submission to the Exposure Draft of the Local Government Bill 2018* attached to this report as Attachment 1; subject to the inclusion in the section "The Role of Government" reference to other aspects of the current Act which are equally important as advocacy yet omitted from the exposure draft, specifically "Fostering community cohesion and encouraging active participation in civic life" and "improve the overall quality of life of people in the community";
 - (e) submit the endorsed response to the Local Government Act Review Secretariat by 16 March 2018; and
 - (f) endorses with the following additional section and authorises the CEO to finalise the submission: "The City of Yarra re-iterates its opposition to the government's rate capping policy and other state charges; many areas of Council expenses increase year on year at a rate greater than the level of the rate cap. A growing population increases the cost of providing services while providing no additional income. Rate capping inhibits local government's ability to deliver services to local communities and removes the ability of democratically elected Councillors to respond to community needs."
2. That the Mayor send copies of Council's submission to:
 - (g) The Hon. Marlene Kairouz MP, Minister for Local Government;
 - (h) David Morris MP, Shadow Minister for Local Government;
 - (i) Samantha Dunn MP, Local Government portfolio holder, Victoria Greens;
 - (j) Lizzie Blandthorn MP, Chairperson, Scrutiny of Acts and Regulations Committee;
 - (k) Victorian Local Government Association (VLGA); and
 - (l) Municipal Association of Victoria (MAV).

CARRIED

CALL FOR A DIVISION

For: Councillors Coleman, Fristacky, Stone, Chen Yi Mei, McEvoy and Searle

Against: Councillor Nguyen

12.1 Notice of Motion No 2 of 2018 - Review Fees for Community Garden Spaces

Trim Record Number: D18/40595

Responsible Officer: Group Manager Chief Executive's Office

ITEM WAS WITHDRAWN

Conclusion

The meeting concluded at 8:56pm.

Confirmed Tuesday 20 March 2018

Mayor