



Ordinary Meeting of Council Minutes

**held on Tuesday 21 August 2018 at 7.00pm
Richmond 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 Danae Bosler
- Cr Jackie Fristacky
- Cr Stephen Jolly
- Cr Mike McEvoy
- Cr James Searle
- Cr Amanda Stone

Council officers

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

Apology

- Cr Mi-Lin Chen Yi Mei

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

Nil

4. Confidential business reports

Item

- 4.1 The personal hardship of a resident or ratepayer
- 4.2 Proposed developments; AND Matters relating to legal advice

Confidential business reports

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

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Bosler

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) the personal hardship of a resident or ratepayer;
 - (b) proposed developments; and
 - (c) matters relating to legal advice.
2. That all information contained within the Confidential Business Reports section of this agenda and reproduced as Council Minutes be treated as being and remaining strictly confidential in accordance with the provisions of sections 77 and 89 of the *Local Government Act 1989* until Council resolves otherwise.

CARRIED UNANIMOUSLY

4.2 - 626 Heidelberg Road, Alphington - PLN17/0978 - Construction of a multi-storey apartment building and a reduction of the statutory car parking requirements generally in accordance with the Development Plan

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Bosler

That Council:

- (a) note the report of officers assessing the planning permit application; and
- (b) refuse to consent to the issue of Planning Permit PLN17/0978 and instead advise the Victorian Civil and Administrative Tribunal that were Council in a position to determine the application a Refusal to Grant a Permit (PLN17/0978) would issue on the following grounds:
 1. The height, scale (transition) and massing of the proposed development is unreasonable and will appear overwhelming and incongruous with the Amcor development site and the wider Alphington area.
 2. The height and setbacks of the development result in unreasonable overshadowing to the west of Chandler Highway, the southern pedestrian link and the communal roof terrace.
 3. The architectural form and design is poorly resolved and does not satisfactorily achieve the design aspirations for the built form landmark site of the Alphington Paper Mill Development Plan.
 4. The proposed vehicle access arrangements, including the loading bay and drop off area result in potential conflicts between vehicles, bicycles and pedestrians.
 5. The development provides a substandard ground level interface, resulting in a poor pedestrian experience, impact on pedestrian safety and comfort.

CARRIED UNANIMOUSLY

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 minutes of the Ordinary Council Meeting held on Tuesday 7 August and the Special Council Meeting held on Monday 13 August 2018 be confirmed.

CARRIED UNANIMOUSLY

6. Petitions and joint letters

Nil

7. Public question time

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13. Urgent business

Nil

6. Petitions and joint letters

Nil

7. Public question time

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

7.1 Herschel Landes, Bridge Road Mainstreet Inc. - Easy Access Tram Stops

Question:

In relation to a publication in 2010 which showed the proposed easy access stops along Bridget Road and that document identified an island type super-stop on the outbound side of Bridge Road from Church Street.

The discussion of this stop was further identified in the 2017 Hansen Partners Streetscape Masterplan for Bridge Road with the Transport Statutory Authority is identifying a preference for the stop to again to be on the outbound side of Church Street linking to the north-south networks. The super-stop was intended to replace the existing stop outside the town hall which is a poorly designed and confusing pedestrian crossing that now also services the new High School.

A matter had been reported to the school on some of the students unsafe road practises and a notice had been issued to the students reiterating and discussing Road Safety messages and further that if the community notices unsafe behaviour to report it back to the school so that they can support and educate students.

Does Council have any knowledge on where PTV is at on the matter?

Response:

The Director Planning and Place Making advised the following:

- (a) We have been advocating on behalf of Council for improved tram stops from Church Street to the river for a number of reasons, in particular in relation to the new school here and the girls school down the road in terms of safety;*
- (b) We have been concerned and advocating for interim or temporary tram solutions at the front of the Town Hall and staff have come up with an interim arrangement, that the rails could possibly be pulled back so there is more space between the safety rail and tram track;*
- (c) I understand that in the next month that work may be able to be done by VicRoads; and*
- (d) We have been advocating for a permanent solution and also an interim solution at every opportunity.*

7.2 Nellie Dicks, Bridge Road Mainstreet Inc. - Short Tram Routes

Question:

Victoria Street have a very short tram route, Bridge Road use to have a short tram route about 15 years ago that would stop at the river. There is an option to run a short tram route.

Is that an option to fix the issues in regards the number of people trying to get on the tram and also in regard to the High School and all the other things about how do we get people in and around Bridge Road?

Response:

The Mayor advised safety and accessibility is one aspect, it's an aspect we are focusing on with some of the stops on Bridge Road. Frequency, number of trams, different routes is again something that we continue to advocate across the municipality and as Cr Fristacky mentioned, with route 86 and 96. From our perspective it is something we are doing and are already doing and continue to do. We want more trams and the ability to utilise them.

8. General business

8.1 Affordable Housing

BACKGROUND

Through Council Plans and other strategic documents, Council has expressed its commitment to maintain and support a socially, economically and culturally diverse community. This commitment is further evidenced by the financial support it has provided to the community housing sector, its resolute pursuit of affordable housing outcomes at major development sites and strategic advocacy to state and commonwealth governments.

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Fristacky

1. That Council Officers provide advice to Councillors by the end of October on the practical implications of recent amendments to the *Planning and Environment Act 1987* to facilitate affordable housing outcomes; and strategic options to capitalise on current Victorian Government affordable housing initiatives to increase the supply of affordable housing in the City of Yarra. The advice should provide:
 - (a) information on any changed circumstances, or additional measures available, to facilitate the inclusion of affordable housing through the Victorian Planning System;
 - (b) options to capitalise on current Victorian Government affordable housing initiatives including but not limited to, the Social Housing Growth Fund and the Capability Uplift Program for councils seeking and negotiating affordable housing agreements;
 - (c) any revisions required to Yarra's Policy Guidance Note: Affordable Housing in Significant Redevelopments (November 2017); and

- (d) information about the recent establishment of the Moreland Affordable Housing Trust, and a preliminary assessment of whether comparable strategies should be considered by Yarra City Council.

CARRIED UNANIMOUSLY

9. Delegates' reports

9.1 Councillor Searle - Heritage Advisory Committee

| | |
|--------------------------------|---|
| Committee | Heritage Advisory Committee (HAC) |
| Appointed Councillors | Cr James Searle, Cr Danae Bosler, Cr Jackie Fristacky |
| Date of Council Meeting | 21 August 2018 |
| Date of Report | 20 August 2018 |
| Report Author | Cr James Searle |

The first meeting of the newly constituted Heritage Advisory Committee meeting was held on Thursday 26th July 2018. The meeting was well attended with 7 of the new members, 3 of the returning members, all three Councillors and several officers present. Cr Searle chaired.

Much of the meeting was spent with members introducing each other and their interests/background as well as asking questions of officers and Councillors on the role of HAC and their individual role as HAC members. The energy and enthusiasm shown by all members was fantastic to see.

Items on the agenda included:

- (a) Discussion on the HAC terms of reference;
- (b) The role of Council in heritage management; and
- (c) The current heritage scenario in Yarra and Council initiatives.

There were also several issues/suggestions raised and discussed in the "other matters" portion of the agenda, which included:

- (a) Keeping heritage in the fore-front of how the Council presents itself, including heritage in Council's messaging/logo;
- (b) Creating a strong link between heritage and urban design;
- (c) Using a participatory process for the development of strategic plans (such as was done for the draft Heritage Policy in the new planning scheme);
- (d) New built form frameworks and planning instruments should be discussed with HAC early during the development stage;
- (e) How Council can work with Heritage Victoria to protect important sites such as the Nylex silos; and
- (f) HAC should be briefed in the new format planning scheme at the next meeting.

COUNCIL RESOLUTION**Moved:** Councillor Searle**Seconded:** Councillor Bosler

1. That Council
 - (a) note this Delegates Report; and
 - (b) requests that important strategic documents (such as the Municipal Strategic Statement (MSS), activity centre and mixed use are built form frameworks and draft/interim planning controls) be discussed with the Heritage Advisory Committee and any other relevant advisory committees early in their development and that meaningful participation from advisory committee members in their development be facilitated.

CARRIED UNANIMOUSLY*Councillor Coleman left the meeting at 9.44pm**Councillor Jolly left the meeting at 9.49pm***9.2 Councillor Stone - ICLEI World Congress, Montreal 19-23 July 2018**

| | |
|--------------------------------|----------------------|
| Committee | ICLEI World Congress |
| Date of Council Meeting | 21 August 2018 |
| Date of Report | 8 August 2018 |
| Report Author | Cr Amanda Stone |

ICLEI – Local Governments for Sustainability

ICLEI was founded in 1990 as an [international](#) organization of local [governments](#) and national and regional local government organizations that made a commitment to [sustainable development](#).

ICLEI today is made up of 1500 local governments globally, providing technical [consulting](#), training, and information services to build capacity, share knowledge, and support local government in the implementation of sustainable development at the local level. ICLEI's basic premise is that locally designed initiatives can provide an effective and cost-efficient way to achieve local, national, and global sustainability objectives. Yarra Council joined ICLEI early on and has participated in a number of ICLEI initiatives. Two councillors attended the ICLEI World Congress in 2015.

Global Sustainability Goals

ICLEI operates in the context of the uniting global goals of

- The UN Framework Convention on Climate Change and the Paris Agreement
- The UN Framework Convention on Biodiversity
- The Sustainable Development Goals
- The New Urban Agenda

The SDGs are a universal and collective vision, with SDG 11 as the central lever to attain all other goals. The Paris Climate Agreement is the prerequisite to safeguard all SDGs and pioneer the transformation towards a new model of a climate-safe human civilization. The New Urban Agenda is a compendium of good practices and policies for urban development, including the right-to-the-city, multilevel governance and urban planning.



ICLEI World Congress

The ICLEI World Congress held every 3 years, provides an opportunity for ICLEI members across the globe to come together and share experiences, achievements and trends in local governments for sustainability.

Following on from COP 23 in Bonn in 2017, the New Urban Agenda adopted in 2016 and the Sustainable Development Goals adopted in 2015, the congress focussed on the role of cities in addressing the increasing pressures from a changing climate and global urbanisation.

Held in Montreal, it comprised a number of keynote speakers, workshops, small presentations and site visits around Montreal.

World Congress Highlights

- **Keynote speaker : Naoko Ishi – Global Environment Facility**



<https://www.thegef.org/>

An economist who believes that safeguarding the global commons is the best investment we can make; she addressed how cities can adapt to a future in a changing climate.

Key messages: Our huge success has not come for free, rather at enormous cost to our environment and future generations.

We have to transform the way we live – what we eat, and how we produce it, how and where we provide housing, how we move around and how we treat waste.

There is optimism about cities' ability to transform because of:

1. Economy -the size of cities makes it possible. However cities are most vulnerable to disaster
2. Proactive steps already taken by cities helped by ICLEI. Cities are incubators for new ideas and partnerships
3. New decision making systems – dynamic, multi stakeholder systems. ICLEI demonstrates this model

Cities model good practice in wanting to learn from each other unlike global leaders. Cities are close to the people and can harness the power of many stakeholders.

https://www.ted.com/talks/naoko_ishii_an_economic_case_for_saving_the_planet/transcript

- **Keynote Speaker Cullis Severn-Suzuki** <http://severncullissuzuki.com/>

Cullis Severn-Suzuki first spoke, at the age of 12, to the UN Conference on the Environment and Development in Rio de Janeiro in 1992 on behalf of young people. She is now an activist, parent and author who urges us to renew the ancient and tested survival strategy of acting with the future in mind.

Key messages: Relationships are the currency of ecosystems. We need to strengthen them to help us respond to the shocks and stresses of the future, build resilience.

Our society is not founded on the health and wellbeing of our children, rather on growth and politics. **We need to base our foundations on the health and wellbeing of people within our own reality – the restraints of our environment.**

Future generations are already carrying a debt.

4 principles for the future

1. **Diversity** – intelligence in all its forms; and biocultural diversity; we need all forms to solve problems we've never faced before
2. **Economies that support and save life**; not endless growth for its own sake.
3. **Circular economy** we have to stop supporting an economy which works against life itself.
4. **Reconciliation**

Panel: Network for Locally Elected Women in Africa (REFELA)



The voice of African women leaders was again prominent at this Congress with representatives of the Network for Locally Elected Women in Africa chairing panels which explored how to better integrate and empower women and marginalized groups into urban planning and development to ensure both social equity and efficient action. Panels addressed knowledge gaps, barriers and solutions to strengthening climate resilience and enhancing livelihoods of the most vulnerable communities in the developing world with a view to facilitating the scaling and financing of climate action.

Key Themes

The congress focused on a number of themes, outlined here:



The **3 Key Themes** which emerged however were:

1. Nature Based Solutions

A half day **Urban Nature Forum** provided a broad overview of the impacts of the reduction of landscapes, vegetation and natural systems on human health and ecological viability worldwide.

Rapid urbanisation has coincided with the removal of vast amounts of vegetation and habitat and a massive reduction in biodiversity. For the future sustainability of human populations, this trend has to be reversed and we need to find a way to integrate nature into cities.

Conversely natural systems can offer a great deal to address some of the problem of urbanisation such as in heat mitigation, drainage, food production, waste management and more.

The forum heard about the human health impacts of the removal of vegetation over time, and the positive correlation of reduction in tree canopy with an increase in cardio-pulmonary disease.

The Cities With Nature platform was launched at the congress, a cost-free initiative for cities to join with others, share their experiences and strategies and receive technical support in introducing nature based-solutions to cities.

Cities With Nature



Cities, especially those that are developing fast and building infrastructure at staggering speed are in a very unique position. They can make a choice that will affect our very survival down the line – to plan and build our cities *with* nature.

Nature provides us with wide ranging benefits and essential services such as water purification, flood control, climate regulation, food and clean air. In addition, a growing body of evidence points not only to the direct link between nature and the physical health of people living in cities, but also to the impact it has on our mental, spiritual and community well-being.

Unfortunately, our current activities and development patterns are straining natural systems across the world, often to such an extent that nature cannot fully recover, further weakening the very ecosystems upon which our welfare and livelihoods depend. This trend is intensified in cities with rapid urban expansion patterns. These are often also the same cities where the remaining biodiversity is of high value, not only for the cities themselves, but also for their surrounding regions.

Humanity shares a common future—one that resides in cities. It is expected that more than 70 percent of the global population will live in urban areas by 2050. By valuing, nurturing and restoring the essential connection between nature and ourselves within our cities, we can harness the solutions provided by nature along with the incredible innovations made by humanity to shape a strong and resilient urban future.

CitiesWithNature is a global program designed and offered by ICLEI [and partners](#) to cities and their communities. It consists of two main platforms through which they can participate, namely an **Engagement Platform** (levels 1 and 2) and a **Technical Platform** (level 3).

The **Engagement Platform** (level 1) comprises the **CitiesWithNature Registry**, central to the program, **Community Hub** and **Knowledge & Research Hub**.

Level 2 consists of the [theme-based packages](#) and the global **CitiesWithNature Awards**.

The **Technical Platform** underpinning **CitiesWithNature** is a technical support component. It will be demand-driven, shaped and delivered by ICLEI regional and country offices, in collaboration with [partners](#), to suit different local contexts.

This component will provide access to **technical toolkits, technical experts and research** around the topics of the value of nature in cities, its incorporation into city decision-making and other mainstreaming mechanisms. Technical support will be delivered through a range of tools, processes and engagements with cities, individually or as groups, and can be tailor-made to suit the needs of a particular city or group of cities. (1)

Cities 4 Forests

Yarra was also invited to join a new alliance of cities who benefit from and continue enhance the role of forests both in their cities and beyond.

Why is a partnership between cities and forests needed?

Trees and forests are immensely valuable to cities and their citizens (Figure 1). Trees and forests provide multiple health benefits, sustain water resources, help to combat climate change, and protect global biodiversity.

Specifically, trees within cities (the “inner forests”) clean the air, offset heat islands (and lower energy bills), and support human health and wildlife. Trees in watersheds

surrounding cities (the “nearby forests”) contribute to cleaner air and drinking water, reduce flooding, and offer an escape from hectic urban life. And trees in the “faraway forests”—particularly in the tropics—sequester large amounts of carbon, generate rain for the world’s.

farm belts, provide a wealth of useful products, and host the majority of the world’s land-based biodiversity.

Figure 1 | Forests are of immense value to cities and help meet the Sustainable Development Goals



In return, cities can provide immense value to forests. Because urban areas are increasingly where people live and work, the public policies and procurement practices of cities—as well as the values, votes, and consumption patterns of citizens—have enormous potential to support the conservation, restoration, and sustainable management of forests. Many cities already support forests in some way, from parks and urban forest to “green infrastructure” and watershed management programs. Fewer, if any, have efforts to support the faraway forests that are vital for combating climate change. (2)

Further details have been provided to councillors to consider in making a decision about joining.

2. Circular Economy

Circular cities: Designing urban systems to fit planetary boundaries

Our global linear economy is wasteful by design. It relies on extracting, transforming, consuming and discarding massive amounts of resources such as biomass, fossil fuels, sand, gravel or metals. 92.8 billion tonnes of material inputs were used to fuel our economy in 2015, equating to 12,54 tonnes of raw materials per person per year or about 35kg per day – a figure which doesn’t even include water consumption.

Only 9% of material inputs are cycled back to the economy (Circle Economy, 2018). Most of the remaining materials are dispersed into the environment or discarded as waste that contributes to degrading our ecosystems and endangering the health of communities worldwide. Upstream, the overconsumption of resources is linked to most of the planetary boundaries. The majority (67%) of global greenhouse gas emissions are for instance related to material management.

This century calls for a new consumption and production model, one that enables humanity to flourish within the means of the planet. Such a model can’t afford to waste.

Waste is a modern and very human invention. Natural systems produce no waste: resources are used within their regenerative capacity and infinitely cycled back into the system. The circular economy aims at mimicking natural cycles by designing consumption and production models as such that all materials can be cycled back in the economy so that resources are only extracted within their regenerative capacity.

Cities are instrumental forces of a genuine circular economy. Not only do they consume 75% of natural resources and produce 50% of global waste (UNEP, 2016), their intermediate scale also means they can pool and interconnect the actions of a wide variety of actors. (3)

Cities have a critical role to play towards more sustainable production and consumption patterns to cope with climate change, population growth and urbanisation.

The basic assumption of circular economy is the recognition of waste as resource. It is the shift from the “cowboy” to the “spaceman” economy where resources are finite. Shifting from a linear approach of “take, make and dispose” to a circular system is estimated to have as much as 4.5 trillion dollars potential for economic growth by 2030.

Currently less than 10% of the global economy is circular. The ability for local governments to directly create a circular economy is limited but they have a role as promoters, facilitators and enablers of circular economy.

The OECD is undertaking an 18 month pilot project investigating barriers to local government to developing a circular economy, “The Economics and Governance of Circular Economy in Cities”. This project, to be carried out through Policy Dialogues across local and national governments and stakeholders, aims to support interested cities in identifying economic and governance challenges, as well as policy solutions towards the transition to the circular economy, in an efficient, effective and inclusive manner.

Yarra City Council was invited to participate and this is being considered.

Box 1. Definitions of circular economy

Looking beyond the current “take, make and dispose” extractive industrial model, the circular economy is restorative and regenerative by design. Relying on system-wide innovation, it aims to redefine products and services to design waste out, while minimising negative impacts. Underpinned by a transition to renewable energy sources, the circular model builds economic, natural and social capital (Ellen McArthur Foundation, 2018).

A circular economy is an alternative to a traditional linear economy (make, use, dispose) in which we keep resources in use for as long as possible, extract the maximum value from them whilst in use, then recover and regenerate products and materials at the end of each service life (WRAP, UK. n.d.)

The circular economy is where the value of products, materials and resources is maintained in the economy for as long as possible, and the generation of waste minimised (EC, 2015).

Sources :<https://www.ellenmacarthurfoundation.org/circular-economy>;
<http://www.wrap.org.uk/about-us/about/wrap-and-circular-economy>; EC(2015), Closing the loop – An EU action plan for the circular economy, COM (2015)614 final. (4)

3. Co-Creation and Collaborative Governance

A strong theme of this Congress as well as COP23 was the need for all levels of government to work together, and also with non-government partners to find and

implement solutions to the sustainability challenges we face. This would mean overcoming some of the political and philosophical barriers faced with such partnerships in light of the urgency of the task being faced and to safeguard our future.

The 2030 Agenda, incorporating the Sustainable Development Goals, calls for "transparent, effective, inclusive and accountable institutions to advance poverty eradication and sustainable development." Participatory governance and inclusive decision making incorporates social, environmental and economic dimensions. It includes marginalized groups with a reciprocal and mutually beneficial approach, addressing inequality and emphasizing the importance of community engagement.

All sectors of society can and should come together to co-create, innovate and implement sustainability solutions. Local and regional governments need to work hand-in-hand with all urban stakeholders, from civil society and the private sector to science and research institutions. (5)

As part of this stream, I gave a presentation on Participatory Governance and Inclusive Decision Making, using Liveable Yarra and the development of our Environment Strategy as examples of Yarra's approach to participatory decision making. The panel session prompted a strong discussion with interest in the role of politicians in deliberative processes as well as that of third party facilitators in deliberative processes.

The Montreal Commitment

One outcome of the World Congress was the Montreal Commitment, the strategic direction for ICLEI through to 2024. A new focus for ICLEI was needed in light of the 3 new global frameworks as well as the stakeholder driven model of sustainable development governance which is emerging.



The ICLEI Montréal Commitment and Strategic Vision 2018 - 2024 defines low emission, nature-based, circular, resilient and equitable development - five interconnected pathways towards sustainability, supported by policy approaches on governance, innovation and finance. The ICLEI Montréal Action Plan 2018 - 2021, which includes a range of projects, partnerships and initiatives developed and implemented by ICLEI offices, in partnership with the local and regional governments across the network, to accelerate and leap frog sustainable, integrated urban and territorial development, as a means to support and complement national contributions and global sustainability goals.

Site Visits:

Montreal places a strong focus on sustainability, greening and places for people.

The city is designed with people in mind, with multiple shared spaces, plazas, public seating, public art and features which engage children.

A walking tour covered:

- Urban Renewal - a reconstructed elevated 12 lane highway, replaced by a linear park, dog park, children's playground, public art, outdoor gym, rain garden, in response to community feedback, and just 4 traffic lanes, with reduced traffic counts recorded post-construction.
- Public Art – since 1961 Montreal has had a policy of integrating public art into government and public buildings -1% of the total construction budget must be dedicated to public art. As a result there are 320 public art works, the oldest dating to 1809. They are in transport stations, plazas, streets, building foyers, and projected at night onto walls. Much art is interactive and engaging to children.
- Place des Spectacles – a revitalised area of the city converted to open spaces designed for events and public gathering. Consisting of multiple interactive water features, shared spaces and car free streets, great seating, greening, pop up music and arts opportunities.

Vancouver

One of the world's most liveable cities places strong emphasis on facilitating safe and active transport.

30 km/h zones are common, bikes and pedestrians are separated on major shared paths, bike share schemes thrive despite the hills, and clear signage provides guidance to all road users.

Both cities being comparable to Melbourne have much to offer Yarra as examples of good public space planning.





1. <http://citieswithnature.org/>
2. <http://pilot-projects.org/projects/project/global-cities-global-forests>
3. From ICLEI World Congress Program Session *Designing urban systems to fit planetary boundaries*
4. *The Economics and Governance of Circular Economy* OECD Discussion Paper 2018
5. <https://sustainabledevelopment.un.org/post2015/transformingourworld>

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Bosler

1. That:
 - (a) Council note the Delegates Report;
 - (b) Council resolves to join the Cities with Nature platform; and
 - (c) The CEO report back to Council on the options for joining an OECD pilot project on the Circular Economy.

CARRIED UNANIMOUSLY

9.3 Councillor Fristacky - Australian Transport Summit, Melbourne

| | |
|--------------------------------|-----------------------------|
| Committee | Australian Transport Summit |
| Date of Council Meeting | 21 August 2018 |
| Date of Report | 9 August 2018 |
| Report Author | Cr Jackie Fristacky |

As Council's transport delegate, I seek to report on my attendance for Council at an important one-day Summit held in Melbourne on 8 August, organised by the UITPANZ (International Association of Public Transport, Australia New Zealand) and the TTF (Transport & Tourism Forum).

The dominant theme was the imperative of investing in rail to meet high transport demand arising from population and tourism growth, and strong shifts in travel patterns.

This was recognised by all speakers - including Victorian Minister for Public Transport, Jacinta Allan, and the Federal Minister and Shadow Minister for Transport and Infrastructure, Michael McCormack and Anthony Albanese respectively. Emphasised was the importance of bipartisan collaboration between Federal and State Governments on key rail projects such as delivering Airport Rail, Inland Rail and improved Regional Rail services. Shadow Minister, Anthony Albanese added support for achieving high speed rail (HSR) corridors, highlighting that Australia was the only continent on Planet Earth (apart from Antarctica) that did not have HSR. He

pointed out that rail patronage substantially exceeded forecasts, confirming that “build it and they will come”, was clearly demonstrated for rail projects.

Minister Jacinta Allan stressed the importance of the MM1 rail spine through the CBD to unlock the City Loop bottleneck and extend rail to serve St Kilda Road and north of the city especially to the critical education/research/hospital economic and innovation cluster at Carlton-Parkville. A new line to Mernda (opening 26 August 2018) would have 982 services per week to the Whittlesea northern growth corridor. A new Dandenong line would serve Melbourne’s busiest rail corridor in the southeast. Investment in Airport Rail through Sunshine and regional rail services in partnership with the Commonwealth would help transform regional cities. Minister Allan emphasised the economic benefits of this rail investment in connecting people to jobs and services, with major projects also requiring a 10% target for trainees, apprentices and cadetships for skill development and employment of young people.

The Summit heard similar rail investment messages from UIPTANZ Chair, Ian Dobbs, Deputy Head, Transport for Victoria, Michael Hopkins, senior transport executives in other States, and the heads of Infrastructure Victoria and Infrastructure Australia.

Queensland Minister for Transport, Mark Bailey said light rail was now the “darling of the Gold Coast” and 79% of people supported a 3rd stage light rail extension to South East Queensland. He viewed Brisbane’s jointly funded Cross River Rail as an outstanding case study in how rail development opened up new areas and galvanised urban renewal.

CEO of London’s Cross Rail 2 (XR2) project, Michele Dix CBE, presented a similar picture on how rail access unlocked land for development and improved the viability of development. Not only would XR1 (new Elizabeth line to open soon) and XR2 (linking London to Cambridge and East Anglia to open in the 2030s) add significantly to London’s rail capacity, they would improve regional access. XR2 would also open up areas for 200,000 new homes beyond London to ease housing pressures in London.

In terms of other lessons from London’s cross rail projects, Michele Dix emphasised:

- (a) detailed planning was critical for both route construction and delivery;
- (b) every major piece of infrastructure had to fit into a spatial plan to integrate with urban planning and development; and
- (c) XR2 following XR1 had major benefits through transfer of personnel with experience of XR1 lessons, transfer of tunnelling skills and other resources as well as it being easier to plan XR2 integrating with XR1. Thus there was value in planning XR2 before XR1 was completed.

These and other presentations from leaders in rail planning made for a constructive Summit with valuable exchanges between participants and in networking.

In light of the City of Yarra position to advocate for the MM2 rail line, the opportunity was taken to promote MM2 as the next major rail project for Victoria to commit to building following the MM1 project currently under construction in inner Melbourne. This was in line with the advice by Michele Dix of the benefits of integrating the planning of London’s 2 major new cross rail projects. The benefits of MM2 with a rail station at Fitzroy would facilitate direct access to the Carlton/Parkville MM1 station, and also enable rail access to the Airport without looping through the CBD.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Stone

1. That Council note this Delegates' Report.

CARRIED UNANIMOUSLY

10. Questions without notice

10.1 Councillor Fristacky - Procurement Policy

Question:

The State Government Procurement Policy in relation to building infrastructure like MM1 and other infrastructure requires 10 percent of human resource will be through apprenticeships, cadetships and engineering trades.

What consideration is being given to also require such a condition in regarding apprenticeships and cadetships in trades in Yarra through its own procurement?

Response:

The Chief Executive Officer took the question on notice.

10.2 Councillor McEvoy - Glyphosate Use

Question:

Following the recent legal finding against Monsanto in the USA regarding the harmful effects of Glyphosate; a chemical used to manage weeds. Can officers please advise where and how much is used within Yarra, measures we're taking to minimise or manage its use and whether there is any risk to the community by its continuing use?

Response:

The Director City Works and Assets took the question on notice.

10.3 Councillor McEvoy - Laneway Access and Bluestone

Question:

A resident of an apartment building on Nicholson Street Fitzroy North - is living with MS, and is unable to access her apartment through the front entrance of the building, she is currently exclusively using the rear laneway for access to her home... but the historic bluestone surface is not accessible for her wheelchair. We have received advice from officers that it's not policy to cover or remove bluestones, and that a treatment to smooth the surface is cost-prohibitive and not Council policy, when works could be undertaken at the front entrance. Has the DAC been made aware of this issue? And what would need to be changed in our policies to ensure more is done to ensure workarounds for residents disabled by laneway surfaces

Response:

The Director City Works and Assets advised;

- (a) *Access from the front of the building is possible and should be made through the body corporate;*
- (b) *The body corporate has refused to make those changes;*
- (c) *We have advocated on behalf of the resident for changes to occur some time ago;*
- (d) *Council has a road material policy and heritage policy that states we will replace bluestone laneways with bluestones, and will not asphalt over the top or concrete over the top of those bluestone laneways;*
- (e) *There are options to consider in terms of adhering to the policy by laying sawn bluestone along the portion of the laneway so you can still retain the bluestone effect;*
- (f) *this particular laneway has recently been constructed so officers view is that it would not be a cost effective approach to rebuild the laneway, as the cost to so would be \$70k.*

10.4 Councillor Stone - Alphington Community Meeting re School

Question:

There was a community meeting at Alphington last week where a number of issues we raised, the most prominent being about the proposed new school. There seems to be a lot of confusion and a lot of anxiety and frustration and a lack of information for the community. It seems to be the responsibility of the School building authority to provide information and it seems that they are not communication with the local community.

Is the CEO liaising with the School Building Authority over the future of the school?

Would it be possible for Council to facilitate a meeting between the School Building Authority and the local community as they have questions and need answers?

Response:

The Chief Executive Officer advised recently speaking with the Chief Executive Officer of the Victorian School Building Authority (VSBA) about the community concerns about what is happening with the school. It is on his priority to liaise with the minister James Merlino.

In relation to facilitating a meeting with the community, will liaise again with the CEO of VSBA whether he or his staff can meet with the community to discuss the matter.

11.1 Bridge Road Precinct Special Charge - Notice of Decision

Trim Record Number: D18/120719

Responsible Officer: Director Planning and Place Making

RECOMMENDATION

1. That:

- (a) Council, having considered all submissions received and all objections lodged and having complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act 1989* (**Act**), declares a Special Charge (**Special Charge**) under section 163(1) of the Act for the purposes of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Bridge Road Mainstreet Inc. (**BRMS**), which funds, subject always to the approval, direction and control of Council, are to be used for the purposes of contracted support, promotional, advertising, marketing, business development and other incidental expenses as approved by Council and agreed to from time to time between Council and the BRMS, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Bridge Road Precinct (**Precinct or Scheme**);
- (b) the criteria which form the basis of the declaration of the Special Charge are the ownership of rateable land used, or reasonably capable of being used, for commercial, retail or professional purposes, which rateable land is situated within the geographical area in which the properties described in paragraphs (f) and (g) of this declaration are included;
- (c) in declaring the Special Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the City of Yarra, in particular the encouragement of commerce, retail activity and employment opportunities within the area for which the Special Charge is declared;
- (d) total cost of the performance of the function and the exercise of the power by Council (in relation to activities associated with the encouragement of commerce, retail activity and employment opportunities in the area for which the Special Charge is declared) and also the total of the Special Charge to be levied by Council is referable to an amount of \$157,000, which amount will be levied in each year of the Scheme and which in total will raise an amount of \$942,000 over the six year period of the Scheme;
- (e) the period for which the Special Charge is declared and will remain in force is a period of six years commencing 1 October 2018 and ending on 30 September 2024;
- (f) the area for which the Special Charge is declared is all the land referred to as the Bridge Road Precinct, as identified and shown on the plan set out in the attachment forming part of the declaration (being **Attachment 1**);
- (g) the land and the properties in relation to which the Special Charge is declared (reflecting minor modifications to the Scheme as originally proposed, by way of removal of the property at 2 Hunter Street, Richmond and the re-apportionment of special charge contributions for those properties that are not at ground level in Bridge Road or which do not meet the Scheme criteria as otherwise set out in (**Attachment 2**) are as follows:
 - (i) Bridge Road 2 – 662 inclusive;
 - (ii) Church Street 196 to 280 inclusive;
 - (iii) Lennox Street 172 to 195 inclusive;
 - (iv) Waltham Street 2a; and
 - (v) Burnley Street 174;

- (h) the land in relation to which the Special Charge is declared is all that rateable land described in the listing of rateable properties set out in the attachment forming a part of this declaration;
- (i) the contributions to the proposed Special Charge will be declared and assessed and levied differentially, as follows:–
 - (i) properties located on a Bridge Road address and situated at ground level - \$300 per annum;
 - (ii) properties located on a Bridge Road address and situated other than at ground level - \$200 per annum; and
 - (iii) properties located on an address other than Bridge Road - \$100 per annum;
- (j) the Special Charge will be levied by sending a notice of levy in the prescribed form annually to the person who is liable to pay the Special Charge, which will require that the Special Charge must be paid in the following manner:-
 - (i) By one annual payment to be paid in full by the due date fixed by Council in the notice, which will be a date not less than 30 days after the date of issue of the notice; or
 - (ii) By four instalments, to be paid by the dates which are fixed by Council in the notice;
- (k) Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Charge;
- (l) no incentives will be given for payment of the Special Charge before the due date for payment;
- (m) Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a special benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the Special Charge, and directly and indirectly as a result of the expenditure of the Special Charge the viability of the Precinct as a business, commercial and retail area, and the value and the use, occupation and enjoyment of the properties and the businesses included in the Special Charge Scheme area will be maintained or enhanced through increased economic activity;
- (n) for the purposes of having determined the total amount of the Special Charge to be levied under the Scheme, Council further considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the Special Charge is in a ratio of 1:1 (or 100%). This is on the basis that, in the opinion of Council, all of the services and activities to be provided from the expenditure of the Special Charge are marketing, promotion and advertising related and will accordingly only benefit those properties and businesses, included in the Scheme that are used, or reasonably capable of being used, for retail, commercial or professional purposes;
- (o) the BRMS be authorised to administer the proceeds of the Special Charge on the express condition that the BRMS enters into a funding agreement with Council for the period of the Special Charge;
- (p) Council authorises the CEO, or nominated delegate for the purposes of paragraph (o), of this resolution, to sign the funding agreement between Council and BRMS by which administrative arrangements in relation to the Special Charge are confirmed, such an agreement being a precondition to the payment by Council to the BRMS of any of the funds to be obtained by the Special Charge. Council is, and remains legally responsible for approving, directing and controlling the expenditure of the proceeds of the Special Charge in accordance with its obligations under the Act to do so;

- (q) Council notes the funding implications of the proposed Special Charge, and further, that, if implemented, that these are part of Council's 2018/2019 Budget, or such other Budget as Council may subsequently adopt;
 - (r) notice be given to all owners and occupiers of properties included in the Scheme and all person who have lodged a submission and/or an objection in writing of the decision of Council to declare and levy the Special Charge commencing on 1 October 2018, and the reasons for the decision;
 - (s) for the purposes of paragraph (q), the reasons for the decision of Council to declare the Special Charge are that:–
 - (i) having only received 18 objections to the Scheme - there is minimal objection to the Scheme and it is otherwise considered that there is a broad level of support for the Special Charge from all property owners and occupiers;
 - (ii) Council considers that it is acting in accordance with the function and powers conferred on it under the *Local Government Act* 1989, having regard to its role, purpose and objectives under the Act, particularly in relation to the encouragement of commerce, retail activity and employment opportunities in and around the Scheme area;
 - (iii) all persons who are liable or required to pay the Special Charge and the properties respectively owned or occupied by them will receive a special benefit in the form of an enhancement or maintenance in the use, occupation and enjoyment of the properties; and
 - (iv) the basis of distribution of the Special Charge amongst those persons who are liable or required to pay the Special Charge is considered to be fair and reasonable; and
 - (t) the BRMS be advised of the matters specified in paragraphs (a), (o) and (p) of this resolution.
2. That Council makes a separate contribution of \$60,000 per annum in recognition of the additional costs associated in administering the improvement plan outlined within the Bridge Road Main Street Special Charge Evaluation Report 2017.
 3. That Council notes the Bridge Main Street Inc. Business Plan – 2018 -2021 (being **Attachment 3**) and the Bridge Road Marketing Strategy for 2018 -2019 (being **Attachment 4**).

Herschel Landes and Nellie Dicks of Bridge Road Mainstreet Inc. were in attendance to answer some of the Councillors questions on their Marking Plan.

The Mayor left the meeting at 8.22pm

Deputy Mayor assumed the Chair

The Mayor resumed the Chair at 8.23pm

Councillor Bosler left the meeting at 8.29pm

Councillor Bosler returned to the meeting at 8.32pm

Councillor Jolly left the meeting at 8.46pm

Councillor Jolly returned to the meeting at 8.48pm

MOTION

Moved: Councillor Searle

Seconded: Councillor Coleman

1. That:

- (a) Council, having considered all submissions received and all objections lodged and having complied with the requirements of sections 163A, 163B and 223 of the *Local Government Act 1989* (**Act**), declares a Special Charge (**Special Charge**) under section 163(1) of the Act for the purposes of defraying expenses to be incurred by Council in providing funds to the incorporated body known and operating as the Bridge Road Mainstreet Inc. (**BRMS**), which funds, subject always to the approval, direction and control of Council, are to be used for the purposes of contracted support, promotional, advertising, marketing, business development and other incidental expenses as approved by Council and agreed to from time to time between Council and the BRMS, all of which are associated with the encouragement of commerce, retail and professional activity and employment in the Bridge Road Precinct (**Precinct** or **Scheme**);
- (b) the criteria which form the basis of the declaration of the Special Charge are the ownership of rateable land used, or reasonably capable of being used, for commercial, retail or professional purposes, which rateable land is situated within the geographical area in which the properties described in paragraphs (f) and (g) of this declaration are included;
- (c) in declaring the Special Charge, Council is performing functions and exercising powers in relation to the peace, order and good government of the municipal district of the City of Yarra, in particular the encouragement of commerce, retail activity and employment opportunities within the area for which the Special Charge is declared;
- (d) total cost of the performance of the function and the exercise of the power by Council (in relation to activities associated with the encouragement of commerce, retail activity and employment opportunities in the area for which the Special Charge is declared) and also the total of the Special Charge to be levied by Council is referable to an amount of \$157,000, which amount will be levied in each year of the Scheme and which in total will raise an amount of \$942,000 over the six year period of the Scheme;
- (e) the period for which the Special Charge is declared and will remain in force is a period of six years commencing 1 October 2018 and ending on 30 September 2024;
- (f) the area for which the Special Charge is declared is all the land referred to as the Bridge Road Precinct, as identified and shown on the plan set out in the attachment forming part of the declaration (being **Attachment 1**);
- (g) the land and the properties in relation to which the Special Charge is declared (reflecting minor modifications to the Scheme as originally proposed, by way of removal of the property at 2 Hunter Street, Richmond and the re-apportionment of special charge contributions for those properties that are not at ground level in Bridge Road or which do not meet the Scheme criteria as otherwise set out in (**Attachment 2**) are as follows:
 - (i) Bridge Road 2 – 662 inclusive;
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 - (iii) Lennox Street 172 to 195 inclusive;
 - (iv) Waltham Street 2a; and
 - (v) Burnley Street 174;
- (h) the land in relation to which the Special Charge is declared is all that rateable land described in the listing of rateable properties set out in the attachment forming a part of this declaration;
- (i) the contributions to the proposed Special Charge will be declared and assessed and levied differentially, as follows:–

- (i) properties located on a Bridge Road address and situated at ground level - \$300 per annum;
- (ii) properties located on a Bridge Road address and situated other than at ground level - \$200 per annum; and
- (iii) properties located on an address other than Bridge Road - \$100 per annum;
- (j) the Special Charge will be levied by sending a notice of levy in the prescribed form annually to the person who is liable to pay the Special Charge, which will require that the Special Charge must be paid in the following manner:-
 - (i) By one annual payment to be paid in full by the due date fixed by Council in the notice, which will be a date not less than 30 days after the date of issue of the notice; or
 - (ii) By four instalments, to be paid by the dates which are fixed by Council in the notice;
- (k) Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Charge;
- (l) no incentives will be given for payment of the Special Charge before the due date for payment;
- (m) Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a special benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the Special Charge, and directly and indirectly as a result of the expenditure of the Special Charge the viability of the Precinct as a business, commercial and retail area, and the value and the use, occupation and enjoyment of the properties and the businesses included in the Special Charge Scheme area will be maintained or enhanced through increased economic activity;
- (n) for the purposes of having determined the total amount of the Special Charge to be levied under the Scheme, Council further considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the Special Charge is in a ratio of 1:1 (or 100%). This is on the basis that, in the opinion of Council, all of the services and activities to be provided from the expenditure of the Special Charge are marketing, promotion and advertising related and will accordingly only benefit those properties and businesses, included in the Scheme that are used, or reasonably capable of being used, for retail, commercial or professional purposes;
- (o) the BRMS be authorised to administer the proceeds of the Special Charge on the express condition that the BRMS enters into a funding agreement with Council for the period of the Special Charge;
- (p) Council authorises the CEO, or nominated delegate for the purposes of paragraph (o), of this resolution, to sign the funding agreement between Council and BRMS by which administrative arrangements in relation to the Special Charge are confirmed, such an agreement being a precondition to the payment by Council to the BRMS of any of the funds to be obtained by the Special Charge. Council is, and remains legally responsible for approving, directing and controlling the expenditure of the proceeds of the Special Charge in accordance with its obligations under the Act to do so;
- (q) Council notes the funding implications of the proposed Special Charge, and further, that, if implemented, that these are part of Council's 2018/2019 Budget, or such other Budget as Council may subsequently adopt;
- (r) notice be given to all owners and occupiers of properties included in the Scheme and all person who have lodged a submission and/or an objection in writing of the decision

of Council to declare and levy the Special Charge commencing on 1 October 2018, and the reasons for the decision;

- (s) for the purposes of paragraph (q), the reasons for the decision of Council to declare the Special Charge are that:–
 - (i) having only received 18 objections to the Scheme - there is minimal objection to the Scheme and it is otherwise considered that there is a broad level of support for the Special Charge from all property owners and occupiers;
 - (ii) Council considers that it is acting in accordance with the function and powers conferred on it under the *Local Government Act* 1989, having regard to its role, purpose and objectives under the Act, particularly in relation to the encouragement of commerce, retail activity and employment opportunities in and around the Scheme area;
 - (iii) all persons who are liable or required to pay the Special Charge and the properties respectively owned or occupied by them will receive a special benefit in the form of an enhancement or maintenance in the use, occupation and enjoyment of the properties; and
 - (iv) the basis of distribution of the Special Charge amongst those persons who are liable or required to pay the Special Charge is considered to be fair and reasonable; and
 - (t) the BRMS be advised of the matters specified in paragraphs (a), (o) and (p) of this resolution.
2. That Council makes a separate contribution of \$60,000 per annum in recognition of the additional costs associated in administering the improvement plan outlined within the Bridge Road Main Street Special Charge Evaluation Report 2017.
 3. That Council notes the Bridge Main Street Inc. Business Plan – 2018 -2021 (being **Attachment 3**) and the Bridge Road Marketing Strategy for 2018 -2019 (being **Attachment 4**).

AMENDMENT

Moved: Councillor Fristacky

(r) notice be given to all owners and occupiers of properties included in the Scheme and all person who have lodged a submission and/or an objection in writing of the decision of Council to declare and levy the Special Charge commencing on 1 October 2018, and the reasons for the decision, together with advice to businesses, where applicable, that their concerns have been passed onto BRMS for attention;

(t) the BRMS be advised of the matters specified in paragraphs (a), (o) and (p) of this resolution together with advice for the attention of BRMS of submissions seeking changes to BRMS business planning, and improved communications to businesses on activities and promotion of Bridge Road.

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

AMENDMENT

Moved: Councillor Nguyen

2. That Council continues to financially support initiatives in the Bridge Rd precinct and receives a report in the October meeting cycle on ways in which Council allocate up to \$60,000 in the 2018/19 financial year.

The amendment was not accepted by the mover.

COUNCIL RESOLUTION**Moved:** Councillor Searle**Seconded:** Councillor Coleman

1. That:

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- (f) the area for which the Special Charge is declared is all the land referred to as the Bridge Road Precinct, as identified and shown on the plan set out in the attachment forming part of the declaration (being **Attachment 1**);
- (g) the land and the properties in relation to which the Special Charge is declared (reflecting minor modifications to the Scheme as originally proposed, by way of removal of the property at 2 Hunter Street, Richmond and the re-apportionment of special charge contributions for those properties that are not at ground level in Bridge Road or which do not meet the Scheme criteria as otherwise set out in (**Attachment 2**) are as follows:
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 - (iii) Lennox Street 172 to 195 inclusive;
 - (iv) Waltham Street 2a; and
 - (v) Burnley Street 174;
- (h) the land in relation to which the Special Charge is declared is all that rateable land described in the listing of rateable properties set out in the attachment forming a part of this declaration;

- (i) the contributions to the proposed Special Charge will be declared and assessed and levied differentially, as follows:–
 - (i) properties located on a Bridge Road address and situated at ground level - \$300 per annum;
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 - (iii) properties located on an address other than Bridge Road - \$100 per annum;
- (j) the Special Charge will be levied by sending a notice of levy in the prescribed form annually to the person who is liable to pay the Special Charge, which will require that the Special Charge must be paid in the following manner:-
 - (i) By one annual payment to be paid in full by the due date fixed by Council in the notice, which will be a date not less than 30 days after the date of issue of the notice; or
 - (ii) By four instalments, to be paid by the dates which are fixed by Council in the notice;
- (k) Council will consider cases of financial and other hardship and may reconsider other payment options for the Special Charge;
- (l) no incentives will be given for payment of the Special Charge before the due date for payment;
- (m) Council considers that there will be a special benefit to the persons required to pay the Special Charge because there will be a special benefit to those persons that is over and above, or greater than, the benefit that is available to persons who are not subject to the Special Charge, and directly and indirectly as a result of the expenditure of the Special Charge the viability of the Precinct as a business, commercial and retail area, and the value and the use, occupation and enjoyment of the properties and the businesses included in the Special Charge Scheme area will be maintained or enhanced through increased economic activity;
- (n) for the purposes of having determined the total amount of the Special Charge to be levied under the Scheme, Council further considers and formally determines for the purposes of sections 163(2)(a), (2A) and (2B) of the Act that the estimated proportion of the total benefits of the Scheme to which the performance of the function and the exercise of the power relates (including all special benefits and community benefits) that will accrue as special benefits to all of the persons who are liable to pay the Special Charge is in a ratio of 1:1 (or 100%). This is on the basis that, in the opinion of Council, all of the services and activities to be provided from the expenditure of the Special Charge are marketing, promotion and advertising related and will accordingly only benefit those properties and businesses, included in the Scheme that are used, or reasonably capable of being used, for retail, commercial or professional purposes;
- (o) the BRMS be authorised to administer the proceeds of the Special Charge on the express condition that the BRMS enters into a funding agreement with Council for the period of the Special Charge;
- (p) Council authorises the CEO, or nominated delegate for the purposes of paragraph (o), of this resolution, to sign the funding agreement between Council and BRMS by which administrative arrangements in relation to the Special Charge are confirmed, such an agreement being a precondition to the payment by Council to the BRMS of any of the funds to be obtained by the Special Charge. Council is, and remains legally responsible for approving, directing and controlling the expenditure of the proceeds of the Special Charge in accordance with its obligations under the Act to do so;

- (q) Council notes the funding implications of the proposed Special Charge, and further, that, if implemented, that these are part of Council's 2018/2019 Budget, or such other Budget as Council may subsequently adopt;
 - (r) notice be given to all owners and occupiers of properties included in the Scheme and all person who have lodged a submission and/or an objection in writing of the decision of Council to declare and levy the Special Charge commencing on 1 October 2018, and the reasons for the decision, together with advice to businesses, where applicable, that their concerns have been passed onto BRMS for attention;
 - (s) for the purposes of paragraph (q), the reasons for the decision of Council to declare the Special Charge are that:–
 - (i) having only received 18 objections to the Scheme - there is minimal objection to the Scheme and it is otherwise considered that there is a broad level of support for the Special Charge from all property owners and occupiers;
 - (ii) Council considers that it is acting in accordance with the function and powers conferred on it under the *Local Government Act* 1989, having regard to its role, purpose and objectives under the Act, particularly in relation to the encouragement of commerce, retail activity and employment opportunities in and around the Scheme area;
 - (iii) all persons who are liable or required to pay the Special Charge and the properties respectively owned or occupied by them will receive a special benefit in the form of an enhancement or maintenance in the use, occupation and enjoyment of the properties; and
 - (iv) the basis of distribution of the Special Charge amongst those persons who are liable or required to pay the Special Charge is considered to be fair and reasonable; and
 - (t) the BRMS be advised of the matters specified in paragraphs (a), (o) and (p) of this resolution together with advice for the attention of BRMS of submissions seeking changes to BRMS business planning, and improved communications to businesses on activities and promotion of Bridge Road.
2. That Council makes a separate contribution of \$60,000 per annum in recognition of the additional costs associated in administering the improvement plan outlined within the Bridge Road Main Street Special Charge Evaluation Report 2017.
 3. That Council notes the Bridge Main Street Inc. Business Plan – 2018 -2021 (being **Attachment 3**) and the Bridge Road Marketing Strategy for 2018 -2019 (being **Attachment 4**).

CARRIED

CALL FOR A DIVISION

For: Councillors Coleman, Fristacky, Stone, Searle and Bosler

Against: Councillors Jolly, McEvoy and Nguyen

11.2 Amendment C220 - Consideration of Submissions

Trim Record Number: D18/140133

Responsible Officer: Director Planning and Place Making

RECOMMENDATION

1. That:
 - (a) note the officer report regarding the exhibition of Amendment C220;
 - (b) note the submissions received in respect to the exhibition period of Amendment C220;
 - (c) endorse the recommended changes to Amendment C220, including the recommended changes to DDO15 as shown in Attachment 3; and
 - (d) having considered the submissions received in relation to Amendment C220:
 - (i) request that the Minister for Planning appoints a panel to consider Amendment C220 in accordance with Section 23 of the Planning and Environment Act; and
 - (ii) notify the submitters of the post-exhibition changes to the amendment outlined in the report.
2. That officers advise all submitters of Council's decision.
3. That council receive a further report from officers after the Planning Panel report is received from Panels Victoria to enable further Council consideration of Amendment C220.

Public Submission

Jason Black, Insight Planning addressed Council on the matter.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Fristacky

1. That:
 - (a) note the officer report regarding the exhibition of Amendment C220;
 - (b) note the submissions received in respect to the exhibition period of Amendment C220;
 - (c) endorse the recommended changes to Amendment C220, including the recommended changes to DDO15 as shown in Attachment 3; and
 - (d) having considered the submissions received in relation to Amendment C220:
 - (i) request that the Minister for Planning appoints a panel to consider Amendment C220 in accordance with Section 23 of the Planning and Environment Act; and
 - (ii) notify the submitters of the post-exhibition changes to the amendment outlined in the report.
2. That officers advise all submitters of Council's decision.
3. That council receive a further report from officers after the Planning Panel report is received from Panels Victoria to enable further Council consideration of Amendment C220.

CARRIED UNANIMOUSLY

11.3 Draft Access & Inclusion Strategy and Draft Active Healthy Ageing Strategy

Trim Record Number: D18/129798

Responsible Officer: Manager Aged and Disability Services

RECOMMENDATION

1. That:

- (a) Council endorse the draft Active Healthy Ageing Strategy & Action Plan and the draft Access & Inclusion Strategy & Action Plan to go out for public exhibition for a four week period; and
- (b) Following the completion of the public exhibition phase, any final submissions, together with proposed changes be presented to Council for final adoption of the draft strategies and action plans on 16 October 2018.

Public Submissions

The following people addressed Council on the matter:

Frank Hall-Bentick, DAC member; and

David Brant, DAC member

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Stone

1. That:

- (a) Council endorse the draft Active Healthy Ageing Strategy & Action Plan and the draft Access & Inclusion Strategy & Action Plan to go out for public exhibition for a four week period;
- (b) Council notes that the public exhibition period will be from the 24 August 2018 to 21 September 2018 and will provide the opportunity for final feedback on the strategies through:
 - (i) Your Say Yarra section of Council's website;
 - (ii) two social posts at commencement and prior to closing;
 - (iii) e-mail and E-news notifications to contributors during the original consultation (individuals and groups/organisations);
 - (iv) promotion and distribution in key locations throughout the City of Yarra, including Town Hall receptions, Libraries, Neighbourhood Houses and Community Health Centres;
 - (v) electronic documents on the website being accessible;
 - (vi) Contact Officer available for telephone based feedback, including access to interpreting support; and
 - (vii) final review of the Action Plan from Council's Active Ageing Advisory Group and Disability Advisory Committee on any proposed changes prior to the final report to Council in October; and
- (c) Following the completion of the public exhibition phase, any final submissions, together with proposed changes be presented to Council for final adoption of the draft strategies and action plans on 16 October 2018.

CARRIED

11.4 NELA Project - Proposed MoU

Trim Record Number: D18/137016

Responsible Officer: Director Planning and Place Making

RECOMMENDATION

1. That Council:
 - (a) note the report of officers regarding the Memorandum of Understanding (MoU) proposed by the North East Link Authority (NELA);
 - (b) note the proposed MoU as shown in **Attachment 1**; and
 - (c) authorise the CEO to sign the MoU with NELA.

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Fristacky

1. That Council:
 - (a) note the report of officers regarding the Memorandum of Understanding (MoU) proposed by the North East Link Authority (NELA);
 - (b) note the proposed MoU as shown in **Attachment 1**, subject to the deletion of words under the heading 'Roles and Responsibility of each party in relation to the Project', under section 5 (c)(i), all words after 'good faith'; and
 - (c) authorise the CEO to sign the MoU with NELA.
2. That Council requests that 'Environmental Sustainability' and 'Transport Integration Act' objectives be added to the Project Delivery objectives included in the MOU.

CARRIED

Councillor Searle abstained

12.1 Notice of Motion No.11 of 2018 - Support for the 2018 Movember Campaign

Trim Record Number: D18/140104

Responsible Officer: Group Manager Chief Executive's Office

Public Submissions

The following people addressed Council on the matter:

Matt Bell, Movember Foundation;

Kieran Ryan, Movember Foundation; and

Herschel Landes, Bridge Road Mainstreet Inc.

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Jolly

1. That in this fifteenth year of The Movember Foundation dedicating itself to tackling men's health, Council express its support for the 2018 Movember campaign.
2. That Council authorise officers to meet with representatives of The Movember Foundation and commit Council to support the campaign, including (but not necessarily limited to):
 - (a) granting permission to hang a 'Giant Mo' at Richmond Town Hall;
 - (b) supporting the campaign through Council's Yarra News, Yarra Life e-newsletter Council website and social media channels;
 - (c) placing promotional material in Council's Customer Service Centres; and
 - (d) adding a moustache to the Council website profile pictures of Councillors throughout the month of November;provided that such support comes at a minimal cost to Council.

CARRIED UNANIMOUSLY

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

Conclusion

The meeting concluded at 10.28pm.

Confirmed Tuesday 4 September 2018

Mayor