



Ceremonial Meeting of Council Minutes

**held on Monday 27 November 2017 at 6.30pm
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

Councillors

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

Council officers

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

3. Declarations of Conflict of Interest

Nil

4. Council business reports

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4.1 Welcome Address

Trim Record Number: D17/157350
Responsible Officer: Chief Executive Officer

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The Chief Executive Officer delivered the welcoming address and formally opened the Ceremonial Meeting of Yarra City Council.

4.2 Reflection

Trim Record Number: D17/186013
Responsible Officer: Chief Executive Officer

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The Chief Executive Officer invited the Mayor to address the gallery.

4.3 Appointment of Acting Chairperson

Trim Record Number: D17/157349
Responsible Officer: Chief Executive Officer

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The Chief Executive Officer invited nominations for an Acting Chairperson.

Councillor Coleman nominated Councillor Bosler

There being no other nominations, Councillor Bosler was declared elected and assumed the Chair.

4.4 Governance arrangements

Trim Record Number: D17/157347

Responsible Officer: Group Manager Chief Executive's Office

RECOMMENDATION

1. That Council elect a Mayor for a period of one year.
2. That Council establish the position of Deputy Mayor as follows:
 - (a) the Deputy Mayor be appointed under section 73(3) of the Local Government Act 1989 as the acting Mayor in the event that the Mayor is absent, incapable of acting or refusing to act;
 - (b) the Deputy Mayor shall act as spokesperson for the Council in the event that the Mayor is unavailable;
 - (c) the Deputy Mayor shall go out of office at the same time as the Mayor;
 - (d) the Deputy Mayor be elected following the election of the Mayor according to the provisions at Clauses 8 to 19 of the Yarra City Council Meeting Procedure Local Law 2011, as for the election of the Mayor; and
 - (e) for all purposes other than that outlined in (a) and (b) above, the Deputy Mayor shall have the role and responsibilities of a Councillor.”

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Jolly

1. That Council elect a Mayor for a period of one year.

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Bosler

Seconded: Councillor Chen Yi Mei

1. That Council establish the position of Deputy Mayor as follows:
 - (a) the Deputy Mayor be appointed under section 73(3) of the Local Government Act 1989 as the acting Mayor in the event that the Mayor is absent, incapable of acting or refusing to act;
 - (b) the Deputy Mayor shall act as spokesperson for the Council in the event that the Mayor is unavailable;
 - (c) the Deputy Mayor shall go out of office at the same time as the Mayor;
 - (d) the Deputy Mayor be elected following the election of the Mayor according to the provisions at Clauses 8 to 19 of the Yarra City Council Meeting Procedure Local Law 2011, as for the election of the Mayor; and
 - (e) for all purposes other than that outlined in (a) and (b) above, the Deputy Mayor shall have the role and responsibilities of a Councillor.

CARRIED

CALL FOR A DIVISION

For: Councillors Coleman, Jolly, Chen Yi Mei, Bosler and Nguyen

Against: Councillor Fristacky, McEvoy and Searle

Abstained: Councillor Stone

4.5 Election of Mayor and Deputy Mayor

Trim Record Number: D17/157346

Responsible Officer: Chief Executive Officer

Councillor Bosler noted the election procedure:

Any Councillor is eligible for election (or re-election) to the office of Mayor or Deputy Mayor.

The Yarra City Council Meeting Procedures Local Law 2011 sets out the process for the receipt of nominations and the conduct of an election (if required).

The process for receipt of nominations provides:

- (a) Any number of Councillors may be nominated;
- (b) No seconder is required;
- (c) The nominee(s) must consent to their nomination; and
- (d) If nominees are not present, the Acting Chairperson will require the immediate presentation of written notification.

The process for election of a Mayor or Deputy Mayor provides:

- (a) Once nominations have closed, no candidate can withdraw their candidacy;
- (b) If only one candidate is nominated, that candidate is deemed to be duly elected;
- (c) If more than one nomination is received, then an election is conducted;
- (d) Voting is by show of hands;
- (e) Councillors shall be asked to raise their hands in support of each candidate;
- (f) A candidate who receives an absolute majority of votes shall be deemed duly elected;
- (g) If no candidate receives a majority in the first round, the candidate with the fewest votes is declared the defeated candidate;
- (h) The process is repeated until such time as a candidate receives an absolute majority;
- (i) In the event of three or more candidates having an equality of votes and one of them having to be declared a defeated candidate, the result will be determined by lot;
- (j) The Acting Chairperson does not have a casting vote; and
- (k) The CEO is responsible for conducting a lot.

The Acting Chairperson called for nominations for the office of Mayor.

Councillor Jolly nominated Councillor Nguyen

Councillor Nguyen accepted the nomination

Councillor Stone nominated Councillor Searle

Councillor Searle accepted the nomination

Councillor Nguyen spoke to his nomination

Councillor Searle also spoke to his nomination

A vote was then conducted with Councillor Nguyen receiving the majority of votes.

The Acting Chairperson declared Councillor Nguyen to be duly elected to the Office of Mayor of Yarra City Council.

The Acting Chairperson congratulated Mayor Nguyen and vacated the Chair.

Mayor Nguyen assumed the Chair.

4.6 Mayor, Deputy Mayor and Councillor Address

Trim Record Number: D17/157345

Responsible Officer: Chief Executive Officer

[Help](#)

The newly appointed Mayor Nguyen thanked Councillors and then delivered his address.

The newly appointed Deputy Mayor Coleman also thanked Councillors and delivered her address.

The Mayor then invited Councillors who wished to address the meeting.

The following Councillors addressed the meeting:

Councillor Fristacky;

Councillor McEvoy;

Councillor Searle;

Councillor Jolly;

Councillor Bosler; and

Councillor Chen Yi Mei.

4.7 Appointment of Delegates to Internal and External Bodies

Trim Record Number: D17/157343

Responsible Officer: Group Manager Chief Executive's Office

RECOMMENDATION

1. That Council ratify the following Special Committee appointments for the 2017/2018 Council year:

Special Committee	Appointments for 2017/2018 Council Year
Inner Melbourne Action Plan Approvals Committee	Mayor Chief Executive Officer
Internal Development Approvals Committee	All Councillors, subject to the Chief Executive Officer, in consultation with Councillors, determining a quarterly attendance roster allocating three Councillors to each meeting, with the Committee membership for each meeting comprising those Councillors rostered to attend or their agreed substitute.

2. That Council ratify the following Advisory Committee appointments for the 2017/2018 Council year:

Advisory Committee	Appointments for 2017/2018 Council Year
Aboriginal Advisory Group	Cr _____
Active Ageing Advisory Committee	Cr _____
Arts Advisory Committee	Cr _____ Cr _____
Audit Committee	Cr _____ Cr _____
Bicycle Advisory Committee	Cr _____
Business Advisory Group	Cr _____ ...
Disability Advisory Committee	Cr _____ Cr _____
Early Years Reference Group	Cr _____
Environment Advisory Committee	Cr _____ ...
Finance Committee	Mayor and all other Councillors
Heritage Advisory Committee	Cr _____ Cr _____
Multicultural Advisory Group	Cr _____
Performance Review Sub Committee	Mayor Cr _____ ...
Urban Agriculture (Community Gardens) Advisory Committee	Cr _____
Yarra Health and Wellbeing Plan Advisory Committee	Cr _____ Cr _____
Yarra Libraries Advisory Committee	Cr _____ Cr _____

Youth Advisory Committee	Cr _____ Cr _____
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3. That Council ratify the following external body appointments for the 2017/2018 Council year:

Organisation or body	Appointments for 2017/2018 Council Year
Australian Local Government Women's Association	Cr _____
Collingwood Children's Farm Management Committee	Cr _____
Doncaster Rail Local Government Group	Cr _____ Cr _____ (optional)
Friends of Baucau	Cr _____ Cr _____ (substitute)
Inner South Metropolitan Mayor's Forum	Mayor
Mayors for Peace	Cr _____
Metropolitan (Local Government) Waste Management Forum	Cr _____ Cr _____ (substitute)
Metropolitan Transport Forum	Cr _____ Cr _____ (substitute)
Municipal Association of Victoria	Cr _____ Cr _____ (substitute)
Northern Alliance for Greenhouse Action	Cr _____
Victorian Local Governance Association	Cr _____ Cr _____ (substitute)
Yarra Energy Foundation	Cr _____ Cr _____

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Stone

1. That Council ratify the following Special Committee appointments for the 2017/2018 Council year:

Special Committee	Appointments for 2017/2018 Council Year
Inner Melbourne Action Plan Approvals Committee	Mayor Chief Executive Officer
Internal Development Approvals Committee	Cr Bosler Cr Chen Yi Mei Cr Coleman Cr Fristacky Cr Jolly Cr McEvoy Cr Nguyen Cr Searle Cr Stone

2. That Council ratify the following Advisory Committee appointments for the 2017/2018 Council year:

Advisory Committee	Appointments for 2017/2018 Council Year
Aboriginal Advisory Group	Cr Searle Cr Chen Yi Mei

Active Ageing Advisory Committee	<u>Cr Stone</u>
Arts Advisory Committee	<u>Cr McEvoy</u> <u>Cr Bosler</u>
Audit Committee	<u>Cr Nguyen (Mayor)</u> <u>Cr Searle or Cr Jolly (subject to election)</u>
Bicycle Advisory Committee	<u>Cr McEvoy</u> <u>Cr Fristacky</u>
Business Advisory Group	<u>Cr Fristacky</u> <u>Cr Nguyen</u>
Disability Advisory Committee	<u>Cr Nguyen</u> <u>Cr Jolly</u>
Early Years Reference Group	<u>Cr Stone</u>
Environment Advisory Committee	<u>Cr Stone</u> <u>Cr Searle</u> <u>Cr McEvoy (Waste)</u>
Finance Committee	Cr Bosler Cr Chen Yi Mei Cr Coleman Cr Fristacky Cr Jolly Cr McEvoy Cr Nguyen Cr Searle Cr Stone
Heritage Advisory Committee	<u>Cr Fristacky</u> <u>Cr Searle</u> <u>Cr Jolly</u>
Multicultural Advisory Group	<u>Cr Chen Yi Mei</u>
Performance Review Sub Committee	Cr Bosler Cr Chen Yi Mei Cr Coleman Cr Fristacky Cr Jolly Cr McEvoy Cr Nguyen Cr Searle Cr Stone
Urban Agriculture (Community Gardens) Advisory Committee	<u>Cr Bosler</u> <u>Cr Searle</u>
Yarra Health and Wellbeing Plan Advisory Committee	<u>Cr McEvoy</u> <u>Cr Nguyen</u>
Yarra Libraries Advisory Committee	<u>Cr Bosler</u> <u>Cr Nguyen</u>
Youth Advisory Committee	<u>Cr Searle</u> <u>Cr Chen Yi Mei</u>

3. That Council ratify the following external body appointments for the 2017/2018 Council year:

Organisation or body	Appointments for 2017/2018 Council Year
Australian Local Government Women's Association	<u>Cr Coleman</u>
Collingwood Children's Farm Management Committee	<u>Cr Coleman</u>
Doncaster Rail Local Government Group	<u>Cr Fristacky</u> <u>Cr Stone (optional)</u>

Friends of Baucau	<u>Cr Stone</u> <u>Cr Bosler (substitute)</u>
Inner South Metropolitan Mayor's Forum	Mayor
Mayors for Peace Note: Any Councillor may be appointed, but the custom is to appoint the Mayor	Mayor
Metropolitan (Local Government) Waste Management Forum	<u>Cr Fristacky</u> <u>Cr McEvoy (substitute)</u>
Metropolitan Transport Forum	<u>Cr Fristacky</u> <u>Cr McEvoy (substitute)</u>
Municipal Association of Victoria	<u>Cr Searle</u> <u>Cr Fristacky (substitute)</u>
Northern Alliance for Greenhouse Action	<u>Cr Stone</u>
Victorian Local Governance Association	<u>Cr McEvoy</u> <u>Cr Fristacky (substitute)</u>
Yarra Energy Foundation	<u>Cr Stone</u> <u>Cr Searle</u>

CARRIED UNANIMOUSLY

The Mayor advised that there are two Councillors nominated for the Audit Committee, only one other Councillor is to be appointed. Councillor Searle and Councillor Jolly have nominated to be on the Audit Committee.

Councillor Searle spoke to his nomination.

Councillor Jolly spoke to his nomination.

The Mayor called for a vote.

The Mayor congratulated Councillor Jolly as duly appointed delegate to the Audit Committee.

4.8 Council Meeting Schedule 2018

Trim Record Number: D17/157339

Responsible Officer: Group Manager Chief Executive's Office

RECOMMENDATION

1. That Council:

(a) adopt the following Meeting Schedule for 2018:

(i) Ordinary Council (6.30pm for closed sessions and 7.00pm for public sessions):

- a. 6 & 20 February 2018 (Fitzroy Town Hall);
- b. 6 & 20 March 2018 (Fitzroy Town Hall);
- c. 10 & 24 April 2018 (Richmond Town Hall);
- d. 8 & 22 May 2018 (Richmond Town Hall);
- e. 5 & 19 June 2018 (Richmond Town Hall);
- f. 3 & 17 July 2018 (Richmond Town Hall);
- g. 7 & 21 August 2018 (Richmond Town Hall);
- h. 4 & 18 September 2018 (Richmond Town Hall);
- i. 2 & 16 & 30 October 2018 (Richmond Town Hall);
- j. 13 November 2018 (Fitzroy Town Hall); and
- k. 4 & 18 December 2018 (Fitzroy Town Hall).

(ii) Internal Development Approvals Committee (6.30pm):

- a. 17 & 31 January 2018 (Richmond Town Hall);
- b. 14 & 28 February 2018 (Richmond Town Hall);
- c. 14 & 28 March 2018 (Richmond Town Hall);
- d. 4, 18 & 25 April 2018 (Richmond Town Hall);
- e. 2, 16 & 30 May 2018 (Richmond Town Hall);
- f. 13 & 27 June 2018 (Richmond Town Hall);
- g. 11 & 25 July 2018 (Richmond Town Hall);
- h. 1, 15 & 29 August 2018 (Richmond Town Hall);
- i. 12 & 26 September 2018 (Richmond Town Hall);
- j. 10 & 24 October 2018 (Richmond Town Hall);
- k. 7 & 21 November 2018 (Richmond Town Hall); and
- l. 12 December 2018 (Richmond Town Hall)

(b) authorise the Chief Executive Officer to alter the location of Ordinary Meetings of Council and the Internal Development Approvals Committee (IDAC) under clause 36 of the Yarra City Council Meeting Procedures Local Law 2011 if required, subject to public notification in accordance with the Local Government Act 1989; and

(c) request the Chief Executive Officer to ensure that the adopted Council Meeting Schedule and IDAC meeting schedule and Special Meeting details are posted on the Council website and advertised appropriately.

COUNCIL RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor Bosler

1. That Council:

(a) adopt the following Meeting Schedule for 2018:

(i) Ordinary Council (6.30pm for closed sessions and 7.00pm for public sessions):

- a. 6 & 20 February 2018 (Fitzroy Town Hall);
- b. 6 & 20 March 2018 (Fitzroy Town Hall);
- c. 10 & 24 April 2018 (Richmond Town Hall);
- d. 8 & 22 May 2018 (Richmond Town Hall);
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- a. 17 & 31 January 2018 (Richmond Town Hall);
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- h. 1, 15 & 29 August 2018 (Richmond Town Hall);
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- k. 7 & 21 November 2018 (Richmond Town Hall); and
- l. 12 December 2018 (Richmond Town Hall)

(b) authorise the Chief Executive Officer to alter the location of Ordinary Meetings of Council and the Internal Development Approvals Committee (IDAC) under clause 36 of the Yarra City Council Meeting Procedures Local Law 2011 if required, subject to public notification in accordance with the Local Government Act 1989; and

(c) request the Chief Executive Officer to ensure that the adopted Council Meeting Schedule and IDAC meeting schedule and Special Meeting details are posted on the Council website and advertised appropriately.

CARRIED UNANIMOUSLY

4.9 Conclusion

Trim Record Number: D17/157336
Responsible Officer: Chief Executive Officer

The Mayor thanked everyone in attendance and invited the gallery to join him and the Councillors for refreshments.

Conclusion

The meeting concluded at 7.39pm

Confirmed Tuesday 5 December 2017

Mayor