

Ordinary Meeting of Council Agenda

**to be held on Tuesday 12 November 2019 at 7.00pm
Richmond Town Hall**

Arrangements to ensure our meetings are accessible to the public

Council meetings are held at either the Richmond Town Hall or the Fitzroy Town Hall. The following arrangements are in place to ensure they are accessible to the public:

- Entrance ramps and lifts (off Moor Street at Fitzroy, entry foyer at Richmond).
- Interpreting assistance is available by arrangement (*tel. 9205 5110*).
- Auslan interpreting is available by arrangement (*tel. 9205 5110*).
- A hearing loop is available at Richmond only and the receiver accessory is available by arrangement (*tel. 9205 5110*).
- Proposed resolutions are displayed on large screen.
- An electronic sound system amplifies Councillors' debate.
- Disability accessible toilet facilities are available at each venue.

Recording and Publication of Meetings

An audio recording is made of all public Council Meetings and then published on Council's website. By participating in proceedings (including during Public Question Time or in making a submission regarding an item before Council), you agree to this publication. You should be aware that any private information volunteered by you during your participation in a meeting is subject to recording and publication.

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Order of business

- 1. Statement of recognition of Wurundjeri Woi-wurrung Land**
- 2. Attendance, apologies and requests for leave of absence**
- 3. Declarations of conflict of interest (Councillors and staff)**
- 4. Confidential business reports**
- 5. Confirmation of minutes**
- 6. Petitions and joint letters**
- 7. Public question time**
- 8. Delegates' reports**
- 9. General business**
- 10. Questions without notice**
- 11. Council business reports**
- 12. Notices of motion**
- 13. Urgent business**

1. Statement of Recognition of Wurundjeri Woi-wurrung Land

“Welcome to the City of Yarra.”

“Yarra City Council acknowledges the Wurundjeri Woi-wurrung 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

Anticipated attendees:

Councillors

- Cr Danae Bosler (Mayor)
- Cr Misha Coleman (Deputy Mayor)
- Cr Mi-Lin Chen Yi Mei
- Cr Jackie Fristacky
- Cr Stephen Jolly
- Cr Daniel Nguyen
- Cr Bridgid O’Brien
- Cr Amanda Stone

Council officers

- Vijaya Vaidyanath (Chief Executive Officer)
- Ivan Gilbert (Group Manager Chief Executive’s Office)
- Lucas Gosling (Director Community Wellbeing)
- Gracie Karabinis (Group Manager People, Culture and Community)
- Chris Leivers (Director City Works and Assets)
- Diarmuid McAlary (Director Corporate, Business and Finance)
- Bruce Phillips (Director Planning and Place Making)
- Mel Nikou (Governance Officer)

Leave of absence

- Cr James Searle

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

4. Confidential business reports

Nil

5. Confirmation of minutes

RECOMMENDATION

That the minutes of the Ordinary Council Meeting held on Tuesday 22 October 2019 be confirmed.

6. Petitions and joint letters

7. Public question time

Yarra City Council welcomes questions from members of the community.

Public question time procedure

Ideally, questions should be submitted to Council in writing by midday on the day of the meeting via the form available on our website. Submitting your question in advance helps us to provide a more comprehensive answer. Questions that have been submitted in advance will be answered first.

Public question time is an opportunity to ask questions about issues for which you have not been able to gain a satisfactory response on a matter. As such, public question time is not:

- a time to make statements or engage in debate with Councillors;
- a forum to be used in relation to planning application matters which are required to be submitted and considered as part of the formal planning submission;
- a forum for initially raising operational matters, which should be directed to the administration in the first instance.

If you wish to raise matters in relation to an item on this meeting agenda, Council will consider submissions on these items in conjunction with and prior to debate on that agenda item.

When you are invited by the Mayor to ask your question, please come forward, take a seat at the microphone, state your name clearly for the record and:

- direct your question to the Mayor;
- refrain from making statements or engaging in debate
- not raise operational matters which have not previously been raised with the Council administration;
- not ask questions about matter listed on the agenda for the current meeting.
- refrain from repeating questions that have been previously asked; and
- if asking a question on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

Once you have asked your question, please remain silent unless called upon by the Mayor to make further comment or to clarify any aspects.

8. Delegate's reports

9. General business

10. Questions without notice

11. Council business reports

Item		Page	Rec. Page	Report Presenter
11.1	Penalty Amount for Parking Infringements in Schedule 6 of Road Safety Regulations	7	9	Stewart Martin – Manager Compliance and Parking Services
11.2	Q1 2019 Forecast and Q1 Budget Review	10	13	Ange Marshall – Chief Financial Officer
11.3	2019/20 Annual Plan Quarterly Progress Report - September	14	19	Julie Wyndham – Manager Corporate Planning and Performance
11.4	Draft Nature Strategy 2020-2024	20	28	Peter Moran – Acting Manager City Works
11.5	Draft Social Justice Charter for Yarra	29	32	Cristina Del Frate – Acting Community Partnerships Unit Manager
11.6	Yana Ngargna Plan 2020-2023	33	40	Cristina Del Frate – Acting Community Partnerships Unit Manager
11.7	Draft Homelessness Strategy 2020-2023	41	43	Cristina Del Frate – Acting Community Partnerships Unit Manager
11.8	Social and Affordable Housing Strategy	45	52	Malcolm McCall – Unit Manager Social Policy and Research
11.9	Council Land Abutting Goodwood Street Richmond	54	56	Ivan Gilbert – Group Manager Chief Executive's Office
11.10	East - West access through former AMCOR site	57	60	Dennis Cheng – Manager Traffic and Civil Engineering
11.11	Heritage Strategy - response to public exhibition and an amended strategy for council consideration for adoption	61	66	Ivan Gilbert – Group Manager Chief Executive's Office
11.12	Change to Ordinary Council Meeting Schedule	67	68	Ivan Gilbert – Group Manager Chief Executive's Office
11.13	Appointment of Authorised Officers - Planning and Environment Act 1987	69	70	Ivan Gilbert – Group Manager Chief Executive's Office

The public submission period is an opportunity to provide information to Council, not to ask questions or engage in debate.

Public submissions procedure

When you are invited by the Mayor to make your submission, please come forward, take a seat at the microphone, state your name clearly for the record and:

- Speak for a maximum of five minutes;
- direct your submission to the Mayor;
- confine your submission to the subject under consideration;
- avoid repetition and restating previous submitters;
- refrain from asking questions or seeking comments from the Councillors or other submitters;
- if speaking on behalf of a group, explain the nature of the group and how you are able to speak on their behalf.

Once you have made your submission, please remain silent unless called upon by the Mayor to make further comment or to clarify any aspects.

12. Notices of motion

Nil

13. Urgent business

Nil

11.1 Penalty Amount for Parking Infringements in Schedule 6 of Road Safety Regulations

Reference: D19/181490
 Authoriser: Director Corporate, Business and Finance

Purpose

1. To seek an updated Council resolution to fix the penalty amount at 0.5 of a penalty unit for parking infringements cited in Schedule 6 of the Road Safety (General) Regulations 2019.

Background

2. Section 87(4) of the Road Safety Act 1986 permits a municipal council, by resolution, to fix a penalty for a parking infringement in contravention of a regulation under the Act, if the penalty to be fixed is not more than 0.5 penalty unit and is no more than the penalty prescribed by the regulations.
3. Council previously made such a resolution at a meeting on 17 October 2006, for parking offence codes prescribed in the regulations to fix the penalty amount at 0.5 penalty unit.
4. The Road Safety (General) Regulations 2019 were recently implemented with a revised Schedule 6 – Parking infringements, which prescribes the penalty unit amount for parking infringement offences. Therefore to ensure that we capture these revised changes and to confirm consistency in respect to the penalty unit that is charged, Council needs to adopt these charges by resolution.
5. The parking offences set out in Schedule 6 of the Road Safety (General) Regulations 2019 with a 0.2 penalty unit are:
 - (a) 621 - Stopped contrary to a no parking sign;
 - (b) 701 – Parking for longer than indicated;
 - (c) 702 – Parked – fail to pay fee and obey instructions on sign, meter, ticket;
 - (d) 704 – Stopped on a bicycle parking area;
 - (e) 705 – Stopped on a motor bike parking area;
 - (f) 706 – Parked contrary to requirement of parking area;
 - (g) 707 – Parked – fail to comply with angle parking requirement;
 - (h) 708 – Parked – fail to comply with 90° angle parking requirement;
 - (i) 711 – Parked not completely within a parking bay;
 - (j) 712 – Parked – long vehicle exceeding minimum number of bays; and
 - (k) 713 – Parked – wide vehicle exceeding minimum number of bays.
6. There is only one new addition to the penalty amounts presently being charged by Council; being the revised 621 – ‘Stopped contrary to a no parking sign’. This is a new code/offence not previously covered in Schedule 6. All other charges / offences have been in place since the 2006 resolution and been charged at 0.5 penalty ever since.
7. A resolution is required to fix the penalty for 621 – Stopped contrary to a no parking sign; at 0.5 penalty units. As the total Schedule 6 table has been updated in the Road Safety (General) Regulations 2019, it is prudent to re-include all the parking offences in that Schedule in the resolution.

8. If Council does not resolve to maintain 0.5 penalty unit for the above offences then they will revert back to 0.2 penalty unit.

External Consultation

9. Surrounding Councils, such as City of Melbourne, City of Stonnington and City of Port Phillip, all have 0.5 penalty unit set for these offences.

Internal Consultation (One Yarra)

10. Not applicable.

Financial Implications

11. If Council was to revert the penalty unit amount to 0.2 penalty unit for these offences instead of maintaining the penalty amount at 0.5., Council could see a potential reduction in income received of more than 4 million dollars per annum..
12. The current value of one penalty unit is \$165.00; the value of 0.2 penalty unit is \$33.00; and the value of 0.5 penalty unit is \$83.00.
13. Given the importance of penalties in discouraging illegal parking, a decreased penalty may reduce the deterrence of poor parking behaviour.

Economic Implications

14. It is recommended that the minimum penalty amount of 0.5 penalty unit be maintained to ensure Council's ability to fund a range of programs.

Sustainability Implications

15. A reduction in the penalty amount for parking infringements could increase non-compliance with the parking regulations which would impact traffic congestion, emissions and fuel consumption.

Social Implications

16. A reduction in the penalty amount for parking offences could increase the level of non-compliance and affect both community amenity in local streets and public safety.

Human Rights Implications

17. Not applicable.

Communications with CALD Communities Implications

18. Not applicable.

Council Plan, Strategy and Policy Implications

19. A reduction in parking revenue will impact the Council's Strategic Resource Plan, in particular the long term management of financial resources and funding for various strategies and programs.

Legal Implications

20. Section 87(4) of the Road Safety Act 1986 permits a municipal council, by resolution, to fix a penalty for a parking infringement in contravention of a regulation under this Act at not more than 0.5 penalty unit and not more than the penalty prescribed by the regulations.

Options

21. Council fix the penalty amount of 0.5 penalty unit for parking infringements cited in Schedule 6 of the Road Safety (General) Regulations 2019.
22. Council does not the fix the penalty unit and it becomes 0.2 penalty unit for parking infringements cited in Schedule 6 of the Road Safety (General) Regulations 2019.

RECOMMENDATION

1. That:

- (a) Council resolves to fix the penalty amount at 0.5 penalty unit for all parking infringements cited in Schedule 6 of the Road Safety (General) Regulations 2019 with a current prescribed Infringement penalty amount of 0.2 penalty unit.

CONTACT OFFICER: Grant Kelly
TITLE: Coordinator Parking Services
TEL: 9205 5250

Attachments

There are no attachments for this report.

11.2 Q1 2019 Forecast and Q1 Budget Review

Trim Record Number: D19/178432

Responsible Officer: Director Corporate, Business and Finance

Purpose

1. For Council to note the Q1 Forecast position, and for Council to consider funding the following projects specifically referred to the Q1 Forecast and Budget review:
 - (a) Dancehouse air-conditioning upgrade;
 - (b) Bridge Road Streetscape Masterplan Implementation; and
 - (c) Holtom Street East car parking removal and replacement with planting.

Background

2. At its meeting on 25 June 2019, Council resolved to review its financial position after the first quarterly finance report.
3. Officers have also reviewed the forecast position, as at 30 September 2019.

2019/20 Full Year Forecast

4. As at 30 September 2019, from a forecast year-end position, Council is anticipating a full year surplus result of \$12.2m, favourable to Budget by \$1.47m. This result is due to:
 - (a) Expected favourable variances to budget in corporate costs of \$2.1m, most notably in legal costs \$750k and consultancy costs \$500k. These favourable variances however also incorporate the assumption of Council achieving a budgeted efficiency dividend of \$500k, which is a key assumption built into the 2019-20 budget; and
 - (b) Expected favourable variance to budget in Open Space Contributions of \$463k. These funds are restricted to be spent on eligible open space projects and therefore do not represent available cash.
5. These favourable outcomes are offset by:
 - (a) Higher than budgeted doubtful debts expense of \$1.0m, directly related to an adjustment in the rate used to provide for doubtful debts.
6. It is important to note that of the \$1.47m favourable forecast variance to budget identified, \$699k of this is required to fund carry forward operating grant expenditure commitments and \$463k is restricted to be spent on eligible open space projects, and is therefore not available to be spent.
7. Council's cash position is anticipated to exceed budget, however the majority of the funds over budget are to fund carry forward operating grant expenditure commitments or are restricted to be spent on eligible open space projects.
8. Based on the forecast financial position, Council does potentially have an additional \$305k to make available to further projects, including those specifically referred to this review.

External Consultation

9. External consultation was not required.

Internal Consultation (One Yarra)

10. Internal consultation with the responsible officers for these projects has occurred.

Financial Implications

11. The financial implications will be for Council to utilise its modest forecast above budget surplus of \$305k to fund a selection of the projects referred to the Q1 forecast review. This then reduces the amount of cash available going in to the 2020/21 budget year by the same amount.

Economic Implications

12. There are no economic implications.

Sustainability Implications

13. There are no sustainability implications.

Social Implications

14. There are no social implications.

Human Rights Implications

15. There are no Human Rights implications.

Communications with CALD Communities Implications

16. Communications with CALD Communities was not required.

Council Plan, Strategy and Policy Implications

17. There are no Council Plan, Strategy, or Policy implications.

Legal Implications

18. There are no legal implications.

Projects Referred to Q1 Budget Review

Dancehouse Air-Conditioning Upgrade

19. The main theatre at Carlton Hall does not have permanently installed air-conditioning, meaning that conditions for patrons, performers and staff may be oppressive and in extreme cases, hazardous during dance performances or training during warmer months.
20. Council installed a relatively low-cost temporary air-conditioning solution to the main theatre to support the Dance Massive program hosted by Dancehouse in March 2019, but this proved to be of limited effect and too noisy for the theatre environment.
21. \$70k was put towards further air-conditioning works at the adoption of Council's 2018/2019 budget and the project was further referred to this quarterly review.
22. Officers from Council's Building Projects Unit have further engaged with Dancehouse management, a HVAC engineer, an acoustic engineer, a structural engineer and three air-conditioning suppliers to review and firm-up a scope of works and budget for air-conditioning of the Carlton Hall main theatre. Council's Sustainable Energy Officer has also provided valuable input.
23. The total budget now sought for the project is \$154k, being an additional \$84k above the allocation held by Council in its budget resolution of 25 June 2019. Officers now recommend the allocation of an additional \$84k funding to allow this project to be delivered in the 2019/20 budget year.
24. Dancehouse have indicated a desire to have a completed installation of air-conditioning to the main theatre before performances scheduled in February 2020.
25. This is an extremely short duration to deliver this project, noting the typical Christmas/New Year period closures of suppliers and contractors. Officers have commenced preparations for the delivery of this project and will use best endeavours to achieve this objective if possible, although there is some risk this timeframe may not be able to be achieved.

Bridge Road Streetscape Masterplan Implementation

26. At Budget adoption. Council was advised that \$200k for delivery of certain Bridge Road precinct treatments were unable to be delivered in 2019/2020, with the work this financial year focused on design. This project was referred to this quarterly review. It is Officers advice that the \$200k for implementation is still most unlikely to be required in 2019/2020, albeit design works are progressing well. Officers will revisit this project as part of the regular mid-year budget review in February and will advise Council if there is any potential requirement or scope for further funds in this financial year.

Holtom Street East car parking removal

27. The project is to convert the existing centre road parking on Holtom Street East to a planted centre median.
28. The required works are planned to be delivered by a City Works in-house crew utilising existing resources and allocated budget amounts which will be sufficient to complete the works.
29. No additional funds or resources are required from the Q1 forecast process to complete this work.
30. It should be noted that parking fine revenue from this area, while not predictable, was \$4,200 in 2018/2019.

On-Line Planning Applications

31. Council have been advised of recent and proposed efforts to transform our Planning application and approval process, from a predominantly paper based and physical process towards a more digital and on-line method.
32. Officers are working on this project as a high priority; however to provide further impetus, speed and expertise to the work, Council is requested to allocate \$200k towards this project now as part of this quarterly budget review.
33. These funds will be used for additional consulting, project, I.T. or similar resources to help us more quickly determine best practice methods, process options and potential Infrastructure and IT providers and products.

Options

34. Council has the following options:
- (a) Accepting the officer's recommendation; or
 - (b) Holding all of the forecast surplus for carry over into the 2020/21 Budget; or
 - (c) Changing the officer's recommendation and choosing different projects.

Conclusion

35. Council has a small amount of forecast above budget surplus available; \$305k, to potentially allocate to projects referred to the Q1 forecast review.
36. Officers have confirmed based on forecast expectations that sufficient funding is available to allocate this \$305k in the 2019/20 financial year.
37. The recommendation below is based on deliverability of projects in the remainder of the 2019/20 financial year.

RECOMMENDATION

1. That Council, having noted the Q1 Forecast Review:
 - (a) allocate the \$305k available surplus cash identified from the Q1 forecast review to the following:
 - (i) \$84k to the Air-conditioning of Carlton Hall (leased to Dancehouse);
 - (ii) \$200k to more rapidly progress on-line and Digital planning application process;
and
 - (iii) \$21k to be retained within budget.

CONTACT OFFICER: Mark Montague
TITLE: Deputy Chief Financial Officer
TEL: 9205 5503

Attachments

- 1 [⇒](#) Q1 2019 Forecast and Budget Review

11.3 2019/20 Annual Plan Quarterly Progress Report - September

Executive Summary

Purpose

To present the 2019/20 Annual Plan Quarterly Progress Report for the September period to Councillors for noting.

Key Issues

The 2019/20 Annual Plan has 43 Actions.

Annual targets set a requirement for 75% of Annual Plan actions to be Complete or On Track (>90%) by 30 June each year.

Of the 43 Actions in the Annual Plan, 35 were scheduled to have commenced by September, an additional 3 Actions commenced earlier than scheduled, totalling 38 Actions in progress as at 30 September. Council achieved a result of 84% or 32 of 38 Actions in progress assessed as On Track or Complete.

Financial Implications

There are no financial implications.

PROPOSAL

That Council note the 2019/20 Annual Plan Quarterly Progress Report September 2019.

11.3 2019/20 Annual Plan Quarterly Progress Report - September

Trim Record Number: D19/185474

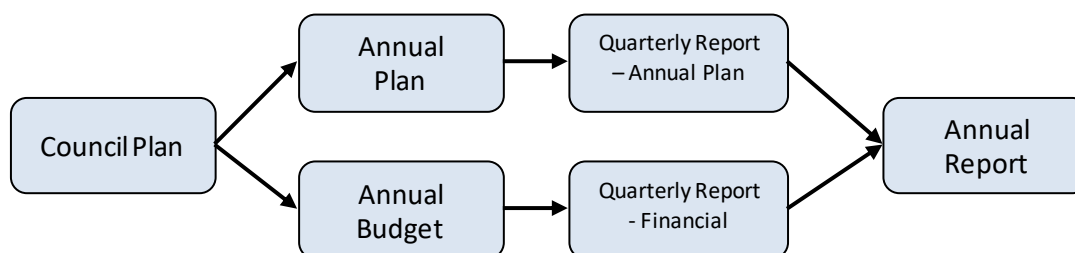
Responsible Officer: Director Corporate, Business and Finance

Purpose

1. To present the 2019/20 Annual Plan Quarterly Progress Report for the September period to Councillors for noting.

Background

2. This year, 2019/20, represents the third year of the 4-year *Council Plan 2017-21*, adopted by Council on 1 August 2017.
3. The Annual Plan and Annual Plan Quarterly Progress Reports are two of Council’s key accountability documents to the community.



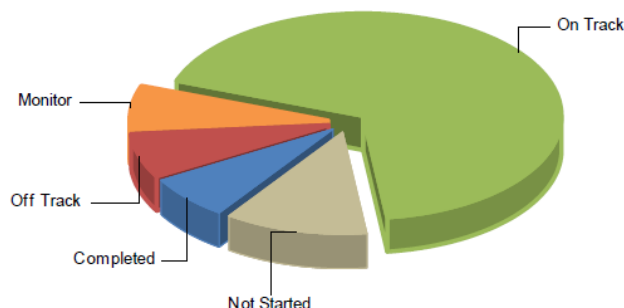
4. The 2019/20 Annual Plan was endorsed by Council on 25 June 2019 and details the organisation’s annual response to Initiatives contained in the 4-year Council Plan.
5. Council Plan Initiatives are significant projects and activities that are proposed to be worked on over the term of the Council Plan.
6. The Annual Plan Quarterly Progress Report notes the year-to-date progress of the Annual Plan Actions and Milestones providing a performance rating and supporting commentary.
7. The 2019/20 Annual Plan contains 43 Actions spread across the Council Plan’s Strategic Objectives. It is achievable, delivers on Council’s priorities and reflects the organisation’s focus on delivering the Council Plan’s Initiatives in 2019/20.

Strategic Objective	Number of Actions
	2019/20 Annual Plan
A healthy Yarra: a place where Community health, safety and wellbeing are a focus in everything we do	6
An inclusive Yarra: a place where Inclusion, diversity and uniqueness are welcomed, respected and celebrated	4
A sustainable Yarra: a place where Council leads on sustainability and protects and enhances its natural environment	9
A liveable Yarra: a place where Development and growth are managed to maintain and enhance the character and heritage of the city	11
A prosperous Yarra: a place where Local businesses prosper and creative and knowledge industries thrive	4

Strategic Objective	Number of Actions
	2019/20 Annual Plan
A connected Yarra: a place where Connectivity and travel options are environmentally sustainable, integrated and well-designed	6
A leading Yarra: a place where Transparency, performance and community participation drive the way we operate	3
Total	43

8. There are 49 Strategies in the *Council Plan 2017-21*, with 99 associated Initiatives. Not all of these have a corresponding Action in the 2019/20 Annual Plan. The Council Plan is a four-year document and Initiatives will commence across a range of years. A number of Initiatives are predominantly operational in nature and will be reported on six monthly with the December and June reports.
9. To ensure the integrity and transparency of the Annual Plan, which is endorsed by Council, Actions including their descriptions and milestones can only be changed by resolution of Council.
10. Officers or Councillors may propose changes to the Annual Plan.
2019/20 Annual Plan Progress Report – September 2019, Attachment 1
11. The progress of an Action is measured by the status of its individual milestones which are weighted to represent the relative time and effort they contribute to achievement of the overall Action.
12. The following thresholds are used to determine the status of an Action:
 - (a) On track $\geq 90\%$
 - (b) Monitor 75-89%
 - (c) Off track $< 75\%$

13. Annual Plan Action progress summary as at 30 September 2019:



Strategic Objective	No. of Actions Reported	Complete	On track (>=90%)	Monitor (75-90%)	Off track (<75%)	Not Started
A healthy Yarra	6	0	4	2	0	0
An inclusive Yarra	4	1	1	0	1	1
A sustainable Yarra	9	0	5	0	1	3
A liveable Yarra	11	1	8	0	1	1
A prosperous Yarra	4	0	4	0	0	0
A connected Yarra	6	1	4	1	0	0
A leading Yarra	3	0	3	0	0	0
	43 (100%)	3 (6.98%)	29 (67.44%)	3 (6.98%)	3 (6.98%)	5 (11.63%)

14. The 2019/20 Annual Plan has 43 Actions scheduled to be completed this year.
15. Annual targets set a requirement for 75% of Annual Plan Actions to be Complete or On Track (>90%) by 30 June each year.
16. Of the 43 Actions in the Annual Plan, 35 were scheduled to have commenced by September, an additional 3 Actions commenced earlier than scheduled, totalling 38 Actions in progress as at 30 September. Council achieved a result of 84% or 32 of 38 Actions in progress assessed as On Track or Complete.
17. The following Actions are recorded as Monitor or Off Track at the end of September. These Actions have experienced delays to one or more of their milestones. More detail is contained in the attached report.

Monitor

- 1.01 Yarra Open Space Strategy
- 1.04 Provision of boat storage and clubhouse facility design - Panther Pavilion
- 6.02 Low speed traffic environments

Off track

- 2.02 Active and Healthy Ageing
- 3.04 Review and update Council's Urban Agriculture guidelines
- 4.06 Structure planning for Major Activity Centres in Yarra

External Consultation

18. Significant community engagement and consultation was undertaken during the development of the *Council Plan 2017-21*. The 2019/20 Annual Plan reflects the community priorities identified during this process, included in the *Council Plan 2017-21* initiatives.
19. Members of the community will have the opportunity to comment on the progress report when it is presented to Council on 12 November 2019.
20. Projects contained in the 2019/20 Annual Plan are subject to external consultation and engagement on a case-by-case basis.

Internal Consultation (One Yarra)

21. Managers and Directors were consulted during development of the 2019/20 Annual Plan Actions, and are responsible for providing quarterly updates on their progress against delivery of these Actions.

Financial Implications

22. Actions in the 2019/20 Annual Plan were resourced within the 2019/20 Budget.

Economic Implications

23. The *Council Plan 2017-21* includes the Strategic Objective *A prosperous Yarra: a place where Local businesses prosper and creative and knowledge industries thrive*. The 2019/20 Annual Plan includes 4 actions that respond to initiatives under this Strategic Objective.

Sustainability Implications

24. The *Council Plan 2017-21* includes the Strategic Objective *A sustainable Yarra: a place where Council leads on sustainability and protects and enhances its natural environment*. The 2019/20 Annual Plan includes 9 actions that respond to initiatives under this Strategic Objective.

Social Implications

25. The *Council Plan 2017-21* includes the Strategic Objective *A healthy Yarra: a place where Community health, safety and wellbeing are a focus in everything we do*. The 2019/20 Annual Plan includes 6 actions that respond to initiatives under this Strategic Objective.

Human Rights Implications

26. The *Council Plan 2017-21* includes the Strategic Objective *An inclusive Yarra: a place where inclusion, diversity and uniqueness are welcomed, respected and celebrated*. The 2019/20 Annual Plan includes 4 actions that respond to initiatives under this Strategic Objective.

Communications with CALD Communities Implications

27. CALD groups were specifically targeted as part of the engagement plan for the *Council Plan 2017-21* and were represented in a group workshop which included Council's advisory groups.
28. Translation service assistance is available via Council's website for members of the CALD community and this service extended to the Council Plan engagement process.

Council Plan, Strategy and Policy Implications

29. The 2019/20 Annual Plan represents Year 3 of the *Council Plan 2017-21* adopted on 1 August 2017.

Legal Implications

30. There are no legal implications.

Other Issues

31. There are no other issues.

Options

32. The report does not include any options.

Conclusion

33. The 2019/20 Annual Plan Quarterly Progress Report September 2019 is presented to Council for noting.

RECOMMENDATION

1. That Council note the end of September result as reported in the 2019/20 Annual Plan Quarterly Progress Report - September.

CONTACT OFFICER: Shane Looney
TITLE: Corporate Planner
TEL: 9205 5397

Attachments

- 1 [↔](#) 2019-20 Annual Plan Quarterly Progress Report - September

11.4 Draft Nature Strategy 2020-2024

Executive Summary

Purpose

To present the Draft Nature Strategy: Protecting Yarra's Unique Biodiversity 2020 - 2024, for adoption to exhibit and proceed to community consultation.

Key Issues

After significant internal and selected external consultation, officers have completed a Draft Nature Strategy: Protecting Yarra's Unique Biodiversity 2020-2024, for endorsement to proceed to public exhibition and community consultation for a 4 week period commencing in November 2019.

Following a 4 week community consultation period, officers will provide Council with a formal report that outlines any changes as a result of consultation and a recommendation to adopt a Final Nature Strategy: Protecting Yarra's Unique Biodiversity 2020-2024 in February 2020.

Delivery of the Nature Strategy: Protecting Yarra's Unique Biodiversity 2020-2024 actions is proposed to commence in March 2020.

Financial Implications

There are no direct financial implications of proceeding to community consultation. The Final Nature Strategy will be informed by community feedback on the draft, and any budget implications will be confirmed when presented to Council as a final Strategy for adoption.

It is envisaged that delivery of the Final Nature Strategy actions will commence in early 2020. The actions for the first half of Year 1 of the Final Nature Strategy will be delivered by the Streetscapes and Natural Values Team using existing resources.

Budget bids will be prepared for the resources required to deliver actions in subsequent years of the Strategy. These would be considered by Council as part of the annual budget process each year.

PROPOSAL

That Council:

- (a) note the report and attached the Draft Nature Strategy: Protecting Yarra's Unique Biodiversity 2020 – 2024; and
- (b) endorse the Draft Nature Strategy: Protecting Yarra's Unique Biodiversity 2020 – 2024 for exhibition and public consultation for a four week period commencing in November 2019.

11.4 Draft Nature Strategy 2020-2024

Reference: D19/198875

Authoriser: Director City Works and Assets

Purpose

1. To present the Draft Nature Strategy: Protecting Yarra's Unique Biodiversity 2020 - 2024, for adoption to exhibit and proceed to community consultation.

Background

2. In 2013, a new Yarra Environment Strategy (YES) 2013-2017 was developed in conjunction with the community and key stakeholders, via an extensive engagement and consultation process and review of existing Council actions and plans.
3. The extensive consultation process acknowledged that to best deliver on Council's commitment to protect, maintain and enhance biodiversity within the municipality, a Biodiversity Health Survey (BHS) and a Biodiversity (Nature) Strategy are required.
4. A Biodiversity (Nature) Strategy will provide direction on how to prioritise decision making on protecting and increasing the diversity and sustainability of remnant vegetation and fauna habitat across the municipality.
5. A Biodiversity (Nature) Strategy will establish best practices in biodiversity protection, the use of adaptive management techniques and increased biodiversity connectivity in a bioregional context. It will also provide key indicators of the overall ecological health and resilience of native vegetation and its contribution to ecological integrity and resilience for Yarra and the region.
6. The terms Biodiversity and Nature are both used within this report, and both contained within the report title. In the drafting of this report there have been divergent views on whether the term Biodiversity is well enough understood or whether it resonates with the community, and whether the term Nature adequately captures the breadth and importance of what the Strategy is seeking to achieve. The Draft Strategy is titled Draft Nature Strategy: Protecting Yarra's Unique Biodiversity 2020 – 2024, in an attempt to satisfy both views, and to both engage the community and to communicate as well as possible, the intent of the Strategy.

Biodiversity Health Survey

7. The key findings from the Biodiversity Health Survey (BHS):
 - (a) Large Areas of Bushland
 - o Significant areas of bushland were mapped at Hall, Kevin Bartlett, Rushall Recreation Reserves and Burnley Park; providing habitat for native plants and animals.
 - (b) High Diversity of Plants and Animals
 - o 430 plant species were recorded with 209 indigenous to Yarra.
 - o A diversity of animals recorded: birds, mammals, reptiles, frogs and insects.
 - o High diversity of bat species, largely microbats (7 species), including Eastern False Pipistrelle and Yellow-bellied Sheath-tail Bat.
 - o National and state significant animals recorded, including Grey-headed Flying Fox and Nankeen Night-heron.

- (c) Wetland Habitats
 - Alphington Park Wetland, and McConchie Reserve & its surrounds ('Burnley Harbour'); provide habitat for a variety of wetland plant and animal species.
 - Wetlands were a hotspot of bird and micro-bat activity
- (d) Wildlife Corridors & Urban Stepping Stones
 - Wildlife corridors were identified along the Merri Creek, Yarra River, and the Park Street Linear reserves
 - Urban parks and larger urban parks such as Edinburgh Gardens and Darling Gardens; provide 'stepping stones' across the Yarra landscape between larger areas of fauna habitat
- (e) Significant Habitat Trees
 - Significant River Red Gums and Sugar Gums were mapped in Burnley Park and Kevin Bartlett Reserve
 - Other hollow-bearing native trees and larger canopy trees including non-native species like Oaks, were mapped across the municipality

Draft Nature Strategy: Protecting Yarra's Unique Biodiversity 2020-2024

8. The Draft Nature Strategy has been developed to align with the State Government's Biodiversity Plan - '*Protecting Victoria's Environment – Biodiversity 2037*'. This plan presents a long term vision for Victoria's biodiversity supported by two goals:
 - (a) Victorian's Value Nature; and
 - (b) Victoria's Natural Environment is Healthy.
9. The Draft Nature Strategy has been developed to acknowledge the legislative requirements of The *Yarra River Protection (Willip-gin Birrarung Murrong) Act 2017*. Yarra River Strategic Plan (YRSP) (in preparation), driven by a Yarra River 50 Year Community Vision, responds to the Act and will enable responsible agencies to protect the Birrarung, Yarra River.
10. As one of the 15 managing authorities that has statutory obligations to deliver the objectives of the YRSP over the first 10 year period, the City of Yarra is committed to delivering on the YRSP plan objectives and actions.
11. The City of Yarra is one of 8 councils listed as a managing authority as identified under the Act. This draft Yarra Strategic Plan sets out the first 10 years of action to contribute to the delivery of the Yarra River 50 Year Community Vision.
12. The *Yarra River Protection (Willip-gin Birrarung Murrong) Act 2017*, provides for the preparation of an unprecedented, holistic YRSP to coordinate 15 public entities that operate along the river corridor, to guide future use and development and identify areas for protection within the Yarra corridor. Objectives for the first 10 years of the YRSP:
 - (a) A healthy river and lands - YRSP will improve the water quality of the Birrarung and protect its land, floodplains and billabongs to achieve greater biodiversity;
 - (b) Greater Yarra Urban Parkland - YRSP will seek to protect and improve the river's parklands in order to support the Yarra River 50 Year Community Vision;
 - (c) A culturally diverse river corridor - YRSP will acknowledge, protect and commemorate the rich heritage of the Birrarung; and
 - (d) Protecting the natural beauty of the Birrarung - YRSP will seek to respect the significance of the Birrarung's landscapes. Where we build, we will protect and celebrate the river's natural beauty, landscapes and views.

13. The Draft Nature Strategy is being developed at a time when the value of nature is being recognised; and as the effects of increasing urbanisation and climate change are hitting urban environments and an awareness of the plight of nature is becoming heightened.
14. This is the inaugural Nature Strategy for the City of Yarra and while it includes a strong focus on the conservation of nature and on engaging the community with natural values, importantly it also seeks to strengthen internal processes and resources to ensure that natural values are considered as core council business. This is being undertaken with the overall aim that the City of Yarra will lead via its nature conservation activities, like Yarra has for many years on other important issues like sustainability and climate action.

Stakeholder input

15. The stakeholder engagement process identified the following opportunities and challenges that informed the Draft Nature Strategy: Protecting Yarra's Unique Biodiversity vision, goals, targets and actions:
 - *Biodiversity values:*
 - Understating the value 'urban significant' species and their role in engaging the community in local nature based programs
 - Valuing the role of local experts in protecting and enhancing natural values
 - Recognition of the importance of the Yarra River corridor and its northern and southern tributaries as critical habitat links that provide critical north-south and east-west fauna movement links
 - *Council Internal Synergies:*
 - Improving the interaction between relevant units to achieve improved outcomes for nature in Yarra
 - Exploring the biodiversity opportunities associated with new development and higher density urban areas to achieve better nature outcomes in the private realm.
 - *Water Management:*
 - Understanding the role water management, waterways and wetlands play in the health of natural systems and cultural importance of waterways to the Wurundjeri.
 - *Wurundjeri:*
 - Engagement and involvement of the Wurundjeri Council in the aim to ensure their values and stories are honoured and conserved is integral to this Nature Strategy.
 - *Community:*
 - Community groups are currently acting as a conduit for community engagement. This could be built on but should be complimented by investment in staff resources as well as augmenting relationships with existing community groups, recognising the work that they currently do and assisting them to build on that
 - The community has emphasised the importance of ongoing ecological knowledge, innovation and trials in implementing more sophisticated approaches to on-ground biodiversity management. This could involve:
 - annual review of elements of ecological function
 - planning for ecological outcomes based on natural systems, species outcomes and corridors rather than by park/reserve

- consideration of senescent (aging) vegetation and on ground management techniques to replace vegetation, possibly through natural recruitment
 - provision for trials and innovation in on-ground management and reintroductions
 - continuity in management and preserving/documenting ecological knowledge
 - coordination of land management across all land managers i.e. Parks Victoria and Melbourne Water
- The Draft Yarra Environment Strategy community engagement process has demonstrated that there is an appetite for integrating nature-focussed elements and habitat features into the private, streetscape and neighbourhood-scale realm. Community members believe this will result in benefits for health, wellbeing and amenity over and above the ecological benefits.
- Urban Agriculture programs and activities which are already well established in the City of Yarra contributes to positive natural values outcomes and there are natural synergies which should be explored and strengthened through both this strategy and the Urban Agriculture strategy. Good working relationships will see improved outcomes in each complimentary area.
- *Communication:*
 - A dedicated communication program for nature-focussed news, initiatives and interactions is desirable. This would serve to build trust with the community, that council are managing natural values in an informed and timely way. In particular the community were interested to see greater transparency around what is being done/where/why. One suggestion was for council to develop a semi-accessible online platform for the community to observe progress/logic of land management and to contribute to it.
- *Adjacent councils:*
 - Other councils have implemented initiatives and set standards that can be adopted by the City of Yarra. Many examples exist that could be easily adopted, thereby enabling council to benefit from the learnings of others. One example is City of Melbourne's native street garden planting palate and urban nature planting guide that is available on the City of Melbourne's website.
 - There is goodwill and enthusiasm for cooperation between staff from adjoining municipalities to work across-borders on projects that will benefit all.
- *Relationships with other institutions:*
 - The City of Yarra is very well placed to engage with academic institutions who are actively involved in urban ecology research. Melbourne University's Burnley Campus lies within the municipality and already completes projects within council reserves. Other institutions like RMIT also have an interest in urban ecology and could assist with collaborative research and other initiatives as they have with other urban municipalities.

Draft Nature Strategy: Protecting Yarra's Unique Biodiversity 2020-2024 - Vision

16. The Draft Nature Strategy's Vision is:

'The land within the City of Yarra supports a natural environment that is diverse, connected and resilient. Its custodians, the Wurundjeri/Woiwurrung people, continue to care for Country as is their traditional lore. Yarra's residents and visitors appreciate and enhance the natural and cultural values of the land and water, contributing to benefits for all.'

17. The following four goals were established to achieve the vision:
 - (a) A more diverse, connected and resilient natural environment;
 - (b) People appreciate and seek to enhance the natural values of the Yarra landscape;
 - (c) Nature is considered core council business; and
 - (d) Innovation, communication and collaboration are the cornerstones of nature-focused programs.
18. The Draft Nature Strategy Action Plan's intent is to engage and mobilise the community to value and protect biodiversity. The Action Plan will also be implemented by influencing existing City of Yarra programs, initiatives and projects and will be largely funded through existing annual recurrent and capital budgets that are reviewed against service delivery priorities. The business impact of each proposed action is outlined in the Strategy Action Plan 2020-24 section.

Engagement Plan

19. The Community engagement process planned to commence in November 2019 and is envisaged to include the following elements:
 - (a) Your Say Yarra Project page, with links to the Biodiversity Health Survey Discussion Summary Paper;
 - (b) Feature article in Yarra News;
 - (c) Regular social media posts;
 - (d) Frog Census or Microbat Community Activity to launch the community consultation process;
 - (e) Articles to promote the consultation process in newsletters including:
 - (i) Merri Creek Management Committee and Friends of Merri Creek;
 - (ii) Darebin Creek Management Committee and Friends of Darebin Creek;
 - (iii) Yarra River Keepers, Abbotsford Riverbankers Instagram Page, VINC
 - (iv) Melbourne University, RMIT and local School newsletters; and
 - (v) Monday Musings.
 - (f) Email to electronic databases, resident advocacy groups and friends of groups;
 - (g) Email to relevant Yarra Advisory groups and attendance at meetings when invited including:
 - (i) Aboriginal Advisory Group;
 - (ii) Environmental Advisory Committee; and
 - (iii) Urban Agriculture Advisory Committee.

External Consultation

20. In developing the Draft Nature Strategy, external biodiversity policy and technical consultation workshops involved the following groups:
 - (a) community experts in land management, flora, fauna and policy including representatives from Merri Creek Management Committee (MCMC), Darebin Creek Management Committee (DCMC), Friends of Merri Creek (FoMC), Abbotsford River (ARB) Bankers, Victorian Indigenous Nursery Co-operative (VINC) and Yarra River Keepers (YRK);
 - (b) adjoining land managers including representatives from the Cities of Melbourne, Boroondara and Darebin and research institutions including Melbourne University;

- (c) partner organisations including State Government agencies representatives from Department of Environment, Land, Water and Planning (DELWP), Parks Victoria (PV) and Melbourne Water (MW) and contractor staff from Felix Botanica; and
- (d) Extensive traditional owner consultation with Elders from the Wurundjeri Council.

Internal Consultation (One Yarra)

21. In developing the Final Draft Nature Strategy, an internal biodiversity policy consultation workshop involved officers from the following areas of Council:
- (a) Urban Design;
 - (b) Open Space Planning;
 - (c) Statutory Planning;
 - (d) Strategic Planning;
 - (e) Communications and Engagement;
 - (f) Sustainability;
 - (g) City Work Branch Manager;
 - (h) City Works and Assets Director;
 - (i) Planning and Place Making Director;
 - (j) Community Partnerships;
 - (k) Waste Minimisation and Agriculture;
 - (l) Community Engagement;
 - (m) City Heritage;
 - (n) Streetscapes and Natural Values;
 - (o) Drainage and Stormwater; and
 - (p) Engineering Services.

Financial Implications

22. There are no direct financial implications of proceeding to community consultation. The Final Nature Strategy will likely be updated based on community feedback.
23. It is envisaged that delivery of the Final Nature Strategy actions will commence in early 2020. The actions for the first half of Year 1 of the Final Nature Strategy will be delivered by the Streetscapes and Natural Values Team using existing resources.
24. Budget bids will be prepared for the resources required to deliver actions in subsequent years of the Strategy. These would be considered by Council as part of the annual budget process each year.

Economic Implications

25. The Final Nature Strategy will provide direction on how to prioritise decision making on protecting and increasing the diversity and sustainability of remnant vegetation and fauna habitat across the municipality. Protecting and enhancing remnant vegetation will have positive impacts on the urban forest, therefore providing a range of economic benefits including:
- (a) Reduction in health costs through a range of health and well-being benefits that trees, open space and connection with nature can provide;
 - (b) Improved amenity, character, recreational and cultural opportunities, interactions with nature that may encourage more people into an area to live, work and visit; and
 - (c) Assisting to reduce the impacts of the urban heat island effect through planting large indigenous canopy trees that contribute to the urban forest.

Sustainability Implications

26. The Final Nature Strategy will establish best practices in biodiversity protection, the use of adaptive management techniques and increased biodiversity connectivity in a bioregional context. It will also provide key indicators of the overall ecological health and sustainability/resilience of native vegetation and its contribution to ecological integrity and sustainability resilience for Yarra and the region.

Social Implications

27. The Yarra River not only gives the municipality its name, it's also one of the Melbourne's most important natural assets and supports many social and cultural activities. Council will seek to showcase Yarra's waterways including the Yarra River, Merri Creek, Darebin Creek, Gardner's Creek and Alphington Wetlands and the diversity of opportunities to interact with waterways environs as well as ways to ensure its future health.
28. The Draft Nature Strategy: Protecting Yarra's Unique Biodiversity has been developed to align with the State Government's Biodiversity Plan - 'Protecting Victoria's Environment – Biodiversity 2037'. This plan presents a long term vision for Victoria's biodiversity supported by two goals:
 - (a) Victorian's Value Nature; and
 - (b) Victoria's Natural Environment is Healthy.
29. The role of Yarra's community in development and delivery of the strategy actions will inevitably provide many social benefits as different members of the community work within their local neighbourhoods to effect positive biodiversity change.

Human Rights Implications

30. There are no human rights implications associated with developed of the Biodiversity Strategy.

Communications with CALD Communities Implications

31. The public consultation phase of the Draft Nature Strategy will be delivered with the assistance of Councils Communication and Engagement Unit to ensure culturally and linguistically diverse members of the Yarra community will be engaged through this process.

Council Plan, Strategy and Policy Implications

32. Council's 2017/18 Annual Plan identifies developing a Biodiversity/Nature Strategy as a key strategic objective.

Strategic Objective 3: Council leads on sustainability and protects and enhances its natural environment.

Council Plan Strategy 3.1;

Investigate strategies and initiatives to improve biodiversity

Council Plan Initiatives;

3.1.1 Develop a Biodiversity Strategy

3.1.2 Utilise findings contained in the biodiversity health survey to inform future planning across the City

33. The Draft Nature Strategy was developed to acknowledge and compliment the suite of companion strategies that exist such as the Urban Forestry Strategy and Urban Agriculture Strategy and strategies under development such as Open Space Strategy, Heritage Strategy, Climate Change Adaptation Strategy, Integrated Water Strategy (currently in development) and Yarra Environment Strategy.

Legal Implications

34. There is no legal obligation for Council to develop or implement a Nature Strategy. However, the implementation of certain actions may relate to specific legislation or regulations, and will need to be addressed on a case by case basis.

Other Issues

35. There are no other issues presented.

Options

36. Officers recommend Council endorse the Draft Nature Strategy: Protecting Yarra's Unique Biodiversity 2020 – 2014, for exhibition and community consultation.
37. If Council does not support this approach, it could elect to hold off on endorsement pending further review of the Draft Strategy.

Conclusion

38. After significant internal and selected external consultation, officers have completed a Draft Nature Strategy: Protecting Yarra's Unique Biodiversity 2020-2024.
39. This report and the Draft Nature Strategy: Protecting Yarra's Unique Biodiversity 2020-2024, are presented to Council for endorsement to proceed to public exhibition and community consultation for a 4 week period commencing in November 2019.
40. Following the community consultation period, officers will provide Council with a formal report that outlines any changes as a result of consultation and a recommendation to adopt a Final Nature Strategy: Protecting Yarra's Unique Biodiversity 2020-2024.
41. Delivery of the Nature Strategy: Protecting Yarra's Unique Biodiversity 2020-2024, actions is planned to commence in early 2020. The actions for the first half of Year 1 of the Strategy will be delivered by the Streetscapes and Natural Values Team using existing resources.
42. The proposed costs and approach to resourcing the implementation of the Nature Action Plan in future years will be considered as part of the annual budget process.

RECOMMENDATION

1. That Council:
 - (a) note the report and attached the Draft Nature Strategy: Protecting Yarra's Unique Biodiversity 2020 – 2024; and
 - (b) endorse the Draft Nature Strategy: Protecting Yarra's Unique Biodiversity 2020 – 2024 for exhibition and public consultation for a four week period commencing in November 2019.

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Attachments

- 1  Final Draft Yarra Nature Strategy 2020-2024

11.5 Draft Social Justice Charter for Yarra

Reference: D19/190383

Authoriser: Group Manager People, Culture and Community

Purpose

1. To seek Council endorsement for the draft Social Justice Charter, so it can go to public exhibition.

Background

2. Community Partnerships have been tasked with developing a Social Justice Charter (the Charter), which has been committed to in the Council Plan 2017-2021.
3. The Charter will be a tool to guide Council's plans and strategies, and will clearly articulate Yarra's position in relation to human rights and social justice.
4. Other Councils which also have Social Justice Charters include Port Phillip and Hume, with several Councils having policies based on Human Rights. The rationale for developing a Social Justice Charter is because it is seen as a practical way of protecting human rights.
5. The Social Justice Charter is also a way to articulate the work already being undertaken by numerous areas of Council, further consolidating Yarra's stance in this area.
6. Social Justice is based on the concept of human rights and equality and can be defined as the way in which human rights are manifested in the everyday lives of people at every level of society.
7. The key guiding principles of the Social Justice Charter were identified as: *Access, Equity, Participation and Rights*. A draft Social Justice Charter was developed around these principles, and then reviewed by the internal stakeholders. The draft Charter was further modified after discussion and feedback from this internal group, and is found at **Attachment 1**.
8. The intent of the Social Justice Charter is its use as a lens to guide and assist in formulating policies and programs at Council.

External Consultation

9. Consultation information from the community was gathered (regarding social justice issues) from previous consultations recently undertaken including:
 - (a) The Community Partnerships Summary Report (**Attachment 2**), which provides a summary analysis of consultations undertaken for the Active Healthy Ageing Strategy 2018 – 2024 (Aged & Disability Services), Access and Inclusion Strategy 2018 – 2024 (Aged & Disability Services), 0-25 Plan (Family, Youth and Children's Services), and the Council Plan 2017 – 2021 (including the Municipal Public Health Plan); and
 - (b) Council Plan consultation raw data.
10. It is envisaged that the public exhibition phase of the consultation on the Draft will garner further and the most current feedback from external stakeholders.

Internal Consultation (One Yarra)

11. Officers met with an internal stakeholders group from Social Policy, Diversity & Inclusion, Aged & Disability and Children's Services in April 2019 to get feedback on the *Social Justice Charter - Context, Issues & Best Practice* paper (**Attachment 3**). This group has set the context and provided guidance on the development of the Charter, due to their roles in Council and commitment to issues of human rights and social justice.

12. The internal stakeholders group agreed that there is a need to have conversations across Council regarding development of the Charter, in particular with areas which generally may not engage with this type of work.
13. Workshops were held with Council staff to discuss how the Charter relates to existing social justice commitments, as well as what should be the guiding principles of the Charter, and how it would be practical for staff.
14. It was requested that attendees to the workshops included managers (or their delegates) and front line staff. All areas of Council were targeted to ensure engagement with areas not traditionally seen to be working in this space.

Financial Implications

15. The Charter will be further developed and promoted as part of the Community Partnerships current existing budget.

Economic Implications

16. Council recognises that certain groups in the community face various and sometimes intersecting barriers, and the development of a Social Justice Charter will outline ways in which these barriers can be understood and ultimately addressed. The Social Justice Charter focuses on principles which encourage all members of the community to participate in community life, including employment, education and volunteering. This provides opportunities for self-determination and community engagement, which ultimately contributes to a richer and more diverse participation in the economic life of Yarra. The municipality can only benefit with a diverse and engaged workforce.
17. The Social Justice Charter can also be used to guide program planning including fee policies at Council. For example, fees for Council services can be formulated with consideration for families on low incomes. This practice will contribute to increased participation in services for vulnerable sectors of the community.

Sustainability Implications

18. An engaged and informed community that participates in sustainability projects such as community education and awareness, community gardens and urban agriculture, delivers positive sustainability outcomes for the municipality. Opportunities for linking in staff from Sustainability and Urban Agriculture with disadvantaged communities will be increased with the promotion of the Social Justice Charter.

Social Implications

19. The Social Justice Charter plays a key role in breaking barriers to access, participation and inclusion for the whole community, recognising that certain groups have intersecting and more complex barriers to overcome. These principles are aligned with social inclusion principles which encourage building relationships and developing skills which in turn nurture a more engaged and resilient community.

Human Rights Implications

20. It can be argued that human rights and social justice are complimentary concepts. While human rights are concerned with restraints on the exercise of power, whereas social justice is concerned with the redistribution of resources in order to protect human rights.
21. Social justice principles work together to manage inequities based on cultural, social, economic and political factors. As a result, social justice principles aim to provide a fair allocation of resources and entitlements without discrimination.
22. Social justice is based on the concepts of human rights and equality, and can be defined as the way in which human rights are manifested in the everyday lives of community members. Therefore, this Charter's main focus is on the practical ways human rights can be protected and nurtured for Yarra's diverse community, recognising the complex interplay of barriers and inequities. The Charter is a tool which aids Council to adhere to its obligation to uphold human rights.

23. It is envisaged that the Charter can assist in Council's annual reporting on its performance based on the Victorian Charter of Human Rights and Responsibilities.

Communications with CALD Communities Implications

24. Communities from diverse cultural and language backgrounds are one of the areas highlighted in the Charter as a priority area for Council in considering issues of access and participation. It is recognised that language and cultural background can be a barrier to community members fully participating in community life. The Charter's aim is to raise awareness of this while also providing practical examples of how to overcome these barriers.
25. Once the Draft Social Justice Charter is approved for public exhibition, communities with low English literacy will be assisted to provide feedback via translated copies and focus groups with interpreters, in order to facilitate participation in the process.

Council Plan, Strategy and Policy Implications

26. The Council Plan 2017-2021 gives direction to the Social Justice Charter through the following strategic objectives:
- (a) Objective 1 – A healthy Yarra, a place where community, health, safety and well-being are a focus in everything we do;
 - (b) Objective 2 – An inclusive Yarra, a place where inclusion, diversity and uniqueness are welcomed, respected and celebrated; and
 - (c) Objective 7 – A leading Yarra, a place where transparency, performance and community participation drive the way we operate.
27. Specifically, as part of Objective 2, the Council Plan clearly states at (2.2.2) to “investigate developing a social justice / human rights charter to better articulate council's commitment”.

Legal Implications

28. Some of the legislation related to this area include:
- (a) Universal Declaration of Human Rights 1948;
 - (b) Human Rights and Equal Opportunity Commission Act 1986;
 - (c) Racial Discrimination Act 1975;
 - (d) Charter of Human Rights and Responsibilities Act 2006 (Vic); and
 - (e) Local Government Act 1989 (Vic).
29. The Charter of Human Rights and Responsibilities Act 2006 (Vic) requires local Councils to act compatibly with human rights and to consider human rights when developing policies, making laws, delivering services and making decisions. The Social Justice Charter aims to act as a guide to assist with this obligation.

Other Issues

30. Certain sectors of the community may question Council's involvement in this area, and that the role of Council should be in the traditional areas of “roads, rates and rubbish”. Information to the public should include Council's legislated obligations to consider human rights when developing policies, making laws, delivering services and making decisions, as stated in 2.3 of the Charter of Human Rights and Responsibilities Act 2006 (Vic).
31. With regard to the Right to Freedom of Expression it should also be noted that laws around “hate speech” in Victoria are covered by legislation known as the *Racial and Religious Tolerance Act*. The legal definition of vilification in this Act is conduct that ‘incites hatred, serious contempt, revulsion or severe ridicule’ on the grounds of another person's race or religious belief or activity. This includes (according to the Victorian Equal Opportunity and Human Rights Commission) speaking about a person's race or religion in a way that could make other people hate or ridicule them.

Options

32. There are no options.

Conclusion

33. The development of a Social Justice Charter for Yarra is a commitment in the Council Plan 2017-2021, and has involved consultation with internal stakeholders as well as a review of recent external-facing consultations.
34. The Social Justice Charter aims to set a clear statement of Council's commitment to upholding and nurturing human rights of its diverse community, while also providing practical examples of ways to accomplish this.
35. The Draft Social Justice Charter will be open for public exhibition and feedback to further shaping before final adoption early next year.

RECOMMENDATION

1. That Council:
 - (a) endorse the Draft Social Justice Charter to be released for public exhibition.

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Attachments

- 1 [⇒](#) DRAFT Social Justice Charter V4
- 2 [⇒](#) CPU Policies Community Consultation Report
- 3 [⇒](#) Social Justice Charter - Context, Issues & Best Practice

11.6 Yana Ngargna Plan 2020-2023

Executive Summary

Purpose

To seek Council's adoption of the *Yana Ngargna Plan 2020–2023* (formerly known as the Aboriginal Partnerships Plan) and the *Yana Ngargna 2020 Year 1 Action Plan*.

To acknowledge and thank all Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people who have contributed their time, energy and knowledge to the development of the *Yana Ngargna Plan 2020–2023* and the *Yana Ngargna 2020 Year 1 Action Plan*.

Key Issues

Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra. Council also acknowledges the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra. Council pays its respects to Elders from all nations—and to their Elders past, present and future.

The *Yana Ngargna Plan 2020–2023* has been developed through extensive community consultation and approval processes.

Final consultation and approval processes saw significant changes to terminology as well as the renaming of the policy. The new name, *Yana Ngargna* (pronounced 'yarna engarnya'), means 'continuing connection' in Woi Wurrung language.

The new Plan also includes renewed official Acknowledgment of Country statements.

The *Yana Ngargna 2020 Year 1 Action Plan* contains 51 actions. Progress on implementation is reported and discussed at bimonthly *Yana Ngargna* Advisory Group meetings (formerly the AAG).

Comprehensive information gathering and consultation around Yarra's Consumption of Liquor in Public Places Local Law will be a priority project in 2020.

Financial Implications

All actions but one in the *Yana Ngargna 2020 Year 1 Action Plan* are funded through the operational budget.

The exception relates to a new initiative bid for the 2020/2021 Yarra Council budget process to create a dedicated heritage officer role for a Wurundjeri Woi Wurrung, Aboriginal or Torres Strait Islander person.

Also of note (amongst funded actions) is the funding of two dedicated Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander positions (band 4, part-time) through the 2019/2020 Council budget process.

PROPOSAL

That Council:

- (a) Adopt the *Yana Ngargna Plan 2020–2023* and the *Yana Ngargna 2020 Year 1 Action Plan*; and
- (b) Acknowledge and thank all Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people who have contributed their time, energy and knowledge to the development of the *Yana Ngargna Plan 2020–2023*.

11.6 Yana Ngargna Plan 2020-2023

Trim Record Number: D19/197148

Responsible Officer: Group Manager People, Culture and Community

Purpose

1. To seek Council's adoption of the *Yana Ngargna Plan 2020–2023* (formerly known as the Aboriginal Partnerships Plan) and the *Yana Ngargna 2020 Year 1 Action Plan*.
2. To acknowledge and thank all Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people who have contributed their time, energy and knowledge to the development of the *Yana Ngargna Plan 2020–2023* and the *Yana Ngargna 2020 Year 1 Action Plan*.

Background

3. Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra. Council also acknowledges the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra. Council pays its respects to Elders from all nations—and to their Elders past, present and future.
4. Council endorsed the final report on implementation of the Aboriginal Partnerships Plan 2015–2018 (and Year 4 Action Plan 2018) in February 2019.
5. Council will be presented with a report on implementation of this year's 'single year/interim' Aboriginal Partnerships Action Plan 2019 in February 2020.
6. The *Yana Ngargna Plan 2020–2023* (The Plan) has been developed through extensive consultation and community approval processes. It continues the work of previous Plans and lays a solid foundation for Council's partnerships and collaborative projects with the local Woi Wurrung, Aboriginal and Torres Strait Islander community in the years to come.
7. The new Plan includes renewed official Acknowledgment of Country statements and protocols. These statements and protocols are renewed every four years to prevent the language becoming hackneyed and tokenistic, to address any issues in how the statements are being pronounced and understood, and to ensure the language is up-to-date and in-tune with community sentiment.
8. The official acknowledgements were developed through lengthy and passionate community discussions at *Yana Ngargna* Advisory Group meetings. The Plan also includes a protocol explaining when and how acknowledgments should be used. For the vast majority of occasions the first (shortest) acknowledgment should be used. The mayor may be required to read the second (medium length) or third (long) acknowledgment at specific official events.
9. As always, implementation of the Plan requires Council to be highly agile and responsive in its approach. This approach is necessary to meet the needs of dynamic community in which issues can sometimes emerge quickly and unpredictably.
10. Several such issues have emerged in the second half of 2019 during the final review and approval stages of the Plan and have been incorporated accordingly. The main changes and an explanation of the changes are summarised below.
11. The need to make changes to the Plan's terminology emerged late in 2019, during the final sign-off processes with both Yarra's Aboriginal Advisory Group and the Wurundjeri Woi Wurrung Cultural Heritage Aboriginal Corporation (The Wurundjeri Woi Wurrung Corporation)—Committee of Management.
12. Although on first glance, terminology is a seemingly small issue, it is actually an incredibly important and complex issue, with few solutions that suit everyone. The complexity stems from terminology's strong links to issues of identity (individual and group), impacts of colonisation (past and ongoing) and the right to self-determination (in particular the right for individuals to choose the terminology that is used to describe them).

13. It is worth noting the role and impact of the current Treaty development process, including Traditional Owner nominations for the First People's Assembly Elections, on how people choose to identify and the knock-on implications for terminology. It is also worth noting that Torres Strait Islanders are not part of the Treaty process in Victoria, despite their contribution to life in the area.
14. In developing the Plan, Torres Strait Islanders made it clear that they wanted to be acknowledged more consistently alongside Aboriginal people as a separate and unique group within the municipality. Consistent acknowledgment was discussed and unanimously agreed upon at an Aboriginal Advisory Group meeting.
15. In acknowledging Torres Strait Islanders as a separate group, however, it quickly became apparent that we needed to acknowledge the Wurundjeri Woi Wurrung as the Traditional Owners as a separate and unique group. This was unanimously supported by all Elders at a Wurundjeri Woi Wurrung Corporation—Committee of Management meeting.
16. Wurundjeri Woi Wurrung is the term currently being used by the Traditional Owners to describe themselves—and they recently updated the name of their corporation to reflect this. By including the name of their language (Woi Wurrung) in how they refer to themselves, they more clearly show their link to the other tribes in the Kulin Nation (all of which identify by language group). The tribes of the Kulin Nation include the Wurundjeri Woi Wurrung, the Boon Wurrung, the Dja Dja Wurrung, the Taungurung and the Wathawarrung.
17. In some cases, the terms 'community' or 'communities' is used as shorthand for the longer term 'Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander communities'. This will only be used when it is abundantly clear which community or communities are being referred to. The term will not be used in any policy statement, priority area, commitment or action that might be directly quoted in another policy or project and therefore needs to stand as a complete and independent statement on its own.
18. As part of the approval process for this Plan, Wurundjeri Woi Wurrung Elders also endorsed *Yana Ngargna* as the new name for the Plan.
19. *Yana Ngargna* (pronounced 'yarna engarnya') means 'continuing connection' in Woi Wurrung language—the language that has been spoken on this land for tens of thousands of years. This new name refers to the Wurundjeri Woi Wurrung's continuing connection to culture, country and identity, as well as Council's commitment to developing continuing connections with Wurundjeri Woi Wurrung, as well as other Aboriginal and Torres Strait Islander people, communities and organisations.
20. The renaming of the Plan and adjustments to terminology will have cascading implications for terminology use throughout the organisation as well as the names of existing advisory and working groups. For example, the Aboriginal Advisory Group will become the *Yana Ngargna* Advisory Group and the RAP Working Group will become the *Yana Ngargna* Working Group. For now, the title of the Aboriginal Partnerships Plan Officer will remain the same as renaming roles requires a HR process to be undertaken. Changes to terminology may take some time to roll out through the organisation (and may need to be assessed on a case by case basis) and an action to address this has been incorporated into the 2020 Year 1 Action Plan.
21. Although some of these changes may seem challenging at first, it is vital to respectful ongoing relationships that Council accept and use the terminology that our communities choose to identify themselves (rather than Council choosing its own terminology to describe a group, especially if a decision to do this is based merely on convenience). Council recognises that this is a constantly evolving issue and remains open to guidance from the community.
22. A final and most recent issue to emerge, was the need for Council to initiate further consultation about the Consumption of Liquor in Public Places Local Law. Although some consultation for this was conducted during 2019, attitudes to the law have polarised in recent months, partly as a result of the current coronial inquest into the death in custody of Yorta Yorta woman Tanya Day, along with the proposed abolition of the State Government's public drunkenness law.

23. A community consultation to discuss the local law and other related issues has now been added to the 2020 Year 1 Action Plan as a priority project.
24. The development of the Plan 2020–2023 and the 2020 Year 1 Action Plan draws on two decades of experience working and collaborating with the local Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander community (the community). This continuous relationship building between Council, community, community organisations and mainstream organisations within the municipality has paved the way for many positive relationships and outcomes.
25. The development of the Plan 2020–2023 and the 2020 Year 1 Action Plan also reflects significant growth across the organisation. Staff champions from the *Yana Ngargna* Working Group continue to lead the way through their direct involvement in implementing the actions contained within the Plan under the guidance of the Aboriginal Partnerships Officer and *Yana Ngargna* Advisory Group. This growth in cultural competence of the organisation bodes well for the new Plan.
26. The Plan 2020–2023 is guided by four high-level priority areas:
 - (a) **Priority One - Relationships:** Supporting community connections, promoting culture and protecting important places;
 - (b) **Priority Two - Visible Culture:** Increasing the visibility of Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people, culture, issues and achievements in Yarra;
 - (c) **Priority Three - Community Health and Wellbeing:** Working towards improved health and wellbeing outcomes for Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people in Yarra; and
 - (d) **Priority Four - Organisational Development:** Increasing Council’s capacity, confidence and connection through improving Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander employment pathways, cultural awareness and internal coordination.
27. The Plan continues the strong focus on key partnerships with Traditional Owners—the Wurundjeri Woi Wurrung Aboriginal Cultural Heritage Corporation, Melbourne Aboriginal Sport & Recreation (MAYSAR), Victorian Aboriginal Health Service (VAHS), Victorian Aboriginal Child Care Agency (VACCA), Victorian Aboriginal Legal Service (VALS), Aboriginal Community Elders Service (ACES), Connecting Home, Aboriginal Housing Victoria (AHV), Victorian Aboriginal Community Controlled Health Organisation (VACCHO), SNAICC, the community that call themselves the Parkies, Victoria Police, Co-health, Launch Housing, Charcoal Lane, Neami National, North Richmond Community Health, Council’s *Yana Ngargna* Advisory Group, *Yana Ngargna* Working Group, Yarra’s Aboriginal Support Network (YASN), Federal and State Government Departments, Statutory Bodies, and many other Aboriginal and Torres Strait Islander and mainstream service providers and community groups.
28. The *Yana Ngargna* Plan 2020–2023 is **Attachment One** and the *Yana Ngargna* 2020 Year 1 Action Plan is **Attachment Two**.

External Consultation

29. The Plan 2020–2023 was developed through extensive consultation with the Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander community from August–September in 2018. This consultation included a special Aboriginal Advisory Group Meeting held at MAYSAR in Gertrude Street Fitzroy, outreach visits to the Wurundjeri Woi Wurrung Corporation and a number of community organisations, and the online distribution of two surveys (one for community and one for people who work with community).
30. Drafts of the Plan were then discussed at bimonthly Aboriginal Advisory Group meetings and at Wurundjeri Woi Wurrung Corporation meetings.

31. The majority of respondents said they thought Council was doing a good job, with many people citing the January 26 project, Smith Street Dreaming Festival and the Stolen Generations Marker project as important and meaningful collaborations. A couple of community members said that Yarra is leading the way for local government in Victoria.
32. People were also clear in stating that there is still much work to be done. The need for better employment opportunities was a key issue, along with the need for better health and wellbeing outcomes. By extension, people wanted more support for young, vulnerable and homeless people, people who use drugs and/or people coming into contact with the justice system.
33. The community consultations produced a wealth of data which has informed the Plan's priority areas and commitments. Direct quotes from the consultation are included in the context descriptions for each of the Plan's four priority areas, along with other relevant details such as ongoing projects or historical backgrounds.
34. This consultation is also part of ongoing engagement (both formal and informal) with Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people through a variety of networks, meetings and relationships.
35. This includes relationships with Elders, Parkies, broader community members, Aboriginal and Torres Strait Islander and mainstream service providers and their representatives, MAYSAR, VAHS, VACSAL, AHV, AFL Sports Ready, Charcoal Lane, the Neighbourhood Justice Centre (NJC), Launch Housing, CoHealth, North Richmond Community Health (NRCH), Victorian Aboriginal Community Controlled Health Organisation (VACCHO), Indigenous Workstars, 3KND Radio, Aboriginal Community Elders Service (ACES), Government Departments and Statutory Bodies including representatives from the Department of Justice (DoJ), Department of Prime Minister and Cabinet, Aboriginal Victoria (AV), Victoria Police, Metropolitan Fire Brigade (MFB), Municipal Association of Victoria (MAV), Department Health and Human Services, Environment Victoria, Fitzroy Legal Service, St Vincent's Hospital, Whitelion, Office of Housing (OoH), Brotherhood of St Laurence (BSL), Cooke St Kinder.

Internal Consultation (One Yarra)

36. The internal *Yana Ngargna* Working Group has been highly engaged in the development of the *Yana Ngargna* Plan 2020–2023 and *Yana Ngargna* 2020 Year 1 Action Plan.
37. The internal *Yana Ngargna* Working Group is comprised of Council officers from across the organisation (including an Executive sponsor), ensuring a whole of Council approach. This group meets monthly to review the implementation of the annual actions of the Plan ensuring an ongoing commitment to internal engagement and consultation across Council.
38. There are also other officers and branches undertaking work with the community who have actions in the *Yana Ngargna* 2020 Year 1 Action Plan but are not part of the *Yana Ngargna* Working Group.
39. The development of the Plan included engagement with the following branches: Aged and Disability Services; Arts, Culture and Venues; Economic Development; Environmental Management; Family, Youth and Children's Services; Recreation; Open Space, Planning and Design; Strategic Planning; Yarra Leisure; Yarra Libraries; Local Laws; Sustainability; Strategic Transport; City Works; and Diversity and Inclusion.

Financial Implications

40. All actions in the *Yana Ngargna* 2020 Year 1 Action Plan (with one exception) are funded through the operational budget.
41. The exception relates to a new initiative bid for the 2020/2021 Yarra Council budget process to create a dedicated heritage officer role for a Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander person.
42. Of note amongst funded actions, is the funding of two dedicated Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander positions (band 4, part-time) through the 2019/2020 Council budget process.

Economic Implications

43. Council understands and recognises the barriers and disadvantages facing Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander community members seeking economic equality. Council also recognises the advantages in providing opportunities for self-determination for Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people. This Plan not only provides community members with opportunities to build capacity and access gainful employment, it also provides opportunities for self-determination, social interaction and community engagement. This ultimately provides opportunities for community engagement, improved health, lifestyle and economic outcomes for Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people.
44. The continued commitment from Council to identify and promote Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander employment opportunities to local businesses and encourage them to employ local Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people only improves the economic outcomes for the community.
45. Council has identified that improvements to Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander employment outcomes at Council are dependent upon dedicated funding and the further development of culturally sensitive recruitment and retention practices.

Sustainability Implications

46. Wurundjeri Woi Wurrung people have managed their traditional lands and waterways in the area using traditional practices for tens of thousands of years. Sustainability was crucial to the survival of Wurundjeri Woi Wurrung people and culture. The Plan contributes to the preservation of Wurundjeri Woi Wurrung people and culture and protects culturally significant sites of importance to the Wurundjeri community.
47. Yarra's draft Nature Strategy 2019–2023 outlines Council's plan for working with the Wurundjeri Woi Wurrung Corporation's *Narrap* Team to manage, protect and enhance the natural environment in Yarra.

Social Implications

48. This Plan 2020–2023 is a framework for action, with its primary strength being partnerships. These partnerships have been nurtured and built over many years and they have strengthened the Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander community's participation as active members of Yarra's community. Members of this community has direct involvement in Council's *Yana Ngargna* Advisory Group, YASN, Billabong BBQ and Smith Street Dreaming Working Group meetings—and in the past through the Stolen Generations Marker Steering Group meetings. These are all opportunities for the local community to have their aspirations heard and be involved in the planning of projects, events and policies. This provides social harmony, inclusion and self-determination.
49. The Plan also maintains Yarra's rich Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander history and culture by promoting it to Yarra staff and the wider Yarra community. The Plan promotes Council's acknowledgment and recognition of the Wurundjeri Woi Wurrung community as the Traditional Owners of Yarra and promotes Council's stance on self-determination as best practice within the community.

Human Rights Implications

50. The Plan provides a strategic document to ensure Council meets its commitments and responsibilities in the *Charter of Human Rights and Responsibilities Act 2006* in the area of Aboriginal and Torres Strait Islander affairs by stating its commitment to respecting and promoting the rights of Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people.
51. One of the founding principles of the Charter is that: Human rights have a special importance for Aboriginal and Torres Strait Islander people of Victoria, as descendants of Australia's first people with diverse social, cultural, and economic relationships with their traditional lands and waters.

52. One of the substantive rights listed in the Charter under cultural rights is that Aboriginal and Torres Strait Islander people must not be denied the right, with other members of their community to:
- (a) enjoy their identity and culture;
 - (b) maintain and use their language;
 - (c) maintain their kinship ties; and
 - (d) maintain their distinctive spiritual, material, and economic relationship with the land and water and other resources with which they have a connection under traditional lore's and customs.
53. These rights are respected and promoted throughout the Plan and underpin the way Council engages with Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people.

Communications with CALD Communities Implications

54. A number of Council officers who are connected to Yarra's CALD communities frequently promote Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people, culture, issues and histories. There are several examples of officers who do this in Council's Community Partnerships Team (e.g. Community Grants, Neighbourhood Houses and Multicultural Partnerships), and many other examples across the organisation such as Youth Services, Child Care Centres and Libraries, Arts and Cultural Services.
55. A January 26 information page has been translated into five community languages and continues to be distributed annually in partnership with the Yarra Settlement Forum and the Yarra Multicultural Advisory Group.

Council Plan, Strategy and Policy Implications

56. The Council Plan 2017-2021 gives direction to the *Yana Ngargna* Plan 2020–2023 through the following strategic objectives:
- (a) Objective 1- A healthy Yarra, a place where community, health, safety, and wellbeing are a focus on everything we do;
 - (b) Objective 2- An inclusive Yarra, a place where inclusion, diversity, and uniqueness are welcomed, respected and celebrated;
 - (c) Objective 3 - A sustainable Yarra, council leads on sustainability and protect and enhances its natural environment; and
 - (d) Objective 4 – A liveable Yarra, development and growth are managed to maintain and enhance the character and heritage of the city.

Legal Implications

57. Some of the legislation related to this area of Council's works include:
- (a) Local Government Act 1989 (Vic);
 - (b) Charter of Human Rights and Responsibilities Act 2006 (Vic);
 - (c) Aboriginal Heritage Act 2006 and 2016 amendment (Vic);
 - (d) The Yarra Protection (*Wilip -gin Birrarung murrn*) Act 2017;
 - (e) The Advancing the Treaty with Aboriginal Victorians Act 2018;
 - (f) Racial Discrimination Act 1975; and
 - (g) United Nations Declaration on the Rights of Indigenous Peoples 2007.

Other Issues

58. The *Yana Ngargna* Advisory Group will continue to oversee the development and implementation of the Plan, with Council's internal Working Group tracking progress of actions on a monthly basis. All new action are cognisant of priorities identified in community consultation.

59. The *Yana Ngargna* 2020 Year 1 Action Plan includes 51 actions, including new and ongoing actions.
60. A new Action Plan will be written annually for the four year life of the plan, with all actions remaining under the priority areas identified in the community consultation.

Options

61. There are no options.

Conclusion

62. The *Yana Ngargna* Plan 2020–2023 will continue to provide positive outcomes in the Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander community.
63. The Plan has been renamed *Yana Ngargna* which means ‘continuing connection’ in Woi Wurrung language. This name was endorsed by the Wurundjeri Woi Wurrung Corporation Committee of Management. The Plan also includes significant changes to terminology that were determined through discussions at both the Aboriginal Advisory Group and the Wurundjeri Woi Wurrung Committee of Management.
64. These name and terminology changes might take some time to roll out across the organisation—and it is not expected that everyone will implement the changes simultaneously or perfectly.
65. The Plan also features renewed Acknowledgement of Country statements which have been developed through extensive discussions at the *Yana Ngargna* Advisory Group meetings.
66. Council will continue to build its relationships and collaborative projects with Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander community, advocating for better outcomes at the Local, State and Federal level. Council will also work to improve Wurundjeri Woi Wurrung Aboriginal and Torres Strait Islander employment outcomes at Council and locally.
67. The Plan highlights and reflects the value of a coordinated, collaborative and whole-of-organisation approach.
68. The *Yana Ngargna* Plan 2020–2023 demonstrates Council’s unmistakable commitment to the Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander community and provides it with an amazing vehicle to achieve great outcomes.

RECOMMENDATION

1. That Council:
 - (a) Adopt the *Yana Ngargna* Plan 2020–2023 and the *Yana Ngargna* 2020 Year 1 Action Plan; and
 - (b) Acknowledge and thank all Wurundjeri Woi Wurrung, Aboriginal and Torres Strait Islander people who have contributed their time, energy and knowledge to the development of the *Yana Ngargna* Plan 2020–2023.

CONTACT OFFICER: Colin Hunter
TITLE: Community Planner - Aboriginal Partnerships
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Attachments

- 1⇒ [Yana Ngargna Plan 2020-2023](#)
- 2⇒ [Yana Ngargna Plan 2020 Year 1 Action Plan](#)

11.7 Draft Homelessness Strategy 2020-2023

Reference: D19/145377

Authoriser: Group Manager People, Culture and Community

Purpose

1. To seek endorsement for the draft Homelessness Strategy to go out for public exhibition.

Background

2. Rates of homelessness have grown over the last decade nationally and internationally. In the 2016 Census, it was estimated that 116,000 people in Australia were homeless, an increase of 4.6% from 2011.
3. Yarra City Council provides support and resources towards addressing homelessness and rough sleeping in Yarra including (but not limited to) the implementation of our Protocol 'How to Respond to Rough Sleeping and Squatting in Yarra'. This comprises Council's operational response: a contract with Launch Housing to provide assertive outreach to support people sleeping rough in Yarra, and resourcing an online homelessness reporting tool.
4. Council's operational response is often referred to as the "Yarra Model", which is unique and regarded as best practice.
5. The decision to develop a specific Homelessness Strategy (Appendix 1) flows from recognition that over recent years, Council's response to homelessness in the municipality has increased in complexity, capacity and effectiveness. The Strategy will provide a robust and constructive basis for this response.
6. The draft Homelessness Strategy complements the draft Social and Affordable Housing Strategy by providing a direct response to people experiencing homelessness whilst realising the need to advocate for more emergency accommodation and transitional housing as part of the housing continuum, iterated in the Draft Social and Affordable Housing Strategy.
7. Long term social and affordable accommodation is out of the scope of the Homelessness Strategy, instead being the specific focus of Yarra's Social and Affordable Housing Strategy. These two strategies should be considered together; between them they respond to the full spectrum of homelessness and housing types.
8. The process to develop the Homelessness Strategy 2020-2023 has involved:
 - (a) a desktop review into other strategies and policies on addressing homelessness to develop a Background & Discussion Paper (Appendix 2);
 - (b) research to identify best practice approaches in Australia in relation to the homelessness sector;
 - (c) consultation with key Council staff, Councillors, a broad representation of Yarra agencies in the homelessness sector, and people with lived experience of homelessness to ensure a range of stakeholder views are reflected in the strategy; and
 - (d) a review of existing Council plans and protocols.
9. The initial consultation found that there needs to be further clarity around Council's response to homelessness and people sleeping rough. This includes educating stakeholders, and a whole-of-council commitment to the Protocol.
10. Collaboration and authentic partnerships with local agencies were also raised, looking at a holistic and sustainable approach to addressing systematic factors leading to homelessness.
11. Additionally, stakeholders were keen for Council to use its voice to advocate for preventing and addressing homelessness, including advocating for emergency crisis accommodation and social and affordable housing in Yarra as a way to break the cycle of homelessness.

12. These issues have been used to inform the three key priority areas where Council can play a role addressing and responding to issues arising from homelessness (see Appendix 3). The key priority areas are:
 - (a) Priority area 1: An Informed Response;
 - (b) Priority area 2: Collaboration; and
 - (c) Priority area 3: Advocacy.

External Consultation

13. Key external stakeholders were consulted for input towards developing key priority areas and strategic goals.
14. Representation was sought from key agencies including Launch Housing, Victoria Police, Council to Homeless Persons, cohealth, Justice Connect, Port Phillip City Council, Melbourne City Council, the ex-Commissioner for Children and Young People, Brotherhood of St Laurence, Anglicare, St Vincent's Health, Department of Health and Human Services, Yarra Housing and Homelessness Network and people with lived experience through the Homeless Persons Union Victoria.

Internal Consultation (One Yarra)

15. Staff from across Council have been engaged during drafting of the Strategy. This ensures that it aligns with corporate objectives and priorities, and supports Council's unified and best practice approach in responding to and addressing homelessness in our municipality.
16. Input was provided from internal stakeholders including Social Policy, Economic Development, City Works, Library Services, Family, Youth & Children's Services, Aged & Disability Services, Access Yarra, Venues & Events and Compliance.
17. Key stakeholders, including Councillors, were also invited to give feedback on the broad key priority areas and strategies once they were developed.
18. Community Partnerships and Social Policy have worked closely to ensure alignment between the draft Homelessness Strategy and draft Social and Affordable Housing Strategy.

Financial Implications

19. The Homelessness Strategy will be delivered within existing budgets.

Economic Implications

20. There are no economic implications.

Sustainability Implications

21. There are no sustainability implications.

Social Implications

22. Homelessness is a complex social problem with a variety of factors such as lack of affordable housing, poverty, mental health, alcohol and other drug use, and community and family breakdown playing a role.

Human Rights Implications

23. People experiencing homelessness face violations of a wide range of human rights.
24. Access to safe and secure housing is one of the most basic human rights. Additionally, a person who is homeless may face violations of the right to an adequate standard of living, the right to education, the right to liberty and security of the person, the right to privacy, the right to social security, the right to freedom from discrimination, the right to vote, and many more.
25. Additionally, all Victorians have the right to be in public spaces.

Communications with CALD Communities Implications

26. Council's Community Partnerships team has been consulted throughout the drafting process.
27. Interpreters will be used as necessary throughout the engagement process, as will the use of translated materials and multicultural media.

Council Plan, Strategy and Policy Implications

28. The development of a homelessness strategy for the City of Yarra is a key initiative of the Council Plan 2017-2021 that supports the strategic intent of the objective 'Health and Inclusive Yarra'. The objective seeks "To promote an effective and compassionate approach to rough sleeping and advocate for affordable, appropriate housing."
29. At a local level, the Homelessness Strategy aligns with and responds to initiatives and resolutions presented in the Yarra Housing Strategy 2018 and the Yarra Social and Affordable Housing Strategy 2019.

Legal Implications

30. There are no legal implications.

Other Issues

31. Homelessness issues, especially people sleeping rough, impact on a range of areas across Council – Compliance, Health Protection, Open Space Management, Advocacy and Engagement, OHS, Libraries, Venue and Events, Waste Management, Yarra Leisure, Access Yarra and Community Partnerships. Providing an informed and coordinated response has been an ongoing challenge for Council. The Homelessness Strategy will combat this issue by providing a unified and informed response.
32. Local governments have no clearly defined role in specifically responding to homelessness. Furthermore, State and Federal Governments have not traditionally engaged well with local governments in this space. However some of the responsibilities are alluded to within the remit of the Public Health and Wellbeing Act 2008. The Act indicates that it is the role of Council to seek to protect, improve and promote public health and wellbeing within the municipal district.

Options

33. There are no options.

Conclusion



34. The Homelessness Strategy is a whole-of-council approach to ensure our operational response and future strategic direction to homelessness is well informed, principled and sustained through a robust and constructive framework.
35. Officers would like to lead engagement with the community from mid-November for a period of six weeks, with a view to finalising the Draft Homelessness Strategy.
36. It is anticipated that Officers will bring the final version of the draft Homelessness Strategy to Council in early 2020 for consideration.

RECOMMENDATION

1. That:
 - (a) Councillors note the draft Homelessness Strategy
 - (b) Councillors endorse the draft Homelessness Strategy for public exhibition from mid-November for a period of six weeks.

CONTACT OFFICER: Elly Murrell
TITLE: Projects and Administration Officer
TEL: 9205 5106

Attachments

- 1  Draft Yarra Homelessness Strategy - 14 Oct 2019
- 2  Discussion Background Paper Yarra Homelessness Strategy 2020-2023.

11.8 Social and Affordable Housing Strategy

Executive Summary

Purpose

To seek Council endorsement of the Social and Affordable Housing Strategy and updated *Policy Guidance Note: Affordable Housing Outcomes at Significant Developments* and report on the program of consultation on the Draft Social and Affordable Housing Strategy and how this feedback has been addressed by officers.

Key Issues

House prices in the City of Yarra have increased at a rate of 130 percent between 2006 and 2016, as compared to a 63 percent increase in salaries.

This has affected a range of income groups, from the increase in those sleeping rough on our streets, to key workers who are forced to travel ever longer distances to work in our municipality, or who are placed under financial stress to remain here.

It is estimated that 3,570 households in Yarra have an unmet need for affordable housing. This represents about nine percent of the current population.

It is clear that the private market is unable to adequately address these issues, and that there is a need for a spectrum of subsidised housing products to accommodate the range of affordable housing needs.

A Social and Affordable Housing Strategy has been developed to outline Council's role and preferred strategies to contribute to an increase in social and affordable housing in Yarra.

Financial Implications

The majority of directions in the Strategy can be delivered within existing budgeted resources. The existing contribution to social and affordable housing through the annual grants program is recorded as an ongoing commitment. This is valued at up to \$50,000.

Strategic Direction 2 'Make effective and prudent direct investments in social and affordable housing' proposes to investigate the contribution of Council's own assets, such as buildings or air space above car parks or community facilities, for social and affordable housing. The strategy does not obligate Council to make any such undertakings. Council has, however, committed \$100,000 to complete a feasibility study into realising affordable and social housing outcomes in the Collingwood Town Hall Precinct.

PROPOSAL

That Council:

- (a) Notes the officer's report in relation to the proposed new Social and Affordable Housing Strategy;
- (b) Notes the findings from the consultation program and how feedback has been addressed in finalising the Social and Affordable Housing Strategy;
- (c) Notes the information provided on tiny houses as per Council Resolution 6318 on 27 August 2019; and
- (d) Endorses the Social and Affordable Housing Strategy and Updated Policy Guidance Note: Affordable Housing Outcomes at Significant Developments.

11.8 Social and Affordable Housing Strategy

Reference: D19/186666

Authoriser: Unit Manager Social Policy and Research

Purpose

1. To seek Council endorsement of the Social and Affordable Housing Strategy and updated *Policy Guidance Note: Affordable Housing Outcomes at Significant Developments*.
2. To report on the program of consultation on the Draft Social and Affordable Housing Strategy and how this feedback has been addressed by officers.
3. To provide information on Tiny Houses, as per Council Resolution 6318 on 27 August 2019.

Background

4. On 25 June 2019, Council resolved to seek stakeholder and broader community feedback on the Draft Social and Affordable Housing Strategy.
5. Public consultation on the draft Strategy occurred between 23 July and 23 August 2019. By and large respondents were highly informed and engaged and fundamentally supportive of the strategies and directions.
6. The final Strategy that is presented (see Attachment 1) has been updated to address the feedback received during the consultation process. There have been changes to some strategic directions, additional sections added and more information included within pre-existing sections.
7. Significantly, the overarching strategy and four strategic directions have been well supported throughout the consultation, with suggestions for improvement being implemented in the final draft.
8. The most substantial changes resulting from the stakeholder and broader community feedback are as follows:
 - (a) To improve document legibility, and clarify what is and isn't in scope, section 1.2 'Document Outline and Scope' was added;
 - (b) Section 1.3 'Review' was added to record how the Strategy in its practical application will be reported upon to the Council, and in turn, to the community;
 - (c) Expanded upon section 1.4 'Why Social and Affordable Housing matters in Yarra' so as to emphasise the value of increasing social and affordable housing in what is a well located and well serviced municipality;
 - (d) The consideration of target groups for social and affordable housing has been developed and is located at section 3.3. There is a better explanation of the concept of vulnerability, how specific groups are more likely to be vulnerable in relation to securing housing and how the particular needs of different target groups should be accommodated in terms of housing products (e.g. accessibility, number of bedrooms, in-reach services);
 - (e) The Draft Strategy stated that Council's expectations for affordable housing at significant new developments will be adjusted in accordance with presence or absence of subsidy or incentives. This direction was considered to generate ambiguity concerning Council's expectation and has been removed and replaced; and
 - (f) The pre-existing policy positions concerning affordable housing requirement at significant new developments (i.e. 10%) have been reaffirmed and strengthened and are now recorded at Direction 1.1.1 as follows:

When land is rezoned to allow residential use, this positively impacts the site value and Council considers that it is reasonable to capture some of this value and direct it towards improving the provision of affordable housing in the municipality.

Council will continue to seek provisions for at least 10% affordable housing transferred to a registered housing agency, or an alternative of equal or better benefit, to the satisfaction of Council, at the rezoning of land for residential use that allows more than 50 dwellings.

9. The Strategy retains its principal focus on increasing the supply of long-term social and affordable housing. It is this hard infrastructure that provides the foundation from which people can then participate in society and engage with other supports, networks and services.
10. While local governments are not the main player when it comes to social and affordable housing – this is the responsibility of the Commonwealth, state and territory governments – councils can support social and affordable housing through a number of routes, including:
 - (a) in their role as a planning authority;
 - (b) through material support such as grants or leveraging assets (buildings, land);
 - (c) by partnering with and facilitating the work of other stakeholders; and
 - (d) through advocacy to other levels of government.
11. Accordingly, the four strategic directions stated in this plan flow from the overarching strategy to increase the supply of affordable housing, and are based on the roles identified for local government to support an increase of social and affordable housing supply at the municipal level.
 - (a) *Strategic Direction 1: Be a leading local government in realising affordable housing outcomes at new developments across Yarra;*
 - (b) *Strategic Direction 2: Make effective and prudent direct investments in social and affordable housing;*
 - (c) *Strategic Direction 3: Partner, facilitate and engage with all stakeholders to increase social and affordable housing in Yarra; and*
 - (d) *Strategic Direction 4: Continue to pursue evidence-based, strategic advocacy to other levels of government for improved housing outcomes.*
12. The Policy Guidance Note (attached as an Appendix to the Strategy) has been updated so as to correspond with the Strategy and its directions. The following updates have been made:
 - (a) Explicit reference is made to the value captured in rezoning land to include residential use and how this value is being directed to promote affordable housing outcomes;
 - (b) It is articulated that anyone considering buying land in the municipality where there is an affordable housing requirement (i.e. in a Development Plan Overlay) must consider this prior to purchase;
 - (c) The affordable housing requirement was redrafted to read ‘at least 10% of dwellings, or an alternative arrangement of equal or better benefit, to the satisfaction of Council’. This drafting communicates that Council may consider alternate proposals (for example, three townhouses suitable for families instead of five one bedroom or studio apartments) but will not countenance anything of lesser worth;
 - (d) It is recorded that a Housing Diversity Report will be required by Council and that this report is to:
 - (i) analyse the types of people and households anticipated to live within the development;

- (ii) respond to the Specified Matters under Section 3AA(2) (Guidance For Seeking And Negotiating Affordable Housing Agreements Under the Planning and Environment Act 1987);
 - (iii) outline a preferred delivery model for realising the agreed affordable housing outcome;
 - (iv) provide evidence of discussion with registered housing agencies; and
 - (v) provide financial information pertaining to project feasibility.
- (e) Specific groups with an identified need for affordable housing are listed as per section 3.3 of the Strategy;
- (f) Expectations around tenure-blindness, accessibility and energy-efficiency are included to align with Strategic Direction 1.2;
- (g) Insertion of current data on affordable housing need was inserted to support strategic justification; and
- (h) The 'Policy basis' section was expanded (i.e. the supporting statutory and policy environment of Council and the Victorian Government).
13. The Strategy, its directions and the updated Policy Guidance Note are reflective of the opportunities that can actually be leveraged by Council in the policy and legislative environment as it is currently.
14. Naturally, a level of responsiveness will be required to address any changes that arise. For instance, if the current system of voluntary affordable housing agreements becomes superseded by mandatory mechanism, Council will need to update its guidance and the local planning scheme accordingly.

External Consultation

15. An Industry Affordable Housing workshop was hosted by Council officers (with several Councillors in attendance) on 16 April 2019 at the Fitzroy Reading Room. Representatives from community housing, property development, banking and finance and academic sectors attended on the day with views and comments from the forum informing the draft Strategy.
16. At the same time, a discrete piece of work was commissioned to interview community housing organisations with a presence in Yarra to understand their experiences of housing need and preferred role of Council. An individual meeting was also held with the Victorian Public Tenants Association at this stage.
17. Public consultation on the draft Strategy occurred between 23 July and 23 August 2019. A Your Say Yarra (YSY) page – with a summary of key points, a survey and copies of the draft strategy and background documents – was promoted to the community through Yarra Life eNews, social media and postcards at our neighbourhood houses, service centres and libraries. Service providers, industry, resident groups and state government were all contacted directly and officers presented to six Yarra advisory groups.
18. More than forty community members completed the online survey and around a dozen submissions were received from stakeholder organisations, representing the positions of the not-for-profit sector, community housing, developers, community banking, peak-body and advocacy organisations. Overall, the feedback was very positive and the submissions were detailed, considered and insightful. A range of perspectives on the issues and strategies emerged and added significant value to the final draft strategy. As previously stated, most submissions were fundamentally supportive of the strategies and directions.
19. Further information about the content of the submissions and resultant changes to the final Strategy are outlined in the Consultation Report (see Attachment 2).

Internal Consultation (One Yarra)

20. Internal workshops were held with officers from Community Wellbeing, Community Partnerships and Strategic and Statutory Planning before drafting and in response to the draft Strategy.
21. Feedback from within the organisation was instrumental in ensuring the Strategy reflects and aligns with the work being done across the organisation. In particular, internal engagement highlighted the need to update the Policy Guidance Note to align with the new Strategy.

Financial Implications

22. The majority of directions in the Strategy can be delivered within existing budgeted resources.
23. The existing contribution to social and affordable housing through the annual grants program is recorded as an ongoing commitment. This is valued at up to \$50,000.
24. Strategic Direction 2 'Make effective and prudent direct investments in social and affordable housing' proposes to investigate the contribution of Council's own assets, such as buildings or air space above car parks or community facilities, for social and affordable housing. The strategy does not obligate Council to make any such undertakings.
25. On a related but separate matter, Council has committed \$100,000 this financial year (2019/20) to complete a feasibility study into realising affordable and social housing outcomes in the Collingwood Town Hall Precinct. Further direct financial investments in social and affordable housing that may arise from specific projects will be considered in future reports to Council.

Economic Implications

26. Recent research from the Australian Housing and Urban Research Institute (AHURI) shows the economic and social benefits of social housing in promoting engagement in education and employment.
27. There are a number of other studies and reviews that support the cost-benefits of subsidising housing for those in need. For instance, the City of Port Phillip has conducted a cost-benefit analysis of their Council's committed \$26.6 million investment in community housing over the next 26 years and has estimated it would return \$79.2 million worth of benefits. This included avoiding costs associated with health, justice and welfare, labour force engagement and community diversity and strengthening.

Sustainability Implications

28. Strategy 1.2.3 states that Council expects affordable housing dwellings to be built to a high standard in terms of durability and energy-efficiency to decrease ongoing maintenance costs.

Social Implications

29. In recent years, Yarra has had high levels of new apartments and town houses supplied via the private market and the total number of dwellings is projected to rise to more than 62,000 by 2029.
30. Local rental housing however remains expensive with virtually no new private rental houses or apartments in Yarra that are affordable to households with very low and low incomes. For instance, in the June quarter of 2019, there were only nine advertised private rental properties that could be afforded by people on Centrelink incomes.
31. As a result of these trends continuing over many years, the Yarra population has become increasingly wealthy, and lower and moderate income households have gradually become priced out of the private housing market.

32. This has led to a residential population with significant socio-economic divergence – while more than a third of households earn more than \$2,400 per week, and 60 percent of residents are employed in managerial and professional occupations, 20 percent of households earn less than \$740 per week and have minimal or no educational qualifications. Many Yarra residents are living with economic hardship and social disadvantage with a low likelihood that their circumstances will improve.
33. Lack of affordability, although most apparent at the lowest incomes, impacts households at various income levels. The effects range from an the increase in those sleeping rough on our streets, to key workers who are forced to travel ever longer distances to work in our municipality, or who are placed under financial stress to remain here.
34. Housing stress occurs when housing costs rise too far above incomes and households end up paying a large proportion (generally more than 30 percent) of their income on housing. This reduces their capacity to spend on other household essentials, such as food, utilities and health.
35. In 2016, 15 percent of Yarra’s households (more than 6,000 households) were in housing stress. Of these households more than 5,000 were renting and more than 3,000 were rental households with very low income levels.
36. Furthermore, it is estimated that 3,570 households in Yarra have an unmet need for affordable housing. This represents about nine percent of the current population and is based on the number of persons who are homeless, marginally housed and households in long-term rental stress.
37. What is clear is that the private market is unable to adequately address these issues, and that there is a need for a spectrum of subsidised housing products to accommodate the range of affordable housing needs – with social housing best placed to support the most disadvantaged in our community and affordable housing providing much needed accommodation for lower income households.
38. Yet despite the apparent need, there have been few recent opportunities to develop permanent, safe and affordable housing, at volume, in the municipality. The long-term stagnation of social housing growth, coupled with ever increasing costs of private rental, let alone purchase, has meant those living on fixed incomes such as the pension, or whose incomes derive from lower paid and/or casual employment, would experience difficulties remaining in, or entering, the housing market in Yarra.
39. There are, however, opportunities to leverage the apartment-driven housing growth to generate social equity and increase diversity by encouraging social and affordable housing to be included in the new stock that is built.
40. Maintaining socio-economic diversity has been linked to positive community benefits such as stronger levels of social trust between different economic groups, higher perceptions of local safety, and greater social acceptance of difference.
41. Sustaining a diverse population requires a diversity of housing available at prices that can be afforded by households with modest or low incomes. The focus of this Strategy is therefore to see an increase in social and affordable housing in our municipality.
42. The Social and Affordable Housing Strategy is aligned with the broader efforts of a Council that is dedicated to social justice through a commitment to equitable housing outcomes for current and future populations of Yarra.
43. As outlined in section 1.3 of the Strategy, officers will report to Council annually on the progression and outcomes of the Strategy. Additionally, officers are to be responsive to any changes in the affordable housing environment and will advise Council as opportunities or challenges manifest.

Human Rights Implications

44. Access to housing is a universal human right. Article 25.1 of the Universal Declaration of Human Rights states that:

- (a) *Everyone has the right to a standard of living adequate for the health and well-being of [themselves] and of [their] family, including food, clothing, **housing** and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond [their] control.*

Communications with CALD Communities Implications

45. As part of the public consultation on the draft Strategy (as outlined above), officers presented to the Multicultural Advisory Group, and an invitation to contribute to the YSY page was sent to members of the Yarra Settlement Forum. Interpreters were present for the Multicultural Advisory Group, which engaged in a good level of discussion, offering practical suggestions on the Strategy.
46. As per Council's standard practice, the postcards distributed at neighbourhood houses, service centres and libraries included a translation panel.
47. A number of service providers and agencies that work with CALD communities were also invited to participate in the consultation.
48. The only specific issue mentioned with regard to affordable housing and CALD communities was the identification of asylum seekers as a group that is particularly vulnerable to homelessness. As a result of this, additional research was undertaken and asylum seekers have been added into the Strategy, which recognises that this is a vulnerable group.

Council Plan, Strategy and Policy Implications

49. The Social and Affordable Housing Strategy will sit within and respond to initiatives and resolutions in Council's strategies and plans as follows:
- (a) Council Plan 2017/2021 – Council will: 'Actively Plan for Yarra's projected growth and development and advocate for an increase in social and affordable housing'; and
- (b) Yarra Housing Strategy 2018 – *Strategic Direction 4: Facilitate the provision of more affordable housing in Yarra.*
50. The Social and Affordable Housing Strategy will also align closely with the forthcoming Homelessness Strategy, which expands on the operational/outreach, causes and lived-experience aspects of homelessness, and in particular rough sleepers and those who require emergency accommodation.
51. This Strategy intersects directly with the Homelessness Strategy through the mutual acknowledgement of housing as the core need of homeless persons. Both strategies support the 'Housing First' approach which promotes the provision of secure long-term housing as the bedrock upon which other supports can be added.

Legal Implications

52. The updated Policy Guidance Note has been reviewed by lawyers and no issues have been identified.
53. Pre-existing or ongoing negotiations for affordable housing outcomes are not affected by the updates to the Policy Guidance Note.

Other Issues

54. It should be noted that the Minister for Planning, the Hon. Richard Wynne MP has established a Ministerial Advisory Committee on Planning Mechanisms for Affordable Housing. The committee has been tasked with providing 'advice and recommendations to the Minister on possible models and options to facilitate the supply of affordable housing through the Victorian Planning system' before the end of the year. Officers will continue to monitor progress and outcomes of this process. The committee will provide its final report to the Minister within 3 months of its initial meeting (18 Sep 2019) and the Committee will operate for a period of six months from the date of its initial meeting.

55. As per the Councillor resolution on 27 August 2019 (item 6318), an overview of 'tiny houses' has been appended to this report (at Attachment 3). The overview outlines the emergence of tiny houses, gives some local examples and discusses the benefits and drawbacks of its use for homelessness or low-income housing. Key observations included:
- (a) The primary considerations in assessing the viability of tiny houses for homeless people in Yarra is the relative cost, permanency and value of this type of housing as compared to more traditional housing and the availability of appropriate land;
 - (b) The cost of the Harris Transportable Houses has been reported at between \$80,000 to \$130,000 per house when fully connected and installed. Meanwhile, the cost to build a small permanent one bedroom unit could be in the order of \$115,000 to \$160,000; and
 - (c) As it currently stands, there is no vacant council-owned land in Yarra of suitable size and/or amenity that is not currently being used as open space and officers are not aware of any Victorian Government owned land locally that is available or suitable for this purpose.

Options

56. Not applicable.

Conclusion

57. Access to safe, secure and affordable housing is a right that should be afforded to all of our citizens and it is a pressing issue that all three levels of government need to work together to address. None of the current policy measures proposed by the state and federal governments to improve the supply of social and affordable housing will be sufficient to meet the ever-growing need in our city, and a shared effort is needed to find creative solutions.
58. Increasingly, innovative ideas are sought to respond to the growing demand for affordable housing, and given that this is an evolving area, a level of flexibility is required to capitalise on new information and approaches.
59. As outlined in the Strategy, we plan to continue to negotiate, research, educate, partner and directly invest to improve access to safe, appropriate and secure affordable housing in Yarra.

RECOMMENDATION

1. That Council:
- (a) notes the officer's report in relation to the proposed new Social and Affordable Housing Strategy;
 - (b) notes the findings from the consultation program and how feedback has been addressed in finalising the Social and Affordable Housing Strategy;
 - (c) notes the information provided on tiny houses as per Council Resolution 6318 on 27 August 2019; and
 - (d) endorses the Social and Affordable Housing Strategy and Updated Policy Guidance Note: Affordable Housing Outcomes at Significant Developments.

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Attachments

- 1 ➡ Yarra Social and Affordable Housing Strategy 2019
- 2 ➡ Consultation report_draft Social and Affordable Housing Strategy_Jul-Aug 2019
- 3 ➡ Tiny Houses Overview

11.9 Council Land Abutting Goodwood Street Richmond

Reference: D19/183576

Authoriser: Group Manager Chief Executive's Office

Purpose

1. To consider and approve the referenced Licence agreement between Council and the Owners Corporation of 11 Goodwood Street Richmond over adjacent Council-owned land required for drainage purposes.
2. To consider how applications involving Council land will be managed in future.

Background

3. Council received a planning application on 16 June 2014 for the development of the site for ten (10) dwellings; including a partial waiver of car parking requirements. The planning application for the development proposal included a request to construct private mailboxes, a bin receptacle and utility meters on adjacent Council-owned land (refer to Attachment A - Site Plan).
4. Council at its meetings of 14 May 2019 and 16 July 2019 noted the circumstances leading to the construction of a removable mailboxes and bin receptacle structure on adjacent Council-owned land.

Noted in particular were;

- (a) the need to maintain Council's drainage infrastructure located on the adjacent Council-owned land known as Milkman's Way;
 - (b) advice provided by Council's engineers precluding the location of service meters on Council's land and requiring that the mailboxes and receptacle structure located over Council's drainage infrastructure would need to be removable;
 - (c) VCAT's direction on 6 May 2015 ordering the issue of Planning Permit PLN 14/0519; and
 - (d) the presence of various structures encroaching onto Milkman's Way and previous discussions with owners of the abutting properties.
5. Construction of the development works under the approved Planning Permit is now complete and a Statement of Compliance for the final stage was issued 10 October 2019. An Owners Corporation will soon be created so a licence arrangement to address the use and obligations arising out of its occupation of part of Milkman's Way for the mailbox and garbage receptacle must be progressed.
 6. This report seeks Council's formal approval of the key terms and conditions of a proposed licence agreement. The Agreement will require the Owners Corporation to accept responsibility for meeting the cost of preparing the agreement.
 7. This report also provides some insight into how a corporate approach to assessing property requests may assist officers in future.

External Consultation

8. External consultation is limited to obtaining a fee proposal from Maddocks Lawyers.

Internal Consultation (One Yarra)

9. Internal consultation has involved the Planning and Place-Making and City Works and Assets directorates and the Office of the CEO.

Financial Implications

10. The cost of preparing the licence will need to be assumed by the Owners Corporation. There are therefore, no financial implications for Council.

Economic Implications

11. There are no direct economic implications if a non-exclusive licence is established.

Sustainability Implications

12. There are no sustainability implications

Social Implications

13. There are no social implications

Human Rights Implications

14. There are no human rights implications.

Communications with CALD Communities Implications

15. No implications envisaged.

Council Plan, Strategy and Policy Implications

16. There are no Council Plan, Strategy or policy implications

Legal Implications

17. The location of private mailboxes and a garbage receptacle on Council land and over drainage assets, requires that the licence agreement does not confer exclusive occupation and that Council maintains a right to remove private assets with little notice to undertake repairs.

Other Issues

18. All key issues have been addressed.

Options

Recommended key provisions of a licence agreement

19. A five (5) years initial licence period with a further five (5) year extension exercisable by Council only with an annual licence fee of \$350 per annum indexed at CPI is recommended.
20. The licence agreement will also:
 - (a) Stipulate that Council is acting in its corporate capacity;
 - (b) Provide Council with authority to remove the Owners Corporation assets if they do not comply with standards or if access to the upgrade and/or maintain the drainage assets is required and to seek reimbursement from the Corporation for any costs incurred in removing and re-installing structure/s;
 - (c) Allow for the termination of the agreement for the breach of an essential term or at Council's discretion with no penalty; and
 - (d) Require the Owners Corporation to meet Council's reasonable costs in preparing the licence agreement.

Recommended treatment of applications involving Council Land in future

21. The entering into a private licence arrangement between Council and an occupier is necessary at times to achieve a manageable outcome, but the offering of such remedial solutions requires a value-judgment to be made that often attracts criticism because it is inconsistent with the expectation that a municipal authority is an institution, and there is limited scope to exercise discretion in providing 'tailored' outcomes.

22. The reconciliation of claims of private rights and public purpose is at the heart of an effective laneway policy (currently being developed) and Council's property portfolio and it is imperative that the assessment is approached with a view to defining a teleology and structuring a consultation process that leads to a solution/s that do not rely on the use of licence agreements other than as an interim arrangement.
23. It is suggested that any request to occupy Council land in future under similar circumstances, is firstly assessed by the Office of the CEO (representing Council in its corporate capacity only).

Conclusion


24. A private agreement between an Owners Corporation and Council under similar circumstances is not the preferred solution and particularly when the termination of same for non-performance of convenience may impugn the Planning Permit for use and development.
25. A reasonable separation between property as a resource (viewed as a corporate responsibility) and ensuring that active and passive representations that can be relied upon in any planning application in future without the formality that must always precede, will be maintained.

RECOMMENDATION

1. That Council:
 - (a) approves the progression of a licence agreement between Council and the Owners Corporation of 11 Goodwood Street Richmond over adjacent Council-owned land to accommodate removable private mailboxes and a garbage receptacle. Such licence agreement will:
 - (i) provide a five (5) years initial licence period with a further five (5) year extension exercisable by Council only;
 - (ii) require an annual licence fee of \$350 per annum indexed at CPI;
 - (iii) provide Council with authority to remove the Owners Corporation assets if the Owners Corporation does not comply with standards or if access to the upgrade and /or maintain the drainage assets is required and to seek reimbursement from the Corporation for costs incurred in removing and re-installing structure/s; and
 - (iv) provide Council with the ability to terminate the agreement for a significant breach or convenience.
 - (b) notes the measures to ensure the effective management of Council-owned and controlled land in future.

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Attachments

- 1  Site Plan_Goodwood St

11.10 East - West access through former AMCOR site

Reference: D19/193827

Authoriser: Director City Works and Assets

Purpose

1. The purpose of this report is to advise Council on the costs and risks associated with negotiating alternative community access arrangements for the Yarra River bank at the Glenvill site (former AMCOR Paper Mill development site). This is as per the Council Resolution on 24 September 2019.

Background

2. The former AMCOR site in Alphington is currently being re-developed. In January of 2019, it was reported that a section of the river bank had slumped, causing a tree to fall into the river. A second tree fell into the river in May 2019 and a third was lopped in August 2019, following Council resolution to do so, as a matter of urgency to reduce public risk and further damage to the river bank.
3. There has been considerable community interest in the AMCOR development, and most recently in relation to the slumping of the river bank, the loss of mature trees and the closure of the river bank pathway to the public.
4. The river bank pathway is within the 30 metre wide corridor from the river bank to the top of the embankment that is proposed to be managed as public open space as part of the development agreement. Sections of the corridor are to be decontaminated, and the whole abuttal length is to be landscaped to provide public access for pedestrians and cyclists to the river and trails along the river.
5. Slumping of the river bank has occurred along sections of the path way on the lower terrace. The pathway is unsafe for pedestrian access and has consequently been closed off to the public by Glenvill since January 2019.
6. It should be noted that the pathway to the west of the Glenvill site approaching the Chandler Highway Bridge has been closed since the bridge works commenced. These works however are nearing completion and Major Road Projects Victoria (MRPV), who are responsible for these works have indicated that access may be restored by mid-November 2019.
7. Council officers have initially engaged an independent consultancy (Alluvium) to investigate the cause of the river bank slumping and its impact on river bank trees. Reports of their findings and recommendations have been reported to Council, informing the above resolution.
8. Further discussions have been held with Glenvill, who have agreed to undertake detailed investigations on the cause of the slumping and remediation measures, with Council officers to inform the scope, and Alluvium to peer review their investigations. These investigations are currently in progress.
9. Short term remediation measures as recommended in the Stage 1 Alluvium report are in progress:
 - (a) Glenvill have undertaken a review of the site wide drainage management plan. Officers and Council's appointed specialist consultant (Alluvium) have peer reviewed the plan and have provided additional comments for Glenvill to incorporate. At the time of writing this report Glenvill have not confirmed those changes;
 - (b) As part of the site wide drainage management plan, the existing abandoned sediment ponds will be progressively sealed;

- (c) Diversion of ground water infiltration from the existing gravel car park adjacent to the steep embankment and at the east side of the subject site is to be engineered and actioned by Glenvill; and
- (d) The river bank slump area at the tree locations described in previous reports as T1 and T2, has been backfilled by Glenvill contractors in September 2019 with approved soil as prescribed by Glenvill's geotechnical consultant. Two other slump locations will be similarly treated.

Glenvill response to alternative community access arrangements for Yarra River Bank

- 10. Glenvill and Council officers have agreed on a temporary pathway alignment which would provide safe access for the community from Lugton Street and through a section of the development site under construction to the section of river bank pathway which has not been affected by the slumping and fallen trees. The alignment for the temporary pathway is shown on **Attachment 1**.
- 11. Glenvill have agreed to provide a crushed rock surface to the temporary pathway which will be similar to the path that exists currently along the river bank. The pathway will also be protected by temporary fencing to ensure the safety of the public where the path crosses the development site construction zone.
- 12. Glenvill have agreed to provide the temporary pathway at no cost to Council subject to Council accepting public liability for the temporary pathway.
- 13. Council's primary liability insurer have confirmed they will provide public liability insurance coverage for the proposed temporary pathway solution, provided the pathway is checked by Council's engineers prior to any opening to confirm that it has been constructed to Council's specifications.
- 14. At the time of writing this report Glenvill have advised that construction of the path and installation of fencing to separate the path from the construction zone is nearing completion. Officers anticipate that the path will be open to the public at the time of this report being presented to Council. Officers will work with Glenvill to align the opening of the path with the completion of the works beneath the Chandler Highway as closely as possible
- 15. Glenvill is to undertake a regular inspection regime to ensure the path condition is maintained throughout its use.

External Consultation

- 16. Major Road Projects Victoria have advised that the works beneath the Chandler Highway bridge will be complete by the end of November 2019 and access along the river bank will be re-opened.

Internal Consultation (One Yarra)

- 17. Council's Risk Management Unit have been consulted regarding Council's primary insurer providing public liability insurance coverage for the temporary pathway through the Glenvill construction site.

Financial Implications

- 18. There are no direct costs to Council to facilitate the access path re-opening. Some additional costs are anticipated to enable the independent review of the work undertaken by Glenvill's consultants to determine the cause of the slumping and any necessary mitigation measures.

Economic Implications

- 19. Not applicable

Sustainability Implications

- 20. Not applicable

Social Implications

21. Providing a temporary pathway through the Glenvill site to the river bank pathway will restore an East West access route for public use. Members of the local community have been advocating this outcome, and provision of this path will have a positive social impact to the local community.

Human Rights Implications

22. Not applicable

Communications with CALD Communities Implications

23. Not applicable

Council Plan, Strategy and Policy Implications

24. Ensuring community safety and amenity is a key responsibility for Council. The actions within this report seek to maintain this for the residents of Alphington.

Legal Implications

25. Council insurers have accepted liability matters arising from public access across privately owned land.

Other Issues

26. Not applicable

Options

27. Not applicable

Conclusion


28. Glenvill and Council officers have agreed on a temporary pathway alignment which would provide safe access to the community through the Glenvill construction site to the Yarra Riverbank.
29. Glenvill have agreed to provide the temporary pathway at no cost to Council subject to Council accepting public liability for the temporary pathway.
30. Council's primary liability insurer have confirmed they will provide public liability insurance coverage for the proposed temporary pathway solution.
31. Officers advise that the temporary pathway alignment is the only viable and practical solution, and provides the community with a safe east west route through the development site to the Yarra River.
32. At the time of writing this report Glenvill have advised that construction of the path and installation of fencing to separate the path from the construction zone is nearing completion. Officers anticipate that the path will be open to the public at the time of this report being presented to Council. Glenvill is to undertake a regular inspection regime to ensure the path condition is maintained throughout its use.
33. Glenvill have undertaken a review of the site wide drainage management plan. Officers and Council's appointed specialist consultant (Alluvium) have peer reviewed the plan and have provided additional comments for Glenvill to incorporate. At the time of writing this report Glenvill have not confirmed those changes.
34. Glenvill have agreed to undertake detailed investigations on the cause of the slumping and remediation measures, with Council officers to inform the scope, and Alluvium to peer review their investigations. These investigations are currently in progress.

RECOMMENDATION

1. That Council:
 - (a) note that the temporary path alignment (as per Attachment 1) provides safe access to the community through the Glenvill construction site to the Yarra Riverbank;
 - (b) note that Council's primary liability insurer have confirmed they will provide public liability insurance coverage for the proposed temporary pathway solution; and
 - (c) note that officers have advised Glenvill to proceed with the temporary pathway, and for Glenvill to undertake a regular inspection regime to maintain its condition throughout its use.

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Attachments

- 1  Temporary pathway alignment

11.11 Heritage Strategy - response to public exhibition and an amended strategy for council consideration for adoption

Reference: D19/201867

Authoriser: Group Manager Chief Executive's Office

Purpose

1. For Council to :
 - (a) consider the revised draft Heritage Strategy 2019-2030, which has been updated following receipt of submissions;
 - (b) note the Officer's report; and
 - (c) adopt the amended Heritage Strategy for implementation.

Background

2. Council's Heritage Strategy 2015-18 ended in 2018.
3. Officers' with the help of Extent Heritage Pty Ltd prepared a draft Heritage Strategy 2019-2030 (**Attachment 1**), following a consultative process.
4. On 27 August 2019, Council resolved to publicly exhibit the draft Heritage Strategy 2019-2030 for a period of four weeks. The exhibition occurred between in 5th September 2019 and 4th October 2019.

External Consultation

5. The external consultation of the draft strategy involved following steps:
 - (a) Information on Your Say Yarra web page;
 - (b) Information through Yarra Life E News-letter and social media;
 - (c) Email to Heritage Advisory Committee (HAC) members, stakeholder groups, key community groups, historical societies, participants of the previous workshop and survey who have provided their email contacts;
 - (d) Information to the officers managing other advisory committees of the Council;
 - (e) Information postcards placed in Yarra Libraries and Town Halls; and
 - (f) A hard copy of the draft Strategy placed at the information counters of Richmond and Collingwood Town Halls, for community and visitors to view.
6. The HAC members have provided their comments throughout the development stages of the draft strategy. A HAC subgroup has been more closely involved in the development process.
7. The draft strategy was also presented to the Disability Advisory Committee (DAC) at their September 2019 meeting and no subsequent feedback was received from the Committee.

Internal Consultation (One Yarra)

8. The draft Heritage Strategy was developed in consultation with the different departments through individual and group meetings.
9. Those departments also provided their feedback on the initial list of implementation actions and associated time lines for their implementation.
10. Executive reviewed acknowledged the draft priority list of actions.

11. Post exhibition of the strategy, the Manager City Strategy has been consulted for resolving submissions relating to Planning Scheme matters as there were a number of submissions referencing the heritage policy and planning scheme and resultant changes to the strategy actions.

Submissions and responses

12. Public exhibition of the draft Strategy resulted in over 400 visitations to the Your Say Yarra web page on *Valuing Our Heritage*. 51 submissions were received.
13. The community submissions have indicated strong support for all the priority actions listed in the draft strategy.
14. One submission did not support the priority actions as the submitter did not want any further protection and felt that inner city areas should allow medium construction, especially Fitzroy North and Carlton North.
15. Whilst there has been a strong support for the Strategy, 27 submitters have provided detailed comments.
16. A summary of all submissions and officer's response to those, is provided in **Attachment 2**.
17. The detailed submissions received through emails are also attached as **Attachments 4-8** for Councillors to view.
18. Key issues raised in the submissions include:

- (a) Need for an overarching strategy that preserves the heritage character of the municipality.

Officer Response

The Strategy's Strategic Direction 2 on *Protecting and Managing Heritage* and priority actions 1, 2, 4, 5, 6, 7, 8 and 11 are focussed towards improved processes for documenting and protecting heritage character of different areas of Yarra.

- (b) Need to enhance culture and focus in the Council so that heritage is given greater emphasis and resourcing.

Officer Response

The Strategy's Strategic Direction 2 on *Protecting and Managing Heritage* and priority actions 3, 5, 9, 10, 12 and 13 are focussed towards improved processes for management of heritage by Council.

- (c) Overdevelopment and over emphasis on allowable development intensity should be recognised as presenting short term financial return whilst Yarra's loses heritage fabric and character.

Officer Response

This is both:

- (i) a strategic planning matter which can be addressed through planning policies and controls; and
 - (ii) an issue which could be advocated to State Government to acknowledge and approve introduction of procedures for the monitoring of the impact of progressive development in a locality, as a precaution against over development and impacts on the neighbourhood character and heritage.
- (d) Maintaining character of the Inner City industrial areas.

Officer Response

Priority Action 8 of the strategy has a quantifiable action towards development of policies to protect the heritage character of Yarra's former commercial and industrial buildings.

- (e) There is a need for a strategy that can create pathways for actionable policies.

Officer Response

The Heritage Strategy 2019-2030 includes a vision, strategic directions and priority actions with quantifiable targets that would provide pathways for stronger and actionable policies.

- (f) The need for strengthening of Yarra's Planning Scheme, heritage policy, heritage controls.

Officer Response

Priority Actions 2, 8 and 11 would result in strengthening heritage policies and controls.

- (g) Policy development to address the issues of:

- Token preservation;
- Building height;
- Over development;
- Facadism; and
- Inappropriate demolition of heritage buildings.

Officer Response

The quantifiable targets to Priority Action 8 of the strategy have been amended so that rewrite of the planning scheme and heritage policies address the above issues. See also comment in clause 19(c) (ii).

- (h) There is a need to understand that heritage presents a layering of history.

Officer Response

This issue can be addressed through Priority Action 12 on in-house training and Action 18 on developing information sheets.

- (i) Developing appropriate policies to protect significant building and heritage character in the World Heritage Environs Area.

Officer Response

Implementation of Priority Action 8 of the Strategy would address the above issue. Additionally, Council is also participating in the review of the World Heritage Management Plan that would review and potentially strengthen the policy controls in the precinct.

- (j) Need to promote interpretation and place making initiatives for significant sites such as the Dight's Falls and nationally listed Abbotsford Convent.

Officer Response

Priority Action 26 has been amended to include Abbotsford Convent and Dight's Falls to provide a specific focus and priorities on those sites.

- (k) Need for adequate resourcing of implementation of Heritage Strategy including establishment of a Heritage Department.

Officer Response

Council and Executives have considered and endorsed the Draft Heritage Strategy Actions, including looking at the processes and resources required for the implementation of the heritage strategy in the next 10 years.

- (l) A strategic approach is required for identification and management of archaeological heritage.

Officer Response

A new priority action 14 has been added in the Strategy to address this.

19. Detailed submission are available for Councillors to view.
20. The strategy has been amended to respond to issues as raised in the submissions and an amended Heritage Strategy 2019-2030 (The Strategy) now appended - refer **Attachment 3**.

Financial Implications

21. Adoption of the Heritage Strategy 2019-2030 would require Council to make regular budget commitments over coming years.
22. Council's budget for the year 2019-20 provides:
 - (a) \$ 60,000 towards heritage information, promotion and the cost for completion and printing of the new heritage strategy;
 - (b) \$80,000 contribution towards Victorian Heritage Restoration Fund. This funding is to help the owners of heritage properties to restore the heritage elements of their building when following the Victorian Heritage Restoration Fund criteria; and
 - (c) Two new initiative bids - \$80,000 to prepare a framework for management of Yarra's own heritage assets and \$60,000, to initiate a shared value heritage project.
23. The above provisions will implement some of the short term actions of the new Strategy.
24. Other departments also have budget for undertaking heritage actions relating to their areas of responsibility.
25. It is expected that implementation of this strategy in year two (*financial year 2020-21*) would also require a similar budget of \$200,000 - \$250,000, plus the ongoing contribution of \$80,000 to the Victorian Heritage Restoration fund.
26. The implementation of the strategy also relies on additional staffing support in the area of heritage; which will be subject to new initiative Budget requests.
27. The implementation of actions relating to other departments would be managed through their regular services and the relevant departments would seek their own budgets as usual.

Economic Implications

28. The strategy promotes conservation of heritage which would result in direct and indirect economic benefits for the community.

Sustainability Implications

29. Conservation of built, cultural and natural heritage aligns with the sustainability principles.

Social Implications

30. A number of implementation actions of the strategy focus on improving the knowledge of local history and heritage within the local community and society.

Human Rights Implications

31. There are no known human rights implications of the draft strategy at this stage.

Communications with CALD Communities Implications

32. Public exhibition and consultation process would involve Yarra's standard practices relating to CALD elements.

Council Plan, Strategy and Policy Implications

33. The Strategy is consistent with the Council Plan 2017-2021 which includes:
 - (a) Acknowledging and celebrating Aboriginal history (as a part of Strategy 2.3);
 - (b) Supporting and empowering a more sustainable Council and Community (Strategy 3.2); and

- (c) Protecting Yarra's heritage and neighbourhood character (Strategy 4.1) under which a main initiative (4.1.1) is to strengthen the protection of Yarra's heritage through the planning scheme, education, and resource provision.
- 34. The Strategy also links with many other strategies of the Council such as the Housing Strategy 2018, Property Strategy 2018, Economic Development Strategy 2015-2020, Yarra Libraries Strategic Plan 2017-2020, Multicultural Partnership Plan 2015-2018, Graffiti Management Framework 2015-2019, Yarra Open Space Strategy 2006, Arts and Culture Strategy 2016-2020, Access and Inclusion Strategy 2018-2024 and Volunteers Strategy 2019-2023.
- 35. The vision and directions of this Strategy will also influence Yarra Planning Scheme policies and provisions and needs to be considered while revising the existing provisions or preparing new policies and development controls.
- 36. The strategy is consistent with the Plan Melbourne and State Planning Policy Framework.

Legal Implications

- 37. The Strategy is consistent with the following legislations:

Commonwealth

- (a) *Aboriginal and Torres Strait Islander Protection Act 1984;*
- (b) *Environment Protection and Biodiversity Conservation Act 1999;*

State

- (c) *Planning and Environment Act 1987;*
 - (d) *Heritage Act 2017;*
 - (e) *Aboriginal Heritage Act 2006 & Aboriginal Heritage Regulations 2018;* and
 - (f) *Yarra River Protection (Wilip-gin Birrarung murron) Act 2017.*
- 38. Implementation actions may also have other influences in specific cases such as *The Disability Discrimination Act 1992* for universal access of heritage buildings.

Other Issues

- 39. HAC members have raised following matters:
 - (a) A common theme in the public response to the draft Heritage Strategy is the need to strengthen the heritage provisions in the planning scheme. HAC were last consulted on a draft the local heritage policy however they have not been briefed on or advised of any further developments of the planning scheme draft; and
 - (b) The absolute importance of having strong, enforceable, sophisticated heritage policy/strategy needs to be recognised especially in areas where heritage overlays meet development precincts. Otherwise, there will be continual frustration with and opposition to development proposals in proximity to or associated with heritage overlays, in terms of heritage, heritage protection and good heritage practice.
- 40. There is a need to identify areas of archaeological significance in the municipality.
- 41. Having regard to the importance of having protections to heritage being enshrined in the planning scheme, HAC members have requested to see the heritage parts of the revised scheme, the MSS and local policy before it goes to Council for public exhibition so that they may make suggestions before it becomes virtually cast in stone.
- 42. HAC are concerned that success of the Strategy will also depend on development of appropriate heritage planning policies.

Officer Response

43. Whilst changes have been made to various parts of the Strategy (priority actions 1, 2, 8 and 11) requiring strong heritage provisions in the Planning Scheme, there is also an advantage in HAC having an opportunity to provide feedback on the draft heritage policy and the heritage related provisions of the Planning Scheme, which is being managed through a separate process by the City Strategy department.

Options

44. Councillors to note the submissions and consider adoption of the proposed amendments to Heritage Strategy 2019-2030 - **Attachment 3** as a response to the community issues and HAC members' individual concerns.

Conclusion

45. There is a strong support by the community for the draft Heritage Strategy.
46. The amended Heritage Strategy addresses the community feedback received through the exhibition process.
47. The revised Draft heritage policy (of the Planning Scheme) has been forwarded to HAC for their feedback as a separate process.

Proposal

48. That Council note the outcome of the public exhibition of the draft Heritage Strategy and adopt the amended Heritage Strategy 2019-2030.
49. That a hard copy version of the adopted Strategy be printed.

RECOMMENDATION

1. That Council:
 - (a) note the outcome of the public exhibition of the draft Heritage Strategy;
 - (b) adopt the amended Heritage Strategy 2019-2030 - **Attachment 3**; and
 - (c) refer to the budget process, resourcing for the implementation of the adopted Heritage Strategy 2019-2020.

CONTACT OFFICER: Richa Swarup
TITLE: Senior Advisor City Heritage
TEL: 9205 5149

Attachments

- 1 [↗](#) Exhibited Draft Heritage Strategy 2019
- 2 [↗](#) Summary of Submissions and Officer Response
- 3 [↗](#) Amended Draft Heritage Strategy 2019-2030 for Council adoption
- 4 [↗](#) Submission from Streets Alive Yarra
- 5 [↗](#) Submission from FRA
- 6 [↗](#) Email response from a resident
- 7 [↗](#) Submission from Protect Fitzroy North
- 8 [↗](#) Email response by a HAC member

11.12 Change to Ordinary Council Meeting Schedule

Reference: D19/192702

Authoriser: Group Manager Chief Executive's Office

Purpose

1. To schedule an additional Ordinary Meeting of Council for Tuesday 26 November 2019.

Background

2. In order to ensure a manageable meeting schedule, Council's Governance office maintains a Forward Report Schedule to plan out the business to be presented at Council meetings throughout the year.
3. A recent review of this schedule has identified an unexpectedly high number of items to be presented to Council before the end of 2019. This, coupled with the fact that only one Ordinary Meeting is currently scheduled for November (due to the Ceremonial Meeting scheduled on Thursday 28 November 2019), leads to now recommending an additional meeting be scheduled.
4. Council's usual meeting frequency is to schedule meetings on the first and third Tuesday of each month. On this basis, it is recommended that an additional meeting be scheduled on Tuesday 26 November 2019 (the third Tuesday). To fit with the expected pattern, it is recommended that the meeting be held at 6.30pm (confidential) and 7.00pm (public) at the Fitzroy Town Hall.

External Consultation

5. No external consultation has been undertaken in the development of this report.

Internal Consultation (One Yarra)

6. Confirmation has been received regarding venue availability.

Financial Implications

7. There are no material financial implications of the recommendations of this report.

Economic Implications

8. There are no material economic implications of the recommendations of this report.

Sustainability Implications

9. There are no material sustainability implications of the recommendations of this report.

Social Implications

10. There are no material social implications of the recommendations of this report.

Human Rights Implications

11. No human rights implications have been identified in the preparation of this report.

Communications with CALD Communities Implications

12. No public communication has been undertaken in the development of this report.

Council Plan, Strategy and Policy Implications

13. The ongoing monitoring of Council's meeting schedule and maintenance of the Forward Report Schedule assists Council to achieve its commitment to 'A leading Yarra' as set out in the Council Plan 2017-2012.

14. More specifically, ensuring that the number of items presented to Council meetings does not cause them to become unwieldy supports articulated strategy 7.3, which commits Council to “*maintain a culture of transparency, governance, ethical practice and management of risks that instils a high level of community respect and confidence in Council decision-making*” and 7.6 which commits to “*enable greater transparency and access to the conduct of Council Meetings.*”

Legal Implications

15. Section 89 (4) of the Local Government Act 1989, generally provides that a Council must give at least 7 days’ notice when holding an Ordinary or Special Council Meeting or a Special Committee comprising solely of Councillors (such as the Internal Development Approvals Committee). Where urgent or extraordinary circumstances prevent Council from complying with section 89(4), Council is required to give such public notice as is practicable and specify the urgent or extraordinary circumstances which prevented normal notice in the Minutes.
16. Further, Clause 36 of Council’s Meeting Procedures Local Law 2011, provides that – “the date, time and place for all Ordinary Meetings and Special Committee Meetings shall be fixed by the Council from time to time”.
17. The scheduling of an additional Ordinary Council Meeting requires a Council resolution. An Ordinary Meeting (as distinct from a *Special Meeting*) does not require the specific agenda items to be known in advance, and enables the inclusion of Public Question Time and the Councillors’ Forum.

Other Issues

18. No other issues have been raised in developing this report.

Options

19. Should Council determine not to schedule an additional meeting, this would necessitate a large number of items of business to be presented at the two Council scheduled Ordinary Council Meetings in December.

Conclusion

20. Officers recommend that an additional meeting be scheduled on Tuesday 26 November 2019 at 6.30pm (confidential) and 7.00pm (public) at the Fitzroy Town Hall and that the Chief Executive Officer be directed to give the necessary public notice of the additional meeting.

RECOMMENDATION

1. That Council:
 - (a) schedule an additional Ordinary Council Meeting on 26 November 2019 at Fitzroy Town Hall, with the confidential session commencing at 6.30pm and the public session commencing at 7.00pm; and
 - (b) direct the Chief Executive Officer to give public notice of the additional meeting.

CONTACT OFFICER: Rhys Thomas
TITLE: Senior Governance Advisor
TEL: 9205 5302

Attachments

There are no attachments for this report.

11.13 Appointment of Authorised Officers - Planning and Environment Act 1987

Trim Record Number: D19/195314

Responsible Officer: Group Manager Chief Executive's Office

Purpose

1. To provide for the formal appointment of Council Officers as Authorised Officers pursuant to Section 147(4) of the *Planning and Environment Act 1987* and Section 232 of the *Local Government Act 1989*.

Background

2. In order to undertake the duties of office, the below named staff member should be appointed as an Authorised Officer pursuant to the above referred legislation.
3. This authorisation cannot be made by the Chief Executive Officer under delegation, and must be made by resolution of Council.

Consultation

4. Not applicable.

Financial Implications

5. There are no direct financial implications arising from the appointment of an authorised officer.

Economic Implications

6. This report has no economic implications.

Sustainability Implications

7. This report has no sustainability implications.

Social Implications

8. This report has no direct social implications.

Human Rights Implications

9. This report has no Human Rights implications.

Communications with CALD Communities Implications

10. Not applicable.

Council Plan, Strategy and Policy Implications

11. This report is an example of this Council's positive action, in demonstrating its commitment to its legislative obligations.

Legal Implications

12. Appointment of Authorised Officers under the *Planning and Environment Act 1987* requires a formal resolution of Council. Where such authorisation is proposed to be granted, provision is also made to allow the respective officer to also initiate proceedings on behalf of Council (as provided in Section 232 of the *Local Government Act 1989*).

Other Issues

13. Not applicable.

Options

14. Not applicable.

Conclusion

15. That Council formally appoint the officers listed below as Authorised Officers pursuant to Section 147 (4) of the *Planning and Environment Act 1987* and Section 232 of the *Local Government Act 1989*. The Instruments of Appointment and Authorisation document will be signed accordingly by the Chief Executive Officer.

RECOMMENDATION

1. That Council formally appoints:
 - (a) Darren BORG; and
 - (b) Elizabeth DELANTYas Authorised Officers pursuant to Section 147(4) of the *Planning and Environment Act 1987* and Section 232 of the *Local Government Act 1989*.
2. That Council directs that the Instruments of Appointment and Authorisation be signed accordingly by the Chief Executive Officer.

CONTACT OFFICER: Rhys Thomas
TITLE: Senior Governance Advisor
TEL: 9205 5302

Attachments

There are no attachments for this report.