



Agenda

Council Meeting

7.00pm, Tuesday 4 May 2021

Richmond Town Hall

Council Meetings

Council Meetings are public forums where Councillors come together to meet as a Council and make decisions about important, strategic and other matters. The Mayor presides over all Council Meetings, and they are conducted in accordance with the City of Yarra Governance Rules 2020 and the Council Meetings Operations Policy.

Council meetings are decision-making forums and only Councillors have a formal role. However, Council is committed to transparent governance and to ensuring that any person whose rights will be directly affected by a decision of Council is entitled to communicate their views and have their interests considered before the decision is made.

There are two ways you can participate in the meeting.

Public Question Time

Yarra City Council welcomes questions from members of the community.

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
- don't 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.

Public submissions

Before each item is considered, the meeting chair will ask people in attendance if they wish to make submission. If you want to make a submission, simply raise your hand and the Mayor will invite you to 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.

Once all submissions have been received, the formal debate may commence. Once the debate has commenced, no further submissions, questions or comments from submitters can be received.

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.

Order of business

1. **Acknowledgement of Country**
2. **Attendance, apologies and requests for leave of absence**
3. **Announcements**
4. **Declarations of conflict of interest**
5. **Confidential business reports**
6. **Confirmation of minutes**
7. **Public question time**
8. **Council business reports**
9. **Notices of motion**
10. **Petitions and joint letters**
11. **Questions without notice**
12. **Delegates' reports**
13. **General business**
14. **Urgent business**

1. Acknowledgment of Country

“Yarra City Council acknowledges the Wurundjeri Woi Wurrung people as the Traditional Owners and true sovereigns of the land now known as Yarra.

We acknowledge their creator spirit Bunjil, their ancestors and their Elders.

We acknowledge the strength and resilience of the Wurundjeri Woi Wurrung, who have never ceded sovereignty and retain their strong connections to family, clan and country despite the impacts of European invasion.

We also acknowledge the significant contributions made by other Aboriginal and Torres Strait Islander people to life in Yarra.

We pay our respects to Elders from all nations here today—and to their Elders past, present and future.”

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

- Cr Gabrielle de Vietri Mayor
- Cr Claudia Nguyen Deputy Mayor
- Cr Edward Crossland Councillor
- Cr Stephen Jolly Councillor
- Cr Herschel Landes Councillor
- Cr Anab Mohamud Councillor
- Cr Bridgid O’Brien Councillor
- Cr Amanda Stone Councillor
- Cr Sophie Wade Councillor

Council officers

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

3. Announcements

An opportunity is provided for the Mayor to make any necessary announcements.

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

Any Councillor who has a conflict of interest in a matter being considered at this meeting is required to disclose that interest either by explaining the nature of the conflict of interest to those present or advising that they have disclosed the nature of the interest in writing to the Chief Executive Officer before the meeting commenced.

5. Confidential business reports

Item

5.1 Yarra (River) Strategic Plan

This item is presented for consideration in closed session because it contains private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

This item is considered applicable because it contains information provided by Melbourne Water on a commercial in confidence basis.

6. Confirmation of minutes

RECOMMENDATION

That the minutes of the Council Meeting held on Tuesday 6 April and Tuesday 20 April 2021 be confirmed.

7. Public question time

An opportunity is provided for questions from members of the public.

8. Council business reports

Item		Page	Rec. Page	Report Presenter
8.1	Proposed declaration of public highway abutting Sandeman Place Fitzroy	9	12	George Vass – Senior Coordinator Property Services
8.2	Fitzroy North Primary School	13	17	George Vass – Senior Coordinator Property Services
8.3	Initiation report Community Partnerships Grants	18	22	Michael Van Viet – Community Grants Team Leader
8.4	Initiation Report Creative and Engage Yarra 2022-2023 Grant Program	23	27	Brona Keenan – Coordinator Arts and Culture
8.5	Edinburgh Gardens Working Group	28	30	Ivan Gilbert - Group Manager - Chief Executive's Office
8.6	Endorsement of Yarra LGBTIQ+ Advisory Committee Terms of Reference and Proposed Membership – LATE REPORT	32	38	Andrea Travers - Manager Organisational Culture, Capability & Diversity

9. Notices of motion

Nil

10. Petitions and joint letters

An opportunity exists for any Councillor to table a petition or joint letter for Council's consideration.

11. Questions without notice

An opportunity is provided for Councillors to ask questions of the Mayor or Chief Executive Officer.

12. Delegate's reports

An opportunity is provided for Councillors to table or present a Delegate's Report.

13. General business

An opportunity is provided for Councillors to raise items of General Business for Council's consideration.

14. Urgent business

An opportunity is provided for the Chief Executive Officer to introduce items of Urgent Business.

8.1 Proposed declaration of public highway abutting Sandeman Place Fitzroy

Executive Summary

Purpose

Having published a notice in The Age giving notice under section 204(1) of the Local Government Act 1989 (Act) that Council proposes to declare the land abutting Sandeman Place, Fitzroy a public highway, to now request Council to:

- (a) consider all submissions and resolve to declare the land a public highway;
- (b) authorise the publishing of the decision in the Government Gazette; and,
- (c) undertake a new/subsequent decision-making process to consider a proposed declaration of 0.4 sq.m of additional land adjoining Sandeman Place as a public highway.

Key Issues

- (a) Access, amenity and general public interest;
- (b) Old General Law land; and
- (c) Measure recommended to settle long-standing matter.

Financial Implications

Administrative, survey and legal costs at this stage of up to \$20,000.

PROPOSAL

To extend Sandeman Place by declaring land a public highway in the interests of the community.

8.1 Proposed declaration of public highway abutting Sandeman Place Fitzroy

Reference	D21/37665
Author	George Vass - Senior Coordinator Property Services
Authoriser	Group Manager Chief Executive's Office

Purpose

1. Having published a notice in The Age giving notice under section 204(1) of the Local Government Act 1989 (Act) that Council proposes to declare the land abutting Sandeman Place, Fitzroy a public highway, to request Council to:
 - (a) consider all submissions and resolve to declare the land a public highway;
 - (b) authorise the publishing of the decision in the Government Gazette; and,
 - (c) undertake a new/subsequent decision-making process to consider a proposed declaration of 0.4 sq.m of land adjoining Sandeman Place as a public highway.

Critical analysis

History and background

2. Council, at its meeting of 15 December 2020, considered options and resolved to undertake a formal decision-making process inclusive of giving public notice of the proposal to declare a portion of land abutting Sandeman Place, Fitzroy a Public Highway.
3. The Council report outlines the pertinent factors and options available to Council and a copy of Council's Resolution is included (refer to Attachment A – copy of Council Resolution - 15 December 2020).
4. On 15 March 2021, Council published a notice in The Age giving notice under section 204(1) of the Local Government Act 1989 (Act) that Council proposes to declare the land abutting Sandeman Place, Fitzroy a public highway and invited submissions in writing from persons under section 223 of the Local Government Act 1989 by Friday 16 April 2021 and advising submitters of their entitlement to be heard in support if requested in writing by same (refer to Attachment B – copy of public notice and plan published in The Age 15 March 2021).
5. One (1) submission has been received in support of Council declaring the portion of land abutting Sandeman Place a public highway without a written request from the collective group to be heard in support of their submission (Attachment C – copy of submission received in support dated 16 April 2021).

Discussion

6. Noting the content of the Council report of 15 December 2020, a decision by Council to declare the portion of abutting land as a public highway provides Council with statutory authority to vest title to the land in Council and to instruct the removal of encroachments. No compensation is required.
7. A small but relevant issue is a small triangle (0.4 sq.m) of land forming part of the title (common property) of 75-79 Webb Street that is located outside the fence line and is/needed to correct the Sandeman Place roadway alignment (triangle) in order to ensure uninhibited vehicular access to 73 Webb Street (Attachment D- refer to surveyors plan of triangle area). Incorporating the triangle formally as part of the Sandeman Place roadway is a separate process but if supported, will ensure that Council can enforce any future encroachment that inhibits vehicular access to 73 Webb Street.

8. A letter was issued and a meeting held with the four (4) lot owners of 75-79 Webb Street seeking unilateral support for Council to consider also declaring the triangle a public highway under a subsequent process on the basis that:
 - (a) It is important for Council to protect vehicular access to 73 Webb Street;
 - (b) Surrender of the 0.4 sq.m triangle is already part of Sandeman Place; and,
 - (c) May be important in bolstering any decision by Council to declare the portion of abutting land a public highway.
9. While there does to appear to be apparent opposition and there is support from some regarding the surrender of the triangle, the request appears to impugn aspirations for the establishment of a shared garden/play area on the portion of land currently proposed to be declared a public road and Council may perhaps consider authorising the commencement of a subsequent formal decision making process to consider declaring the triangle a public highway.

Options

10. Option 1 – Council resolves to declare the current portion of land described under Attachment B a public highway.
11. Option 2 – Option 1 and Council also resolves to commence a separate public process to consider declaring the triangle (described under Attachment D) a public highway.
12. Option 3 – Council resolves not to declare the current portion of land described under Attachment B a public highway.

Community and stakeholder engagement

13. The public process undertaken is the final stage in the engagement of stakeholders and the community and community and stakeholder participation has been high.

Policy analysis

Alignment to Council Plan

14. Community health, safety and wellbeing are a focus in everything we do.
15. Transparency, performance and community participation drive the way we operate.

Climate emergency and sustainability implications

16. Not relevant.

Community and social implications

17. Significant.

Economic development implications

18. Not relevant.

Human rights and gender equality implications

19. Not considered specifically relevant although there may be an alignment.

Operational analysis

Financial and resource impacts

20. Administrative requirements and external advice needs are currently within reasonable expectations.

Legal Implications

21. External legal advice has been obtained and risks have been considered and shared with Council in the Council report of 15 December 2020.

Conclusion

22. The declaration of the land adjoining Sandeman Place a public highway and the subsequent consideration of the triangle land as a public highway formalises an equitable access arrangement for immediate residents and the broader community (Option 2).

RECOMMENDATION

1. That Council:
 - (a) having published a notice in The Age giving notice under section 204(1) of the Local Government Act 1989 (Act) that Council proposes to declare the land abutting Sandeman Place, Fitzroy a public highway and having considered all submissions, resolves to declare the land a public highway and authorises the publishing of the decision in the Government Gazette;
 - (b) resolves to undertake a separate formal and subsequent decision-making process inclusive of giving public notice of the proposal to declare the 0.4 sq.m triangular portion of land forming part of the title to the common property of 75-79 Webb Street Fitzroy and abutting Sandeman Place, Fitzroy a Public Highway;
 - (c) determines, pursuant to section 125(2) of the Local Government Act 2020, that:
 - (i) this resolution should be publicly available; and
 - (ii) the remainder of the confidential information in this report should be publicly available for the limited purpose of communicating the effect of this resolution to the extent necessary to give effect to it; and
 - (d) authorises the Chief Executive Officer to communicate the confidential information to the extent necessary to give effect to the resolution.

Attachments

- 1 Attachment A - Copy of Council Resolution - 15 Dec 2020
- 2 Attachment B - Public Notice
- 3 Attachment C - Letter of Support dated 16 April 2021
- 4 Attachment D - Diagram of triangle land

8.2 Fitzroy North Primary School

Executive Summary

Purpose

To facilitate the statutory process required for Council to consider discontinuing a right of way (ROW) that has been occupied by the Fitzroy North Primary School for many years and that now inhibits a \$9 million upgrade of the school facilities.

More particularly, Council is being asked to consider an offset of the market value of land underlying the ROW given the benefit of the proposed school upgrade to the Fitzroy community and to reflect this intention in a public notice for the statutory discontinuance process.

Key Issues

- (a) Risk that the \$9 million Fitzroy North Primary School upgrade may not proceed because of an old ROW that bisects the school site; and
- (b) Government's request that Council supports an offset in the value of underlying land if the ROW is discontinued given Government's \$9 million investment in the school community.

Financial Implications

A consideration regarding a potential loss in realising capital from the sale of land and the potential loss of \$9 million allocated for the upgrade to the Fitzroy North Primary School.

PROPOSAL

That Council agrees to consider the discontinuance of the ROW and subsequent vesting of the underlying land in the Minister for a token amount; offsetting the market value of the underlying land given Government's proposed \$9 million investment of the Fitzroy North Primary School and that this proposal is reflected in a public notice inviting submissions from the community.

8.2 Fitzroy North Primary School

Reference	D21/37863
Author	George Vass - Senior Coordinator Property Services
Authoriser	Group Manager Chief Executive's Office

Purpose

1. To advise Council that \$9 million of construction funding for a significant upgrade at the Fitzroy North Primary School is at threat because of an underlying right of way that bisects the site and precludes development; and,
2. To request Council support for an offset of the market value of the underlying ROW to be determined by the City Valuer given the benefits of Government's \$9 million investment in the school community should Council elect to proceed with the statutory discontinuance process.

Critical analysis

History and background

3. The Fitzroy North Primary School (FNPS) has secured \$ 9 million of construction funding that is at threat because of an underlying right of way that bisects the school site and precludes development over the road.
4. The funding allocation of \$9 million is to modernise the teaching spaces within Block A to achieve a fit for purpose teaching building that reflects modern educational principles. Improved landscaping across the site, drainage and sewer works as well as the creation of interactive outdoor spaces are to be included as part of the scope.
5. \$900K of the \$9 million of construction funding has already been allocated under the FY20 State Budget for planning and design of the school project. The FNPS site is shown outlined blue on the plan attached (refer to Attachment A – Locality Plan).
6. The FNPS has frontage to Alfred Crescent and originally only extended north to the southern leg and eastern projection of Austin Way; abutting the southern boundary of a Right of Way (ROW) shown coloured red on the Locality Plan and which extends from Austin Way to Fergie Street.
7. Subsequently, 21 properties north of the ROW were purchased by the State and incorporated into the FNPS site and an expansion of facilities into the land north of the ROW land resulted in the long-standing exclusive occupation of the ROW by the school together with the original landholding.
8. The proposed upgrade and development of the school requires building over the ROW which is identified on Council's Register of Public Roads although Council may wish to consider the basis on which it has concluded that the ROW is a 'Public Highway' as defined by the Road Management Act 2004 (RMA).
9. Despite the long-standing exclusive occupation of the ROW by the FNPS being an important consideration, it is not in itself sufficient to defeat the ROW status as initially relied upon by the Victorian School Building Authority (VSBA). This was a late discovery by the VSBA undertaking due diligence on behalf of the Minister but clearly explained by the City Valuer to the FNPS council member/s as was the process for removing a public highway from the Register of Public Roads and discontinuing the ROW to facilitate disposition of the underlying land.

Discussion

10. The social return on investment on Government's \$9 million investment in the FNPS is a substantial commitment and one that will benefit students, families and the school community environment. While it is difficult to undertake a before and after analysis (perhaps reflected as an economic analysis), and to determine whether Government's investment has yielded benefits and outcomes that equate or exceed \$9 million, academic experts in economic early childhood policy evaluation suggest that the community benefit to cost ratio may be as high as 12:1.
11. Council officers have assessed whether it is appropriate for Council to consider removing the ROW from the Register under section 17(4) of the RMA, on the basis that:
 - (a) the ROW is wholly enclosed within, and has been used as part of, the FNPS for a number of decades, and is therefore not available for public use; and
 - (b) the ROW is no longer reasonably required for general public use.
12. Although a sale of land from Council to a Government entity is usually exempt from the obligation to comply with section 189 and 223 of the LGA89, this exemption does not apply in this case because section 207A of the LGA89 (rather than section 189) requires Council to comply with s223 in respect of all proposals to discontinue and sell a road. While the statutory public notices under the LGA89 are still required to be met in respect of road discontinuances (the road discontinuance process has not otherwise changed), the decision to publish a public notice under section 223 of the LGA89 can be made under delegation.
13. The Local Government Best Practice Guideline for the Sale, Exchange & Transfer of Land (dated June 2009 published by the then Department of Planning and Community Development), provide that a council should not sell for less than market value assessed by a valuer engaged by Council, unless there are circumstances to explain the decision to accept a price less than market value.
14. The circumstances in support of vesting the underlying land in the Minister for a token value if Council resolves to discontinue the ROW following the statutory discontinuance process can be justified because:
 - (a) It is apparent that the benefits to the community as a result of Government's \$9 million investment in the FNPS are likely to far-exceed the underlying value of the land as determined by the City Valuer;
 - (b) The proposal to discontinue the ROW and sell the underlying land to the Minister is exempt from the requirement that Council is to obtain a market valuation; and,
 - (c) The scope of the FNPS upgrade works is substantial and any offset could be reflected as a contribution by Council towards the upgrade works for its community.
15. The Corporate, Business and Finance directorate is responsible for managing the statutory process for discontinuance of roads and sale of the underlying land and early investigation work has commenced under the delegated authority of the Chief Executive Officer. The due diligence with regards to the establishment of market value of the underlying land is overseen by City Valuer under the directorate and does not include the consideration of any set-off in the purchase price as a result of investment by Government in the FNPS. It is for this reason that the Property Services Unit under the CEO Office is acting as an advocate; seeking to secure Council support to vest the underlying land in the Minister for a token amount should Council resolve to discontinue the ROW.
16. Should Council's support be granted, it is expected the City Valuer would include details of the ROW and Council's intention to offset the market value and to vest the underlying land in the Minister for a token amount in the public notice.

Options

17. Option 1 – Council supports the placement of a public notice to consider the discontinuance of the ROW and subsequent vesting of the underlying land in the Minister for a token amount.
18. Option 2 - Council supports the placement of a public notice to consider the discontinuance of the ROW and subsequent vesting of the underlying land in the Minister for its market value; provided that Government is willing to purchase the underlying land for same.
19. Option 3 – Council does not support the process to discontinue the ROW and directs officers to cease all endeavours and to advise the Victorian School Building Authority.

Community and stakeholder engagement

20. The statutory process for Council to consider discontinuing the ROW and vesting the ROW in the Minister includes the inviting of submissions from the community that will be considered.

Policy analysis

Alignment to Council Plan

21. The proposal supports Community health, safety and wellbeing and is consistent with maintaining this focus in everything we do.

Climate emergency and sustainability implications

22. Marginally relevant.

Community and social implications

23. Significant.

Economic development implications

24. Relevant.

Human rights and gender equality implications

25. Relevant.

Operational analysis

Financial and resource impacts

26. The project is unlikely to proceed if Council does not recognise Government's investment in the community and offset the market value for the underlying land.

Legal Implications

27. Minor.

Conclusion

28. The proposed upgrade provides for a two-level extension to the southern end of Block A to provide additional teaching facilities and a new administration space. It includes the demolition of exterior stair and ramp and construction of new Amphitheatre and undercover canopy. The reconfiguration of the internal floorplan of Block A and refurbishment of existing classrooms to modernise the teaching spaces is also included as is the creation of outdoor landscaped learning trails and play spaces. The proposed works also include a reconfiguration of existing spaces within Block B to create an extra classroom.
29. The benefits to the community of Government's \$9 million investment far exceed the underlying market value of land currently occupied by the ROW that is inhibiting the progression of the upgrade works.

30. The placement of a public notice whereby Council will consider the discontinuance of the ROW and subsequent vesting of the underlying land in the Minister for a token amount is justifiable and support for same or otherwise can be provided by the community as part of the statutory discontinuance process.

RECOMMENDATION

1. That Council resolves to support the placement of a public notice to consider the discontinuance of the ROW and subsequent vesting of the underlying land to the Minister for a token amount, offsetting the market value of the underlying land, given the Government's proposed \$9 million investment of the Fitzroy North Primary School.

Attachments

- 1 Attachment A - FNPS - Locality Plan and Survey

8.3 Initiation report Community Partnerships Grants

Executive Summary

Purpose

To provide an overview and seek endorsement of the process, objectives, priority areas and assessment procedures for the Community Partnership Grants 2022-2026; and outline and seek endorsement of the budget for this grant program.

Key Issues

The Community Partnership Grants provide four years of funding (from 2021-2025) for projects that benefit people from disadvantaged backgrounds, increase community participation and support the health, wellbeing and connectedness of Yarra residents. The grants are a closed round (i.e. by invitation only) to ten recipients with historical ties to Council. It is proposed the grants open in May and close in June for projects commencing in July 2021 and concluding in June 2025.

Financial Implications

The per annum budget is \$455,000 and the grants will continue for four years from 2021/22 to 2024/25 with a CPI increase each year.

PROPOSAL

That the Council endorses the guidelines and process for the Community Partnership Grants 2022-2026. Notes the amount of \$455,000 per annum to the grant program, subject to the approval of the 2021/2022 budget and subsequent budgets until 2024/2025.

8.3 Initiation report Community Partnerships Grants

Reference	D21/33357
Author	Michael Van Vliet - Team Leader Community Grants
Authoriser	Manager Social Strategy and Community Development

Purpose

1. To provide an overview and seek endorsement of the process, objectives, priority areas and assessment procedures for the Community Partnership Grants 2022-2026; and outline and seek endorsement of the budget for this grant program.

Critical analysis

History and background

2. First delivered in 2005, the purpose of the Community Partnership Grants (CPG) program has largely remained the same over time: to fund projects centred on an important, unique and enduring partnership between Council and community organisations, focussing on more substantial projects that address major strategic priorities of Council.
3. In 2015, Council's Community Grants Unit engaged funding and grants specialists, GrantsPro, to conduct an independent review and evaluation of the CPG program. The review found that the program has achieved a range of outcomes in the community, and the Council should maintain its commitment to the CPG program and retain the strong and unique narrative around Council's commitment to achieving social justice outcomes through a partnership approach.
4. The grants are by invitation only. The current grant recipients will be invited to reapply for the continuation of their grant. Many of the grants pay for project workers to run the projects. Below is a list of the current grant recipients.

Applicant	Project Title	2020/21 grant
Launch Housing	Indigenous Recreation Program	\$54,106.54
Melbourne Aboriginal Youth Sport and Recreation	MAYSAR Future Building Project	\$52,283.92
Collingwood Toy Library	Nurturing children and community through play	\$13,267.57
Richmond Toy Library	Richmond Toy Library - Inclusive Toy Box	\$13,267.57
cohealth	Refugee and Asylum Seeker Support Program	\$23,350.00
Yarra Drug and Health Forum	Yarra Drug and Health Forum	\$24,201.18
Collingwood Children's Farm	Young Farmer's Program	\$66,923.42
Save the Children Australia	Mobile Toy Library	\$13,267.57
cohealth	Aboriginal Access and Engagement	\$40,535.72
cohealth	Billabong BBQ and Foodshare	\$53,433.12
Fitzroy Legal Service	Access to Justice: Free evening legal advice service	\$69,743.61
Princes Hill Community Centre	Fostering Community Involvement	\$31,370.35
	TOTAL	\$455,750.57

Discussion

5. There are no points of discussion.

Options

6. The options are to approve or not approve the continuation of this grant for the next four years. If it is not approved, consideration would need to be made on whether funding would be redirected and if so, to where.

Community and stakeholder engagement

7. There is ongoing discussion and consultation with the grant recipients about the programs. Each year they provide a comprehensive acquittal as well as a project plan for the coming year. We also provide training to the grant recipients on a range of topics including project planning and how to manage their grants. There is also discussion with Council officers around providing additional support to the projects in consultation with the grant recipients.

Policy analysis

Alignment to Council Plan

8. The 2017 - 2021 Council Plan closely guides the Community Grants objectives. Community Grants are intended to support the delivery of the Council Plan and are a key way in which those objectives can be achieved in partnership with the community.
9. Four of the seven key objectives of the Council Plan relate to the Grants Program:
 - (a) *Community health, safety and wellbeing are a focus in everything we do:* The Community Grants Program provides a flexible and responsive source of funds to support projects and initiatives within the not for profit community sector. The program supports Council's commitment to social justice and social inclusion principles and provides support to communities living in Yarra's public housing estates. Many of the grants address social issues which improve community health and safety by seeking to resolve some of the urban problems of poverty, drug addiction and family violence;
 - (b) *Inclusion, diversity and uniqueness are welcomed, respected and celebrated:* The grants prioritise indigenous projects and the program provides support for community groups to offer inclusive and diverse activities, services, information and cultural celebrations, particularly in the arts and cultural and community development stream;
 - (c) *Council leads on sustainability and protects and enhances its natural environment:* The grants provide support to local community groups to engage in environmental sustainability and all applicants are asked to consider the environmental impact of their project; and
 - (d) *Transparency, performance and community participation drive the way we operate:* Yarra City Council's Community Grants Program is a recognised leader among Local Government in Victoria. As well as having a diverse grants program, Yarra's grants have been an innovative means of connecting with and supporting local communities and involving them in the decision-making process.

Climate emergency and sustainability implications

10. All grant applicants are encouraged to consider the environmental impact of their projects and ways in which to minimise their ecological footprint. All applicants, regardless of which grant round they are applying for, are asked to consider ways of reducing and/or re-using resources.
11. All applicants are encouraged to submit their applications online, reducing the need for printed forms. The Guidelines will also be available online. The assessments, both internal and external, will also take place online.

Community and social implications

12. The four-year Community Partnership Grants support community engagement activities which utilise both Council contributions and community organisation contributions. The impact of these activities for Council is expected to establish and strengthen partnerships and relationships, provide support and resources to the community, contribute to Council's strategic objectives and gather valuable information about emerging and long-term issues.

13. It is also expected to provide sector development within the community, strengthening community organisations and the community as a whole, and developing an increasingly agile and responsive community. Ultimately, the impact of this program is to develop and empower a self-determining community, providing a positive approach to the resolution of social issues while fostering vibrant and diverse cultural activities through Yarra.

Economic development implications

14. The grants strengthen the community sector through providing a flexible and responsive source of funds to community-based Not-for-Profit organisations. Funding is used to support projects that deliver the outcomes outlined within the Council Plan, target the areas of highest need within the community, and ultimately aim to improve the long-term economic outlook for local individuals, families and businesses through strengthening the capacity of local organisations.
15. These grants redistribute funds to those less advantaged in the community. Projects that are funded to support Aboriginal people, new arrivals, young people and families through skills development or projects that support service coordination also have an indirect economic benefit.

Human rights and gender equality implications

16. The Community Grants Guidelines are in alignment with the Victorian Charter of Human Rights and Responsibilities Act 2006 and actively support people to participate in and contribute to their community.
17. The grants are gender neutral and will support both people from both sexes equally.

Operational analysis

Financial and resource impacts

18. The per annum budget is \$455,000 and the grants will continue for four years from 2021/22 to 2024/25 with a CPI increase each year. The Community Grants Unit (2 EFT) run a suite of grants including the Community Partnership Grants. Monitoring and administering these grants form a core part of their responsibilities.

Legal Implications

19. The grants program enables Council to achieve some of the basic tenets of the *Local Government Act 1989*:
 - (a) Section 3C to promote the social, economic and environmental viability and sustainability of the municipal district;
 - (b) Section 3D fostering community cohesion and encouraging active participation in civic life; and,
 - (c) Section 3E planning for and providing services and facilities for the local community.
20. Council has not sought legal advice in relation to the grants program this year.

Conclusion

21. The Community Partnership Grants remain a key way for Council to invest in community through a responsive community-focused program. A significant investment of resources is allocated for this purpose with strong outcomes in the community.

RECOMMENDATION

1. That Council:
 - (a) endorses the guidelines for the Community Partnership Grants 2022-2025;
 - (b) approves and supports the purpose of the grants and the nominated grant applicants to be invited to apply to the program; and
 - (c) notes the amount of \$455,000 per annum for four years (+CPI) beginning in 2021/2022 and ending in 2024/2025 subject to the usual budget approval process.

Attachments

- 1 Community Partnership Grant Guidelines 2021-2025

8.4 Initiation Report Creative and Engage Yarra 2022-2023 Grant Program

Executive Summary

Purpose

To seek endorsement of the process, guidelines and assessment procedures for the multi-year Creative Yarra and Engage Yarra Grants 2022-2023 and seek endorsement of the budget allocation for this grant program over the next two years.

Key Issues

Creative and Engage Yarra provide two years of funding (from 2022-2023) for individual creative practitioners and organisations to deliver arts and cultural activities within the City of Yarra. Applications will open in May and close in June for projects commencing in January 2022 and concluding in December 2023.

Financial Implications

The per annum budget is \$230,000 and the grants will continue for two years from 2022 to 2023 with a CPI increase each year.

PROPOSAL

That Council endorses the guidelines and process for the Creative Yarra and Engage Yarra Grants 2022-2023. Notes the amount of \$230,000 per annum (plus CPI) to the grant program, subject to the approval of the 2021/2022 budget and subsequent budgets until 2023.

8.4 Initiation Report Creative and Engage Yarra 2022-2023 Grant Program

Reference	D21/36389
Author	Brona Keenan - Arts & Cultural Development Officer
Authoriser	Director Community Wellbeing

Purpose

1. To seek endorsement of the process, guidelines and assessment procedures for the multi-year Creative Yarra and Engage Yarra Grants 2022-2023 and seek endorsement of the budget allocation for this grant program over the next two years.

Critical analysis

History and background

2. Yarra City Council's Arts & Culture Multi-Year Grants Program is a part of the Community Partnership Grants (CPG), offering cash and in-kind support for arts and culture programs within the City of Yarra over two and three year terms.
3. The Community Grants Program is a significant investment in the community. It is one of Victoria's leading local government grant programs, through which Yarra has established a reputation for its strong support for the community.
4. In December 2018 Council endorsed the Multi-Year Grants to be established across three streams:
 - (a) Creative Yarra (2 years, \$130,000 total pool);
 - (b) Engage Yarra (2 years, \$100,000 total pool); and
 - (c) Celebrate Yarra (3 years \$105,000 total pool).
5. *Engage Yarra* and *Creative Yarra* offer two years of fixed funding from January 2020 to December 2021 for individual creative practitioners and organisations to deliver arts and cultural activities within the City of Yarra.
6. *Celebrate Yarra* offers three years fixed funding from January 2020 to December 2022. This program is currently in the second year of a three-year funding cycle and not in the scope of this report.
7. *Creative Yarra* supports professional artists and arts organisations to produce and present new or existing work in any medium via funding that supports projects, programs, operations and/or administration.
8. The funding pool for *Creative Yarra* is \$130,000 per annum with a maximum funding ceiling of \$30,000 for organisations and \$15,000 for individual practitioners.
9. *Engage Yarra* supports activities that showcase, celebrate and promote local cultures, people, places and arts practice. It supports projects that enhance community participation and engagement in arts and cultural activities.
10. The funding pool for *Engage Yarra* is \$100,000 per annum with a maximum funding ceiling of \$30,000 for organisations and \$15,000 for individual practitioners.
11. The Arts & Culture Multi-Year Grants Program is designed to provide security and reduce administration costs to enable creative activity to be developed over a long period, support creative organisations to build greater capacity to deliver the best outcomes in our City.
12. The 2020-2021 program received 54 applications in total, of which 10 received funding.

13. In the 2020-2021 *Creative Yarra* program there were six successful applications:

Recipient/Project name	Grant per annum
un Projects : art + ideas	\$17,000
Centre for Contemporary Photography (CCP)	\$23,735
Liquid Architecture : Polyphonic Social; Polythinking; Ritual Community Music	\$20,000
Play On Arts Ltd	\$30,000
Mr Alister McKeich : Experiences of Homelessness – Photo Documentary Project and Outdoor Exhibition	\$15,000
Bus Projects	\$23,000

14. In the 2020-2021 *Engage Yarra* program there were four successful applications:

Recipient/Project name	Grant per annum
All the Queens Men : LGBTI+ Elders Dance Club and Victorian Seniors Festival events	\$30,000
Schoolhouse Studios : Schoolhouse Studios Community Knowledge Program (SSCK)	\$10,000
Drummond Street Services : Reach Youth Music Studios (RYMS)	\$30,000
Jesuit Social Services : Story Lab	\$30,000

15. The Yarra Arts Advisory Committee (YAARTS) is the formal mechanism for Council to enable community participation in arts and cultural planning and development and is comprised of a range of locally connected community members with diverse experience in the arts. This panel reviews the applications and makes recommendations to Council.

16. Details of the program process for the 2022-2023 round are as follows:

- (a) Grants open 9am Wednesday 5 May;
- (b) The program will be advertised through various council channels including Yarra City Arts website, Instagram, e-news, Yarra Council grants information page and e-news;
- (c) Grants close 11:59pm Sunday 13 June;
- (d) Eligibility checks undertaken on submitted applications;
- (e) Yarra Arts Advisory Committee (YAARTS) review of submitted applications;
- (f) Assessment meeting of YAARTS to make selection of applications to recommend to Council;
- (g) Report to Council 20 July noting recommendations of the panel for endorsement; and
- (h) Notification to all applicants 21 July.

17. The timing of this program will allow for unsuccessful applicants to still have time to apply for the 2022 Annual Grant program if relevant to their project/proposal.

Discussion

18. The options are to discuss and recommend any changes to this grant, including the recommended grant guidelines and funding for the upcoming round.

Options

19. The options are to approve or not approve the continuation of this grant for the next two years. If it is not approved, consideration would need to be made on where the funding would be redirected.

Community and stakeholder engagement

20. The Arts & Culture Multi-Year Grants Program is managed by the Grant Teams at Yarra in close consultation with Arts and Cultural Services.
21. Recipients have direct contact with Council officers who provide varying levels of support and recipients provide reporting on an annual basis.
22. The impact of COVID-19 on 2020 programs saw officers supporting projects to adapt to the changed environment and still meet the objectives of the program.
23. Yarra Arts Advisory panel were provided opportunity to give feedback regarding guidelines and application forms for program.

Policy analysis

Alignment to Council Plan

24. This report relates to the following Council Plan objectives:
- (a) A healthy Yarra: Community health, safety and wellbeing are a focus in everything we do; arts and cultural initiatives create opportunities for community engagement, expression and connection. This program supports professional creatives and community members alike to participate in the arts through a range of experiences, as creative producers and /or consumers, promoting individual and communal wellbeing;
 - (b) An inclusive Yarra: Inclusion, diversity and uniqueness are welcomed, respected and celebrated; the grants support activities that showcase, celebrate and promote local cultures, people, places and arts practice. Priority is given to proposals that enable collaboration and participation in strong creative projects between artists and non-artists, that value and highlight diversity and that encourage engagement with new audiences; and
 - (c) A prosperous Yarra: Local businesses prosper and creative and knowledge industries thrive; the grants facilitate and promote creative endeavour and opportunities for the community to participate in a broad range of arts and cultural activities. The grants support local creative economies, directly helping local creative organisations and individuals to maintain and grow their practices and these outcomes in turn draw people to the City of Yarra to engage in these and other experiences.

Climate emergency and sustainability implications

25. All supported projects are encouraged to adopt sustainable practices including but not limited to sustainable travel and sustainable waste management.

Community and social implications

26. The positive social outcomes of arts and cultural activity are accepted all over the world and have been substantiated by many research projects.
27. Participation in arts and cultural activity contributes to a sense of well-being, to identity and aspirations and enables community building and expression.

28. In Yarra, it connects with a strong sense of the City's identity; it reflects the vibrancy and diversity of our community. It is often cited as the palpable, yet irreducible quality that makes Yarra an attractive place to live, work and visit.

Economic development implications

29. Yarra is recognised as a home for the arts and creative industries are identified as one of the four key areas of Yarra's economy in the Yarra Economic Strategy 2020-2025.

Human rights and gender equality implications

30. The UN Declaration of Human Rights recognises the right to freedom of artistic expression and creation, which includes the right of all persons to freely experience and contribute to artistic expressions and creations, through individual or joint practice, to have access to and enjoy the arts, and to disseminate their expressions and creations.
31. The grants are gender neutral and have historically supported gender diversity through the range of projects supported.

Operational analysis

Financial and resource impacts

32. The grant program is currently budgeted at \$230,000 per annum for the two year cycle with a CPI increase for each year budget allowing.
33. The program is managed across Arts and Culture and Events Permits units and forms part of the core work of the units, directly supporting each recipient to responding to different levels of need.

Legal Implications

34. The Funded organisations and individuals enter into formal funding agreements with Council.

Conclusion

35. The Creative Yarra and Engage Yarra Grants multi-year program is designed to provide security and reduce administration costs to enable creative activity to be developed over a long period, support creative organisations to build greater capacity to deliver the best outcomes in our City.

RECOMMENDATION

1. That Council:
- (a) endorses the guidelines for the Creative Yarra and Engage Yarra Grant Program 2022-2023; and
 - (b) notes the amount of \$230,000 per annum for two years (+CPI) to support the program which commences 1 January 2022 and ends 31 December 2023, subject to the usual budget approval process.

Attachments

- 1 Creative and Engage Yarra 2022-23 Grant Guidelines

8.5 Edinburgh Gardens Working Group

Reference	D21/39243
Author	Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser	Group Manager Chief Executive's Office

Purpose

1. To determine on the appointment of an Edinburgh Gardens Working Group as referenced in the attached resolution: "...*...establish an **Edinburgh Gardens Working Group** of regular park users, local residents and a representative of Fitzroy North Primary School, to inform future management of the gardens in peak periods over summer and public holidays...*".

Critical analysis

History and background

2. There have been several occasions in recent years where inappropriate activities at the Edinburgh Gardens have created situations which have caused:
 - (a) very considerable cost to the Council;
 - (b) extensive damage to public and private property; and
 - (c) great concern, inconvenience and indeed risk to each of the Council, community members, nearby residents, police and emergency services members.

Discussion

3. Council some time ago carried the resolution **Attachment 2** hereto. Due to the impost of COVID-19 constraints on some consultation avenues, processing of the matter had been deferred for a period.

Options

4. Clearly Council's intention is to establish a Working Group "*...to advise and inform Council on future management of the Gardens in peak periods over summer and public holidays....*";
5. Such advice would be intended to include comments including on such as:
 - (a) any types of activities suggested as not considered appropriate to be held at the Gardens and the reasons for same;
 - (b) any special conditions considered applicable to particular uses and activities at the Gardens;
 - (c) the review of the Consumption of Liquor in a Public Place Local Law, later in 2021;
 - (d) any considerations which would come under the Council's current General Local Law; and
 - (e) the Council Order under the Domestic Animal's Act.
6. As outlined in the **Attachment 1** there is a suggested representational make-up of the Working Group and a meeting frequency and venue

Community and stakeholder engagement

7. Based upon the note in Council's resolution "*...establish an **Edinburgh Gardens Working Group** of regular park users, local residents and a representative of Fitzroy North Primary School,*"... it is thus proposed to form a representative Working Group comprising the following:
 - (a) 4 x Local residents;

- (b) 2 x Fitzroy North Primary School representatives;
 - (c) 1 x representative for each regular user group as follows:
 - (i) dog walkers;
 - (ii) skateboarders;
 - (iii) cyclists;
 - (iv) Tennis;
 - (v) Cricket;
 - (vi) Basketball; and
 - (vii) Football; and
 - (d) 3 x Councillors (suggest - be the Nicholls Ward Councillors).
8. It is proposed that the invitation for membership be sought as follows:
- (a) Re the community representatives and casual user groups, via a public notice being placed, inviting expressions of interest for representatives; and
 - (b) Re the formal established groups (e.g. football, cricket and tennis) the local clubs be invited to submit their preferred representative.

Policy analysis

Alignment to Council Plan

9. The following objectives are considered applicable:
- (a) **A Healthy Yarra** – where community health, safety and wellbeing are a focus in everything we do;
 - (b) **An Inclusive Yarra** – as a place where inclusion, diversity and uniqueness are welcomed, respected and celebrated; and
 - (c) **A Leading Yarra** – where transparency, performance and community participation drive the way we operate.

Climate emergency and sustainability implications

10. The Council has invested significant resources in sustainability programs and works at the Gardens needs to ensure protection to these works and facilities from any inappropriate activities.

Community and social implications

11. Having regard to previous inappropriate activities which occurred at the Gardens and the very significant adverse impact they had on the Gardens, the streets and lanes in the vicinity of the Gardens and indeed the community in reasonable proximity to the Edinburgh Gardens, there are potential community and social implications which can arise from inappropriate activities in the Gardens and environs.

Economic development implications

12. Not particularly relevant to this report.

Human rights and gender equality implications

13. The above referenced inappropriate activities greatly heightened the risk of infringement of people's human rights and certainly heightened the risk of safety concerns for all genders. It is therefore considered essential to have a management regime which will oversee use of, and activities allowed in the Gardens, and to ensure respect to all users.

Operational analysis

Financial and resource impacts

14. The referenced inappropriate activities caused the Council to incur very substantial costs in clean-up and repairs and it is therefore considered essential to have a management regime which will minimise the risk of any such re-occurrence.

Legal Implications

15. The Council as Committee of Management of the Gardens has formal responsibility for the effective management and oversight of the Gardens such to ensure a diverse community may enjoy the facility in the spirit of equity, safety and respect.

Conclusion

16. That Council review the report on the proposed Working Group make-up, the meeting frequency thereof and the information to be sought from the Working Group and now approve:
 - (a) the composition of the Group;
 - (b) the meeting frequency;
 - (c) the process of seeking public expressions of interest; and
 - (d) that Officers will report back following the closure of expressions of interest.

RECOMMENDATION

1. That Council:
 - (a) note the Report;
 - (b) approve the establishment of the Edinburgh Gardens Working Group with a membership comprising:
 - (i) 4 x Local residents;
 - (ii) 2 x Fitzroy North Primary School representatives;
 - (iii) 1 x representative for each user group as follows:
 - a. dog walkers;
 - b. skateboarders;
 - c. cyclists;
 - d. tennis;
 - e. cricket;
 - f. basketball;
 - g. football; and
 - (iv) 3 x Councillors (suggest - be the Nicholls Ward Councillors); and
 - (c) approve the public invitation for expressions of interest for the positions as noted; and
 - (d) note a further report will be presented following receipt of expressions of interest for determination on the final membership of the Group, together with such other information as required in the original Council resolution.

Attachments

- 1 Edinburgh Gardens Working Group - Terms of Reference
- 2 Council Resolution - 15 December 2021

8.6 Endorsement of Yarra LGBTIQ+ Advisory Committee Terms of Reference and Proposed Membership – LATE REPORT

Executive Summary

Purpose

To seek endorsement of the Yarra LGBTIQ+ Advisory Committee (Rainbow Advisory Committee) Terms of Reference and proposed membership, and for Council to appoint two Councillors to chair the Rainbow Advisory Committee.

Key Issues

The Terms of Reference were drafted for the Rainbow Advisory Committee and was used as the basis for the Expression of Interest (Eoi) process.

The Rainbow Advisory Committee will provide information, support and advice, and a mechanism for communication and consultation between LGBTIQ+ communities and Council, on issues affecting the LGBTIQ+ community.

The Eoi was sent out broadly and summarised the purpose of the Rainbow Advisory Committee and its proposed makeup, and invited expressions of interest from suitably qualified or experienced persons.

Thirty-two submissions were received for what ended up being fourteen (rather than the originally stated twelve) positions.

The Eoi submissions were reviewed by an informal selection panel comprising three Officers – Senior Advisor Diversity & Inclusion, Senior Coordinator Community Development, and the Economic Development Officer.

Submissions were assessed individually against the criteria outlined in the Eoi, and the Panel was extremely impressed with the diversity of knowledge, skills and representation reflected in the submissions.

Whilst all applicants responded to the key selection criteria, the Panel felt the final fourteen selected reflect the diversity of the LGBTIQ+ community, an array of life and professional experiences, and the capacity to meet the objectives of being a member of the Rainbow Advisory Committee.

The fourteen proposed members comprise diverse sexualities and genders, and include people from culturally and linguistically diverse backgrounds, people with disabilities, Aboriginal and Torres Strait Islander people, and people from different locations and differing life stages.

Collectively, the nominees have a diverse range of knowledge and experience, and they represent the LGBTIQ+ community on an impressive array of boards and committees.

Financial Implications

There are no financial or resource implications.

PROPOSAL

That Council:

- (a) endorse the Rainbow Advisory Committee Terms of Reference;
- (b) appoint the following members to the Rainbow Advisory Committee for a period of two years: Richard Taki, Wayne Nicol, Christina Hotka, Max Marginson, Dean Arcuri, Ruby Susan Mountford, Rick Spencer;

- (c) appoint the following members to the Rainbow Advisory Committee for a period of four years: Raffaella Di Maio, Brendan Jupp, Simon Ruth, Arika Onus, Jamie Gardiner OAM, Bianca Gibson, Dawn Lee Kauri;
- (d) appoint Councillor.....and Councillor.....to chair the Rainbow Advisory Committee; and
- (e) write to all members of the community who expressed interest in the Rainbow Advisory Committee, advising of this decision and thanking them for nominating to be members of the Rainbow Advisory Committee.

8.6 Endorsement of Yarra LGBTIQ+ Advisory Committee Terms of Reference and Proposed Membership - LATE REPORT

Reference	D21/30669
Author	Sarah Jaggard - Senior Diversity and Inclusion Advisor
Authoriser	Group Manager People and Culture

Purpose

1. To seek endorsement of the Yarra LGBTIQ+ Advisory Committee (Rainbow Advisory Committee) Terms of Reference and proposed membership, and for Council to appoint two Councillors to chair the Rainbow Advisory Committee.

Critical analysis

History and background

2. Since 2014, Council's internal working group – QnA – has implemented a number of key initiatives, including LGBTIQ+ awareness training for staff, reviewing internal Council policies, procedures, and forms, including LGBTIQ+ content in Council's corporate induction, and participating in key events such as IDAHOBIT (International Day Against Homophobia, Biphobia, Interphobia and Transphobia) and Midsumma.
3. Officers decided Council needed a more formal structure framing its response to the LGBTIQ+ community, and central to this was the development of the Yarra LGBTIQ+ Strategy 2021-2024 (the Strategy).
4. The Strategy was informed by extensive community consultation, which attracted feedback from a cross-section of both Yarra's LGBTIQ+ community and the wider community.
5. Through the engagement process it became evident that the LGBTIQ+ community (in particular, LGBTIQ+ businesses) were keen to see the implementation of a formal mechanism whereby the LGBTIQ+ community would be able to advise Council on issues affecting the community.

Discussion

6. At the Council meeting on the 15 December 2020, Council resolved "to convene an LGBTIQ+ Reference Group by June 2021 at the latest."
7. According to the Council Committees Policy, there are three types of committees established by Council to assist the Council in fulfilling its obligations: Interest groups, project consultative groups, and advisory committees.
8. Interest Groups are established to facilitate networking among the membership and are relatively informal, and project consultative groups are convened in relation to a specific policy development or other time limited project and are established for a fixed period only.
9. Advisory Committees provide advice to Council, a Delegated Committee or a Council officer with decision-making authority and are supported by a formal structure and support mechanisms.
10. An ongoing, formal structure such as that provided by an advisory committee is in keeping with the desire the LGBTIQ+ community.
11. The Terms of Reference (see Attachment 1) were drafted for the Rainbow Advisory Committee and was used as the basis for the Expression of Interest (EoI) process.
12. The Rainbow Advisory Committee will provide information, support and advice, and a mechanism for communication and consultation between LGBTIQ+ communities and Council, on issues affecting the LGBTIQ+ community.

13. Initially there were twelve positions available, including a minimum of two representatives from community organisations that support Yarra's LGBTIQ+ community, a minimum of two representatives from Yarra's LGBTIQ+ business community, and up to eight community members.
14. In keeping with the Appointment of Members to Council Committees Procedure, Officers placed notices regarding the Eol process on the Council's website, the Yarra Life newsletter, and social media feeds. The Eol was also sent out through key internal and external networks.
15. The Eol summarised the purpose of the Rainbow Advisory Committee and its proposed makeup, and invited expressions of interest from suitably qualified or experienced persons seeking to be considered.
16. Submissions were open from the 11 February 2021 – 26 February 2021.
17. The Eol submissions were reviewed by an informal selection panel (the Panel) comprising three Officers – Senior Advisor Diversity & Inclusion, Senior Coordinator Community Development, and the Economic Development Officer. All three panel members have extensive experience in working with diverse communities and are long standing members of Council's internal LGBTIQ+ working group, QnA.
18. Council received thirty submissions for the twelve positions available. Submissions were assessed individually against the criteria outlined in the Eol.
19. Members were selected on the basis of their:
 - (a) Identification as LGBTIQ+;
 - (b) capacity to consult with the LGBTIQ+ community and represent a wide range of views;
 - (c) understanding of the needs of the LGBTIQ+ community; and
 - (d) capacity to analyse information and provide advice on issues affecting the LGBTIQ+ community.
20. It was also crucial that the membership reflect the diversity of the LGBTIQ+ community including:
 - (a) people of diverse sex, sexuality and gender;
 - (b) Aboriginal and Torres Strait Islander people;
 - (c) people from Culturally and Linguistically Diverse (CALD) backgrounds;
 - (d) people with a disability;
 - (e) people from variety of life stages; and
 - (f) people from different locations across the municipality.
21. The Panel was extremely impressed with the diversity of knowledge, skills and representation reflected in the submissions.
22. However, the review process highlighted a lack of submissions from trans and intersex people. A targeted Eol went out through local networks, specifically asking that trans and intersex people consider applying. Submissions could be made from 10 March 2021 – 19 March 2021.
23. A further two applications were submitted; both were extremely strong contenders and the Panel decided to increase the number of Advisory Committee members to fourteen; the Terms of Reference have been updated to reflect this.
24. Whilst all applicants responded to the key selection criteria, the Panel felt the final fourteen selected reflect the diversity of the community, an array of life and professional experiences, and the capacity to meet the objectives of being a member of the Rainbow Advisory Committee.

25. The fourteen nominees comprise diverse sexualities and genders, and include people from culturally and linguistically diverse backgrounds, people with disabilities, Aboriginal and Torres Strait Islander people, and people from different locations and differing life stages.
26. Collectively, the nominees have a diverse range of knowledge and experience in the areas of LGBTIQ+ policy, health, housing, research, education, performance, event production, activism, and media, and represent key health services and a range of LGBTIQ+ businesses.
27. Together they represent the LGBTIQ+ community on an impressive array of boards and committees, including the State LGBTIQ+ Task Force, the Victorian Pride Centre, Trans Health Australia, Consumer Health Australia, Bent Twig Alliance, Melbourne Bisexual Network, Autism Spectrum Australia's LGBTIQA+ Advisory Committee, Melbourne Rubber and Transgender Victoria.

Options

28. The Terms of Reference state that the term of appointment for community members will be four years. Each two years, half of the group will retire. Retiring members will be eligible for reappointment.
29. In initiating the Rainbow Advisory Committee, half of the membership will be appointed for two years, and half of the membership will be appointed for four years.
30. Officers recommend Council support the appointment of the following fourteen nominees to the Rainbow Advisory Committee, noting the length of appointment:
 - (a) Richard Taki, Vau d'vile Drag Cabaret (two years);
 - (b) Wayne Nicol, Lucrezia & De Sade (two years);
 - (c) Dawn Lee Kauri, Rainbow House Club (four years);
 - (d) Brendan Jupp, Eagle Leather (four years);
 - (e) Christina Hotka, St Vincent's Public Hospital (two years);
 - (f) Simon Ruth, Thorne Harbour Health (four years);
 - (g) Raffaella Di Maio (four years);
 - (h) Max Marginson (two years);
 - (i) Arika Onus (four years);
 - (j) Bianca Gibson (four years);
 - (k) Jamie Gardiner OAM (four years);
 - (l) Dean Arcuri (two years);
 - (m) Ruby Susan Mountford (two years); and
 - (n) Rick Spencer (two years).

Community and stakeholder engagement

31. Officers sought advice from several branches in developing the Terms of Reference and Expression of Interest for the Advisory Committee, including Governance, Communications, Aged & Disability Services and Community Development.

Policy analysis

Alignment to Council Plan

32. The Yarra City Council, Council Plan 2017 – 2021 commits to:
 - (a) A Healthy Yarra - Community health, safety and wellbeing are a focus in everything we do; and
 - (b) An Inclusive Yarra - Inclusion, diversity and uniqueness are welcomed, respected and celebrated.

Climate emergency and sustainability implications

33. The hierarchies of social inequality and vulnerability are replicated in disasters. The impacts of climate change disproportionately affect those who are already marginalised, including LGBTIQ+ people

Community and social implications

34. The Yarra LGBTIQ+ Advisory Committee will play a key role in breaking barriers to access, participation and inclusion for the LGBTIQ+ community.

Economic development implications

35. The Rainbow Advisory Committee provides opportunities for self-determination and community engagement, which ultimately contributes to a richer and more diverse participation in the economic life of Yarra.

Human rights and gender equality implications

36. Council's Social Justice Charter acknowledges that the City of Yarra is a vibrant and diverse municipality. It is the traditional lands of the Wurundjeri Woi Wurrung, and a place of special significance for the broader Aboriginal and Torres Strait Islander community. The City of Yarra is also home to diverse communities, something that Council is proud of and recognises as an asset.
37. Further, Council is bound by the Charter of Human Rights and Responsibilities Act 2006 (Vic) to act compatibly with human rights, and to consider human rights when developing policies, making laws, delivering services and making decisions.
38. Council has an important role to play in upholding and protecting its diverse population's human rights. Council will actively work to reduce barriers so that the LGBTIQ+ community can participate in community life and access services and information.

Operational analysis

Financial and resource impacts

39. There are no financial or resource impacts.

Legal Implications

40. Council is legally required to protect the LGBTIQ+ community's human rights. Some of the legislation related to this area includes:
- (a) Universal Declaration of Human Rights 1948;
 - (b) Human Rights and Equal Opportunity Commission Act 1986;
 - (c) Charter of Human Rights and Responsibilities Act 2006 (Vic); and
 - (d) Local Government Act 2020 (Vic).

Conclusion

41. Officers seek to convene the Rainbow Advisory Committee to provide information, support and advice, and a mechanism for communication and consultation between LGBTIQ+ communities and Council, on issues affecting the LGBTIQ+ community.
42. A draft Terms of Reference was developed and formed the basis of the EoI process.
43. There were thirty-two submissions and the fourteen proposed members comprise diverse sexualities and genders, and include people from culturally and linguistically diverse backgrounds, people with disabilities, Aboriginal and Torres Strait Islander people, different locations, and differing life stages.

RECOMMENDATION

1. That Council:
 - (a) endorse the Rainbow Advisory Committee Terms of Reference;
 - (b) appoint the following members to the Rainbow Advisory Committee for a period of two years: Richard Taki, Wayne Nicol, Christina Hotka, Max Marginson, Dean Arcuri, Ruby Susan Mountford, Rick Spencer;
 - (c) appoint the following members to the Rainbow Advisory Committee for a period of four years: Raffaella Di Maio, Brendan Jupp, Simon Ruth, Arika Onus, Jamie Gardiner OAM, Bianca Gibson, Dawn Lee Kauri;
 - (d) appoint Councillor.....and Councillor.....to chair the Rainbow Advisory Committee; and
 - (e) write to all members of the community who expressed interest in the Rainbow Advisory Committee, advising of this decision and thanking them for nominating to be members of the Rainbow Advisory Committee.

Attachments

- 1 LGBTIQ+ Advisory Committee Terms of Reference