



Agenda

Council Meeting

7.00pm, Tuesday 10 May 2022

Ms Teams

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

Council officers

• Chris Leivers	Interim Chief Executive Officer
• Brooke Colbert	Group Manager Advocacy and Engagement
• Malcolm Foard	Director Community Wellbeing
• Ivan Gilbert	Group Manager Chief Executive’s Office
• Geoff Glynn	Director City Works and Assets
• Gracie Karabinis	Group Manager People and Culture
• Diarmuid McAlary	Director Corporate, Business and Finance
• Bruce Phillips	Director Planning and Place Making
• Mel Nikou	Governance Officer

Municipal Monitor

• Yehudi Blacher	Municipal Monitor
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Leave of absence

• Cr Amanda Stone	Councillor
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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

Nil

6. Confirmation of minutes

RECOMMENDATION

That the minutes of the Council Meeting held on Tuesday 19 April 2022 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	Sportsgrounds and Facilities Allocation Policy	9	13	Sally Jones – Manager Recreation and Leisure Services
8.2	North Richmond Draft Master Plan Submission	14	19	Althena Davidson – Manager City Strategy
8.3	Zero Carbon Development Planning Scheme Amendment	20	27	Mary Osman – Manager Statutory Planning
8.4	Updated Events in Public Spaces Policy	28	34	Siu Chan – Business Unit Manager Arts, Culture and Venues
8.5	Yarra Libraries Strategic Plan 2022-2026	35	38	Felicity Macchion – Manager Yarra Libraries
8.6	IntoWork Report	39	43	Diarmuid McAlary – Director Corporate, Business and Finance
8.7	Appointment of Council representative to the Collingwood Children's Farm Committee of Management	44	46	Rhys Thomas - Senior Governance Advisor
8.8	Motions for MAV State Council	47	49	Rhys Thomas - Senior Governance Advisor
8.9	Councillor attendance at the ALGA National General Assembly and change to Council meeting date	50	52	Rhys Thomas - Senior Governance Advisor

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 Sportsgrounds and Facilities Allocation Policy

Reference	D22/88709
Author	Trent Carpenter - Recreation Project Officer
Authoriser	Manager Recreation and Leisure Services

Note

On 19 April 2022, Council resolved *“That Council defer the Draft Sportsgrounds and Facilities Allocation Policy (2022) to the next Council meeting”*.

Following the meeting and further consultation with a number of clubs, the following modifications to the draft Policy were made and communicated with clubs:

- A new section 3 was included, titled *“Yarra Values”*
- Point 5.3 was modified to include a reference to the Yarra Values
- Point 7.6.3 was modified to read *“Up to 4 weeks between 1 November – 20 December”* and *Ground availability may vary each season, subject to ground conditions and maintenance programs”*

These changes have been made to the proposed policy at **Attachment 1** to this report.

The original report follows:

Purpose

1. To present and seek Council endorsement for the proposed policy for the allocation of sportsgrounds and facilities in Yarra; Attachment 1 - *Draft Sportsgrounds and Facilities Allocation Policy 2022*.

Critical analysis

History and background

2. The Recreation and Leisure Services branch manage Yarra’s 19 sportsgrounds and 25 pavilions (facilities). These facilities are utilised by over 60 clubs for the facilitation of community sport and active recreation.
3. Officers have conducted a review into Yarra’s sports facilities’ allocation processes and identified the need to develop a policy that brings the processes into line with industry standards and practices and aligns them with Council policy by mandating fair, transparent minimum standards and qualifying criteria, so as to be eligible to receive an allocation (Attachment 1 - *Draft Sportsgrounds and Facilities Allocation Policy (2022)*).
4. In March 2021, the draft Policy was presented to Council briefing. Following considerable public interest, particularly with respect to the proposed fees component, the public report was withdrawn. Officers were subsequently directed to conduct additional information sessions with all Yarra seasonal clubs, on the basis that there appeared to be considerable misunderstanding and misinformation about the intent of the *Draft Sportsgrounds and Facilities Allocation Policy (2022)* and how this policy relates to the Recreation Services fees and charges proposal.
5. Information sessions with Yarra’s sporting clubs have been conducted on two occasions, May 2021 and November 2021. From these direct club information sessions and in recognition of the impacts of COVID-19 on community sport, amendments have been made to Officer recommendations. Specifically, the link between a hirer’s allocation criteria score and the fees the hirer is charged has been removed.

Discussion

6. The current allocation process for sports facility hire established in 2010 is no longer fit for purpose, is difficult for Officers to apply consistently and does not progress Council's inclusion, diversity and governance objectives. Moreover, the current process removes the ability for Officer's to positively influence club/hirer services, behaviour and/or culture.
7. Additionally, traditional sports, such as Australian rules football, football/soccer and cricket dominate the use of Yarra facilities, which reinforces patterns of demand (i.e., when certain sports are visible, accessible and available, then people are more likely to participate in that sport, rather than sports that are not). The current allocation process has the potential to lock out new and/or emerging organised sports, for instance sports like lacrosse, touch rugby, fistball, ultimate frisbee, etc., that might offer Yarra residents new activities and opportunities.
8. The current allocation process does not incentivise clubs to drive opportunities or activities which encourage participation, diversify opportunities and allow the community to enjoy sport regardless of age, ability, etc. For example, the current ratio of female (12%) to male (88%) participants is low. The provision of active recreation opportunities for underrepresented groups, those with a disability, CALD, women and juniors is at the core of what Officers seek to facilitate and the allocation of facilities should encourage clubs that actively drive opportunities for such groups.
9. Furthermore, the current allocation process has no provision encouraging equitable programming. For instance, how clubs have programmed when and where teams train and play has been the club's responsibility, which historically results in male teams accessing the best/premier facilities and preferred timeslots for training and matches.
10. The allocation process review has identified key opportunities for improvement, including:
 - (a) Guaranteeing standards clubs can be measured against and be held accountable to;
 - (b) Ensuring that there is transparent, consistent application of the allocation criteria;
 - (c) Alignment with branch-wide strategy, such as the Physical Activity Plan;
 - (d) Adherence with wider Council values and objectives; and
 - (e) Incentivising clubs to proactively achieve against the guiding principles and criteria.
11. The purpose of the *Draft Sportsgrounds and Facilities Allocation Policy (2022)* is not to displace any current sport clubs, and adoption will not mean clubs will be allocated different grounds to their current arrangement. The Allocations criteria has been designed to be achievable, support the continued growth and drive the development of inclusive sports club environments, that promote participation for all. Clubs would be provided with support and guidance from Council Officers to achieve these targets and be rewarded with priority access to Council facilities.
12. The draft Policy outlines transparent guiding principles aimed at improving the behaviours and standards of clubs hiring Yarra's sports facilities by ensuring adherence to the following:
 - (a) **Community First** - Allocations reflect that the Yarra community is the priority;
 - (b) **Governance** – Allocations ensure that clubs' organisational conduct demonstrates alignment with their respective State Sporting Associations' safe sport, risk mitigation and compliance, good governance and integrity frameworks and cultures;
 - (c) **Inclusion and Diversity** – Allocations mandate requirements that incentivise clubs to activate programs/services/events that positively influence member diversity; and
 - (d) **Financial Management** – Allocations ensure that that clubs are fiscally responsible.

Options

13. Allocation Criteria within the draft Policy would be used from the time of endorsement, with an understanding that some clubs may not be able achieve all targets immediately but will have three years to adapt with assistance from Officers to develop club culture, governance practices and behaviours which focus on inclusion and diversity. Councillors may direct Officers to apply the draft Policy immediately, but Officers would recommend that a stage approach over three years be applied.

Community and stakeholder engagement

14. Officers were directed to conduct workshops with sports clubs to ensure clarity of the proposed Policy, better understand the implications for clubs and to consider any/all feedback and suggestions.
15. In May 2021, 21 sports clubs were contacted, with 17 opting to meet one-on-one with Officers (four clubs declined to meet). These meetings were in relation to the Draft Sportsgrounds and Facilities Allocation Policy (2022) and the Recreation Services - Fees and Charges proposal. The feedback captured resulted in the following adjustments being made to the original March 2021 proposal:
 - (a) The draft Policy score of applicants will be used purely to determine the allocation of Yarra's sportsgrounds and facilities, rather than be linked with the Recreation Services – Fees and Charges proposal;
 - (b) Some clubs questioned the inclusion of an allocation metric related to the percentage of club members that are residents of the City of Yarra. Clubs located close to the border of the municipality naturally attract members who reside in other Councils making it difficult to achieve a high % of Yarra residents. The inclusion of this metric was considered and retained to ensure facility access for the Yarra community is prioritised. Officers felt that the weighting should be limited to a maximum of 10 points – this ensures clubs located close to the municipal boundary are not significantly disadvantaged. This inclusion is consistent with other areas of Council business that provides weighting to Yarra residents, such as the adopted 'Priority of Access Policy' in Children's Services;
 - (c) Clubs expressed a concern over the amount of additional work required by volunteers to address the Allocation Framework Criteria. Officers acknowledge the work club volunteers do is significant and felt it would be unreasonable to expect all criteria to be achieved in the first 12 months. Hence a progressive implementation of the Allocation Policy over a three year period is recommended; and
 - (d) The definition of the Policy's 'Active Participants' has been revised to ensure clarity and include facilitators of sport e.g., coaches, trainers, runners, volunteers.
16. In November 2021, all seasonal sports clubs were again contacted to socialise the proposed changes. Officers engaged with 19 out of 21 clubs, with just two clubs choosing not to respond.
17. Of those that did respond, 14 clubs provided a written response outlining their position. No significant concerns were raised in relation to the Draft Sportsgrounds and Facilities Allocation Policy (2022), with all clubs supportive of its intent to provide equitable facility access. Most questions related to the operational aspects of the implementation process, including how criteria would be scored.

Policy analysis

Alignment to Community Vision and Council Plan

18. There are a range of policy alignments that pertain to this proposal including:
 - (a) Climate and Environment - Strategy 3;
 - (b) Social Equity and Health - Strategy 2, Strategy 3 and Strategy 5;

- (c) Local Economy - Strategy 1, Strategy 2 and Strategy 5;
- (d) Place and Nature - Strategy 1 and Strategy 2; and
- (e) Democracy and Governance - Strategy 2, Strategy 3 and Strategy 5.

Climate emergency and sustainability implications

19. There are no climate emergency or environmental sustainability issues arising from this report.

Community and social implications

20. The draft Policy has the intention of ensuring that emphasis is placed upon the provision of welcoming, inclusive and accessible organised sporting opportunities for the Yarra community by clubs with safe sport, good governance and integrity frameworks in place, thereby ensuring positive impacts on the opportunities and outcomes for the community.
21. Officers recognise that the criteria within the draft Policy would increase expectations of some club behaviours and practises and this may require some additional work; other clubs will be well-placed to meet these obligations. Consequently, Officers propose that should the draft Policy be adopted the Recreation unit will work directly with clubs to provide advice and guidance; afford development opportunities including formal club development workshops; and offer support that would progress Council's community, inclusion, diversity, accessibility and good governance objectives, as well as assist clubs to adapt, succeed and thrive.

Economic development implications

22. There are no immediate economic development implications as a result of this report.

Human rights and gender equality implications

23. The essential and weighted criteria developed in the *Draft Sportsgrounds and Facilities Allocation Policy (2022)* by Officers aims to progress inclusion, accessibility and equity opportunities meaningfully and deliberately in organised sport for the Yarra community. Further, Officers also aim to ensure clubs are supported to be welcoming, safe and well-governed.
24. Officers have developed the criteria in the draft Policy seeking to ensure that marginalised or specific cohorts (i.e., women, juniors, disabled, CALD, etc.) are not prioritised in any prescribed order, in recognition that there are many types of underrepresented groups, including new and emerging cohorts. This flexibility within the draft Policy will enable clubs to target and develop their own custom markets, audiences and member bases, as well as ensure the Policy remains relevant within an ever-changing landscape.

Operational analysis

Financial and resource impacts

25. The draft Allocation Policy outlines the essential criteria for applications to use Yarra's sports facilities, which includes the key guiding principle of 'Financial Management'. This principle is intended to identify a club's capacity to pay the fees associated with an application to use Yarra's sportsgrounds and facilities. However, if a club is able to demonstrate exemplary performance, via the allocation criteria framework, but is unable to pay the associated hire fees in the ordinary full sum transaction process, Officers recommend that the current practice of extending the club payment flexibility via a payment plan, be retained.
26. In addition to the club development support proposed and as per normal practices, Officers would continue to work with clubs to notify and assist with possible external funding and grant opportunities relevant to grassroots sport, engagement, participation and membership.

Legal Implications

27. The criteria identified in the draft Allocations Policy that form part of the allocation framework related to governance and finance are designed to advance club practices related to financial management, risk mitigation, dispute resolution, child safety and integrity. These criteria are in addition to other mandatory requirements, such as Responsible Service of Alcohol and food-handling certification (where required) and have been informed by peak bodies such as Sport and Recreation Victoria, Sport Australia and State Sporting Associations.

Conclusion

28. The *Draft Sportsgrounds and Facilities Allocation Policy (2022)* proposes to implement a suite of transparent criteria that directly ties to Council's values and objectives, as well as State Sporting Associations safe sports and integrity frameworks, to ensure that sport is accessible, inclusive, equitable, well-managed and well-governed for all who live, learn, work and play in Yarra. Officers propose that the draft Policy be staged over three years, because of the increased expectations that will be placed on clubs, noting that the Recreation unit would work closely to provide guidance, development and support to clubs.
29. It is proposed that the *Draft Sportsgrounds and Facilities Allocation Policy (2022)* would be implemented at the beginning of the 2022/23 summer season beginning in October 2022.

RECOMMENDATION

1. That Council:
 - (a) Council endorse the Draft Sportsgrounds and Facilities Allocation Policy (2022).

Attachments

- 1 Attachment 1 - Draft Sportsgrounds and Facilities Allocations Policy 2022

8.2 North Richmond Draft Master Plan Submission

Reference	D22/98100
Author	Althena Davidson - Manager City Strategy
Authoriser	Director Planning and Place Making

Purpose

1. To provide a summary of Homes Victoria's *North Richmond Draft Master Plan* (NRDMP).
2. To present a proposed submission on Homes Victoria's *North Richmond Draft Master Plan*.

Critical analysis

History and background

3. Homes Victoria have prepared a draft master plan for the North Richmond housing estate to direct the revitalisation of the housing site. A summary of the masterplan and a copy of the full masterplan can be found at **Attachment One** and **Attachment Two** respectively. They are also published online at <https://engage.vic.gov.au/north-richmond-master-plan>
4. The master plan covers the extent of the estate to the north and south of Elizabeth St in the north, Lennox St to the west, Highett St to the south and Belgium Ave and Church St to the east. This area includes the North Richmond Community Health Precinct and the Richmond West Primary School.
5. This follows on from community engagement undertaken by Homes Victoria through a residential survey in 2019/20, review of background studies, stakeholder workshops, and community engagement consultations.
6. The draft master plan by Homes Victoria seeks to guide development of the housing site over the next decade and seeks to set a framework of *Connection with Country* through the 'inclusion of six layers of Country', to provide better connection and acknowledgement the site is located on Wurundjeri land.
7. Homes Victoria has structured the master plan into Six Key Moves (themes). Home Victoria outline these as follows;
 - (a) *Neighbourhoods* – transform the site from one housing site to a series of neighbourhoods, with a mix of uses that connect into North Richmond;
 - (b) *Homes* – build new homes that meet the needs of current and future residents;
 - (c) *Open Spaces* – create a network of safe parks and playgrounds for the community;
 - (d) *Connections* – improve connections to allow safe pedestrian, cycle and vehicle movement;
 - (e) *Sustainability and Culture* – provide infrastructure that supports opportunity for cultural expression and community connections; and
 - (f) *Concentrated Activity* – coordinate investment to align change across the precinct over time.
8. Homes Victoria state that the *North Richmond Draft Master Plan* seeks to deliver the following outcomes:
 - (a) Approximately 800 new social and affordable homes;
 - (b) New skills and learning opportunities;
 - (c) Two hectares of high-quality public open space;

- (d) Upgrade to existing dwellings;
 - (e) 23,000 square metres of community, commercial and other local services;
 - (f) Over two kilometres of safe pedestrian walkways; and
 - (g) Improved environmental standards and opportunities across the site.
9. Following community engagement and consultation, it is proposed by Homes Victoria to:
- (a) finalise the master plan;
 - (b) seek approval of the master plan by the Minister; and
 - (c) report back to stakeholders and community.

Discussion

- 10. A draft submission on the *North Richmond Draft Master Plan* has been prepared for Council's considered (refer **Attachment Three**).
- 11. The submission acknowledges the NRDMP is an important strategic document which will help provide a framework for the revitalisation of the North Richmond Housing Estate.
- 12. Overall the Key Moves proposed in the NRDMP generally align with the Community Vision, Council Plan, planning policy framework and other adopted strategies of Council.
- 13. The draft submission identifies areas where the NRDMP could go further to clearly articulate the vision for the successful revitalisation of the North Richmond Housing Estate and its improved integration into the fabric of the local area.

Considerations addressed in the submission

- 14. The following are YCC officer considerations in the draft submission across the Six Key Moves of the NRDMP. They are considered priorities for Yarra and considered important for the successful delivery of the NRDMP and its intended outcomes.

Neighbourhoods

- 15. The site's strategic value to the municipality is acknowledged, as is the desire of Homes Victoria to integrate the site more holistically into North Richmond.
- 16. The NRDMP seeks to deliver quality housing in well-designed neighbourhoods; create opportunities for employment; and increase activation, connectivity and safety across the site.
- 17. There is an opportunity, however, to further articulate how the four key neighbourhoods would be progressed, and their integration / relationship with the abutting and nearby residential and commercial areas.
- 18. The mix of residential, community and commercial uses across the site is supported, however, some of the community and commercial uses should be complementary and not be at the expense of existing surrounding uses and nearby activities centres.

Homes

- 19. The NRDMP includes new low to medium-rise buildings between three to eight storeys in strategic locations allowing access to infrastructure, public and private space, and parks across the site. It also includes upgrades to the existing residential towers.
- 20. The approach to heights across the site *generally* aligns with Planning Scheme Amendment C291 relating to Victoria Street and the proposed interfaces with surrounding residential areas.
- 21. The proposed siting and orientation of the new development has considered existing and potential overshadowing on both residential buildings and public open space.

Open spaces

- 22. This Key Move by Homes Victoria aims to provide a variety of high-quality open spaces throughout the site. Purpose built spaces are proposed to be tailored to different user groups and ages.
- 23. The connected network across the site intends to provide spaces that are safe and comfortable, promoting health and well-being.
- 24. Private open space would be provided as part of new building development.
- 25. The proposed inclusion of two hectares of well-connected, green, public open space fronting the site's boundaries is supported.

Connections

- 26. The NRDMP seeks to provide streets and connections for the safe movement of pedestrians, bikes and vehicles through a legible movement network. The layout provides clear north/south and east/west transit pathways.
- 27. On site carparking is proposed to be reviewed by Homes Victoria with consideration of residential and non-residential uses and their proximity to public transport.
- 28. Cycle connections around the site are further supported by at grade bike parking for residents and visitors.
- 29. YCC officers consider that to maximise the use of public and active transport, greater integration of off-site connections needs to be encouraged.

Sustainability and culture

- 30. Priorities expressed in the NRDMP by Homes Victoria include sustainable building design including energy-efficiency and improved management of energy, waste and water. References are made to a site-wide waste systems, including collection, separation and composting.
- 31. Passive building design and layout is proposed, aiming to reduce energy consumption and supports on-site renewable energy generation.
- 32. The draft master plan seeks to integrate indigenous and multicultural diversity through design of communal and shared spaces, including landscapes, public art and place names.

Concentrate activity

- 33. Key Move Six relates to the staging of project delivery to seek to minimise disruption across the site. This includes the new buildings on Elizabeth and Lennox Streets and working with key stakeholders to provide integration of on-site upgrades into the community.

Implementation

- 34. The delivery of the master plan would occur over multiple years; Homes Victoria outlines a focus on providing a neighbourhood approach; as outlined below:
 - (a) Elizabeth St – Neighbourhood: new residential buildings, slow-speed streets and pedestrian connections, integration with North Richmond Community Health, upgraded open space;
 - (b) Lennox St – Housing, Community and Health: new residential buildings, community and commercial uses, open space and pedestrian connections;
 - (c) Church St – Housing, Jobs and Training: new residential and training buildings, new carparking and shared street, new public open space and pathways; and
 - (d) Highett St – Housing and Recreation: new residential and mixed-use buildings, upgraded public open space and pedestrian links.
- 35. No timing or roles and responsibilities has been provided regarding the delivery of the master plan.

Options

36. It is recommended Yarra City Council make a submission to the *North Richmond Draft Master Plan*.
37. Not making a submissions to the *North Richmond Draft Master Plan* is not considered an appropriate option.

Community and stakeholder engagement

38. Homes Victoria has engaged with YCC officers during the drafting of the master plan including workshops on:
 - (a) Movement and parking;
 - (b) Open space and greening;
 - (c) Placemaking and economic development; and
 - (d) Heights, massing and land use.
39. Homes Victoria have provided Councillors with briefings as the master plan has progressed.
40. Homes Victoria has also received correspondence from YCC in relation to the first Big Build proposal on the north side of Elizabeth Street – this letter also expressed the formal Council position of requesting the State Government to undertake a broader neighbourhood precinct structure plan to assist in integration of the estate with the surrounding area, including access and movement aspects and general improvements to the local area.
41. As Homes Victoria are undertaking community consultation, no additional external consultation was undertaken by Yarra City Council to minimise confusion amongst the community.

Policy analysis

Alignment to Community Vision and Council Plan

42. The draft master plan by Homes Victoria is broadly aligned with the *Yarra 2036 Community Vision* in the following way:
 - (a) Strong and Vibrant Community – is a key principle underpinning the purpose of the master plan;
 - (b) Community safety – is addressed through Key Moves *One, Two, Three, Four* and *Six*;
 - (c) Environmental Sustainability – is addressed through Key Move *Five*;
 - (d) Social Equity – is a key principle underpinning the purpose of the master plan;
 - (e) Thriving Local Economy – is addressed through Key Move *One*;
 - (f) Shared Spaces – is addressed through Key Move *Three* and *Four*; and
 - (g) Growing Sustainably - is a key principle underpinning the purpose of the master plan.
43. It is also aligned with the *Council Plan 2021-2025*, particularly to the following Strategic Objectives:
 - (a) Climate and environment - Yarra urgently mitigates climate change while also adapting to its impacts and developing resilience in everything we do. The community, business and industry are supported and encouraged to do the same;
 - (b) Social equity and health - Yarra's people have equitable access and opportunities to participate in community life. They are empowered, safe and included;
 - (c) Place and nature - Yarra's public places, streets and green open spaces bring our community together. They are planned to manage growth, protect our unique character and focus on people and nature; and

- (d) Transport and movement - Yarra's transport network is sustainable and recognises that streets are important shared public spaces. Transport and movement is accessible, safe and well connected.

Climate emergency and sustainability implications

44. Key Move 5 of the *North Richmond Draft Master Plan* relates to sustainability and seeks to align with the *Victorian Climate Change Framework*.
45. Measures include new and refurbished buildings being energy-efficient, use environmentally friendly materials and passive design.

Community and social implications

46. Homes Victoria outline that the NRDMP seeks to have a vibrant community supported by a safe, thriving and connected neighbourhoods. This is through the inclusion of Six Key Moves including Neighbourhoods, Homes, Sustainability and Culture.
47. Some of the key deliverables are:
- (a) Approximately 800 new social and affordable homes.
 - (b) New skills and learning opportunities; and
 - (c) 23,000 square metres of community, commercial and other local services.

Economic development implications

48. The NRDMP seeks to boost the local economy through the inclusion of commercial uses appropriate to the space. These uses, provided they are not in direct competition to the Victoria St activity centre, would be appropriate to create some further opportunities in the estate and also add some vitality.

Human rights and gender equality implications

49. There are no known human rights or gender equality implications.

Operational analysis

Financial and resource impacts

50. There are no direct financial resources in providing a submission to Homes Victoria on the draft masterplan for the estate.
51. There will be very significant activity in the local area with the implementation of the masterplan by the State Government; and that will require significant officer time (various disciplines) over a number of years regarding some design reviews, managing some of the development activity (where construction activity interfaces with public streets etc) and also potentially in other respects (such as community matters).

Legal Implications

52. Once the masterplan is finalised by Homes Victoria, and approved by the Minister for Planning, it is anticipated development applications will then begin to be received which will require either formal approval processes, or referral responses from Yarra City Council.

Conclusion

53. The Richmond Housing Estate is a very major land parcel owned by the State Government. It is also very significant for the Yarra City Council in many ways including the provision of social housing.
54. Homes Victoria has embarked on a draft Masterplan for its land holdings to inform the revitalisation of the housing estate by the State Government.
55. The masterplan is focused on the actual housing estate land and less on the broader neighbourhood precinct. Council and officers have expressed the wider focus is preferable both in letter and in workshops with Homes Victoria.

56. Officers have reviewed the Homes Victoria's *North Richmond Draft Master Plan* against Yarra's planning policies, strategies and strategic priorities.
57. Council officers have prepared a draft submission for Council consideration for lodgement with Homes Victoria regarding the *North Richmond Draft Master Plan*. This is provided in **Attachment Three**.
58. The proposed submission suggests improvements to the draft masterplan in order to provide a stronger framework for the North Richmond housing estate and its interfaces with the local neighbourhoods surrounding.

RECOMMENDATION

1. That Council note:
 - (a) the officer report summarising the *North Richmond Draft Master Plan* currently being consulted on by Homes Victoria;
 - (b) the broad alignment of the draft Master Plan to Council's strategies and policies; and
 - (c) the draft submission prepared by Council officers to Homes Victoria as shown in **Attachment Three**.
2. That Council endorse the submission in **Attachment Three** to be submitted to Homes Victoria on the *North Richmond Draft Master Plan*.

Attachments

- 1 Attachment 1 - North Richmond Draft Master Plan
- 2 Attachment 2 - North Richmond Draft Master Plan summary
- 3 Attachment 3 - North Richmond Draft Master Plan submission

8.3 Zero Carbon Development Planning Scheme Amendment

Executive Summary

Purpose

This report provides:

- (a) an update to Council on the progress towards a 'zero carbon development' planning scheme amendment, and
- (b) recommends Council seek 'authorisation' from the Minister for Planning to enable a planning scheme amendment to facilitate zero carbon development, be placed on exhibition.

Key Issues

At the Council Meeting on 17 March, 2020, Council committed to progress a planning scheme amendment to implement a Zero Carbon requirement for new developments. This has also been committed to in the Council *Climate Emergency Plan*.

The City of Yarra is collaborating with the *Council Alliance for a Sustainable Built Environment (CASBE)* and its member councils to pursue a planning scheme amendment that builds on the existing local ESD Policies held by 20 Victorian Councils.

The '*Elevating ESD Targets Planning Policy Amendment project*' aims to deliver revised and elevated ESD targets, including targets for zero carbon development.

This project has grown to involve 31 urban and regional Victorian Councils. It demonstrates a growing understanding across the state of the need for stronger planning policy to drive a gas-free, zero-carbon built environment.

Stage 1 of the project has now been completed and Stage 2 has commenced which is to prepare the Planning Scheme Amendment documentation.

PROPOSAL

That along with other CABA Councils 'authorisation' from the Minister for Planning be sought to exhibit a new planning scheme provision relating to ESD requirements for new developments.

8.3 Zero Carbon Development Planning Scheme Amendment

Reference	D22/89103
Author	Euan Williamson - Environmental Sustainable Development Advisor
Authoriser	Manager Statutory Planning

Purpose

1. To present the findings of the Stage 1 of the Elevating Targets Planning Project which developed the evidence base to support improved environmental performance within the *Yarra Planning Scheme*, in conjunction with the *Council Alliance for a Sustainable Built Environment (CASBE)* and a group of 31 Victorian Councils.
2. To seek approval to pursue 'authorisation' from the Minister for Planning to prepare and exhibit a new single ESD 'Particular Provision' into the *Yarra Planning Scheme* through a collaborative joint planning scheme amendment process.

Critical analysis

History and background

3. City of Yarra's current ESD 'Local Policies' (Clauses 22.16 and 22.17) have resulted in improvements to sustainability outcomes for new developments but will not be sufficient to ensure new development meets Council's *Climate Emergency Plan* commitment to introduce zero carbon standards for new commercial and residential developments.
4. The current policies also do not actively enable the achievement of the Victorian Government's target of zero net emissions by 2050.
5. At the Council Meeting on 17 March, 2020, Council committed to progress a planning scheme amendment to implement a Zero Carbon requirement for new developments. This has also been committed to in Councils *Climate Emergency Plan*.
6. The City of Yarra is collaborating with the Council Alliance for a Sustainable Built Environment (CASBE) and its member councils to pursue a planning scheme amendment that builds on the existing local ESD Policies held by 20 Victorian Councils.
7. The '*Elevating ESD Targets Planning Policy Amendment project*' aims to deliver revised and elevated ESD targets, including targets for zero carbon development. This project has grown to involve 31 urban and regional Victorian Councils. It demonstrates a growing understanding across the state of the need for stronger planning policy to drive a gas-free, zero-carbon built environment.
8. Stage 1 of the project has now been completed and Stage 2 has commenced which is to prepare the Planning Scheme Amendment documentation.

Discussion

Background

9. Thirty-One councils, in conjunction with the *Council Alliance for a Sustainable Built Environment (CASBE)*, have completed Stage 1 of a two-stage process that aims to build on the existing local *Environmentally Sustainable Development (ESD) Policies* held by numerous Victorian Councils, including the City of Yarra, and deliver revised and elevated ESD targets for new development, including targets for zero carbon development.
10. Consultants were engaged in August 2021 to independently review draft ESD planning policy objectives and standards.
11. Fifteen case studies were selected from the project councils to inform the baseline and test the technical and development feasibility and economic implications of the elevated standards. The reports were as follows:

- (a) Part A. Technical ESD and Development Feasibility;
 - (b) Part B. Planning Advice, and
 - (c) Part C. Economic Benefit Cost Analysis.
12. A webinar was held on 16 March 2022 for senior staff and Councillors on the Stage 1 project outcomes.
13. These reports form an important part of the evidence base underpinning the proposed joint Planning Scheme Amendment (Stage 2), as well as advocacy to the Victorian State Government.
14. A number of recommendations were made by the consultants to inform the planning scheme amendment process. All recommendations were accepted and have either been completed or are currently in progress to complete as the evidence base is finalised prior to seeking authorisation from the Minister for Planning to place the amendment on public exhibition.

Planning Consultant – Hansen Partnerships

15. Planning consultant, *Hansen Partnerships* were engaged to undertake a peer review of working draft objectives and standards, analyse available policy tools and identify and prepare the planning policy mechanism to implement the elevated ESD objectives and standards.
16. Hansen Partnerships recommended the 31 participating Councils pursue an amendment encompassing a whole new Victorian Particular Provision (VPP), with the following characteristics;
- (a) 'mandatory objectives' with associated 'discretionary standards' to deliver the objectives; and
 - (b) a new VPP only applies to councils who 'opt in'.
17. Hansen Partnerships recommended the participating councils request a combined Planning Panel and Ministerial Advisory Committee to consider the amendment.
18. Hansen Partnerships drafted a new draft Victorian Particular Provision Clause 52.XX Attachment [2] and recommend the Participating Councils pursue the full suite of objectives and standards in their entirety. Hansen recommended consider staging of the standards only if DELWP do not accept them in their entirety, based on clearly identified disbenefits.
19. A full version of the Hansen report can be read in Attachment [5] to this report.

ESD Technical Consultant – Hip vs Hype

20. ESD technical consultant, *Hip vs Hype* concluded that there are no major technical barriers exist to achieving the recommended standards and objectives.
21. Hip vs Hype recommended some new standards that exist in the current BESS tool or another sustainable design publication (SDAPP fact sheets), rather than included in a planning control. They also recommended several wording changes and fine tuning of draft objectives and standards.
22. A full version of the Hip vs Hype Technical ESD and Development Feasibility report can be read in Attachment [6] to this report.

Economist Consultant – Frontier Economics

23. Economist consultant, *Frontier Economics* undertook an analysis that was primarily focused on the direct costs associated with addressing the standards within a range of development typologies. Frontier's breakeven analysis demonstrated that the new proposed changes may deliver value to the community where sufficient scale is achieved and implemented across development within multiple municipalities.

24. Frontier Economics methodology primarily took into consideration *quantifiable* costs versus *quantifiable* benefits. The analysis indicated that the quantifiable costs exceeded the quantifiable benefits across some development typologies. The benefits are recognised and well documented in the sector, but there was limited research and documentation made available to economically quantify the environmental and social benefits attributed to incorporating some of the standards within development.
25. Frontier Economics recommended to undertake further investigation into larger scale implementation of the proposed objectives and standards. The project group were notified that based on methodologies commonly exercised with respect to economic studies and cost benefit analyses, the analysis excluded reduction in energy and utility bills, including other operational and indirect benefits to residents and businesses. Such items are considered as financial or transactional benefits.
26. The project group were informed that the financial impact, resulting from incorporating the standards within development, could be further reviewed through a developer centric evaluation of key performance metrics and criteria. This could include profit margin, development yield and internal rate of return.
27. Given the further recommendations and matters presented by the economist consultant, the 'Elevating Targets Working Group' in conjunction with the 31 Participating Councils will pursue further financial analysis including potential climate risk analysis as part of Stage 2 (the formal Amendment stage).
28. A more detailed summary of the three consultant's findings and recommendations can be read in *Zero Carbon Development Summary of Documentation* file Attachment [1].
29. A full version of the Frontier Economics report can be read in Attachment [4] to this report.
30. Amendment documentation has been prepared to support the participating Councils to prepare the planning scheme amendment, including the Explanatory Report Attachment [7], Instruction Sheet Attachment [8] and draft planning ordinance the Proposed Particular Provision Attachment [2] for consideration for endorsement.

Technical Standards and Objective – Brief Overview

31. A set of objectives, standards and performance measures have been included within the proposed planning scheme amendment that cover the following categories.
 - (a) **Operational Energy.** Ensuring zero carbon emissions;
 - (b) **Embodied Carbon.** Reducing carbon emissions from building materials;
 - (c) **Sustainable Transport.** Increased bicycle parking provisions and electric vehicle infrastructure;
 - (d) **Integrated Water Management.** Reduced potable water consumption, reduced flow and volume of stormwater and improved stormwater quality;
 - (e) **Green Infrastructure.** Increased green cover and retention of existing biodiversity;
 - (f) **Climate Resilience.** Improved resilience of buildings and reduce urban heat;
 - (g) **Indoor Environment Quality.** Achieve safe and healthy indoor environments; and
 - (h) **Waste and Resource Recovery,** Deliver infrastructure for waste, recycling and organic waste.
32. See the Attachment [2] draft 'Particular Provision' for more details on the proposed objectives and standards.

Community and stakeholder engagement

33. The draft objectives and standards were developed with expert input from across City of Yarra Officers and content expert officers from across the 40 CASBE member councils. This included consideration of other current planning scheme amendments at the City of Melbourne and the City of Sydney, as well as benchmarking and consistency with relevant international definitions, agencies and regulatory initiatives.
34. Where possible objectives and standards were amended to align with existing industry or regulatory frameworks to provide clarity and consistency.
35. Informal community consultation and engagement has been occurring since 2020, with local groups and individuals since the development of Yarra's *Climate Emergency Plan*. This informal engagement will continue throughout 2022 with a number of key communications activities planned in the Community Information and Engagement Package.
36. Leading industry practitioners were also informally engaged and provided examples of leadership through current development applications within the City of Yarra and neighbouring areas. Four case studies of leading development have been included on City of Yarra website.
37. The Minister for Planning has been made aware of the planning scheme amendment over 2021. A new letter has been drafted via CASBE, that encourages the Mayor and Deputy Mayor to write to the Minister for Planning and Housing, Minister for Energy, Environment and Climate Change, and Minister for Local Government and Suburban Development. It is intended the letter is signed by all 31 Participating Councils asking for support for this amendment. The letter has been drafted and has been included in Attachment [3].
38. In addition, key stakeholders within the Department of Environment, Land, Water and Planning (DELWP), Australian Buildings Codes Board (ABCB), Planning Institute of Australia (PIA), Victorian Planning and Environmental Law Association (VPELA), Green Building Council of Australia (GBCA) and other industry groups have been engaged, kept informed of the progress and where relevant informal input and alignment with other current policy initiatives has taken place.
39. A formal exhibition process would accompany the planning scheme amendment exhibition process giving community, industry and others the chance to express opinions, concerns or support for the amendment that would be considered by a Planning Panel, and likely, Ministerial Advisory Committee, appointed by the Minister.
40. The timing of the formal exhibition depends on the Minister for Planning and details regarding a *Public Exhibition Engagement and Consultation Plan* have been prepared awaiting authorisation from the Minister.
41. An *Advocacy Plan* has also been developed in conjunction with CASBE and the 31 Participating Councils detailed various advocacy activities planned to support the Planning Scheme Amendment.

Policy analysis

Alignment to Community Vision and Council Plan

42. Theme 4 Future Priority 4.2 of the Community Vision states:
'Lead the way in climate change mitigation and resilience within Yarra and extend our impact through advocacy and innovative partnership'
43. The introduction of the zero carbon development and elevated ESD standards into the Planning Scheme would directly relate to this priority.
44. The Council plan provides the *Strategic Objective 1. Climate and environment*:
 - (a) *'Yarra urgently mitigates climate change while also adapting to its impacts and developing resilience in everything we do. The community, business and industry are supported and encouraged to do the same.'*

45. The introduction of greater ESD controls into the Planning Scheme would ensure that development increases its performance in relation to environmental sustainability, reflecting the objectives from the Council Plan.

Climate emergency and sustainability implications

46. Yarra Council was one of the first local governments in the world to declare a climate emergency and adopted the Climate Emergency Plan in June 2020. The purpose of this Plan is to identify the actions Council will take to respond to the Climate Emergency and support the local community to take action to reduce their impact on the environment. The Plan includes the following two Key Actions that are directly related to the current zero carbon development and elevating targets planning scheme amendment (Action 2.8 and 2.9).
- (a) *2.8 Transition towards zero-carbon buildings and precincts through the planning process:*
 - (i) *Develop a zero carbon developments framework and work with developers to achieve leading practice;*
 - (ii) *Introduce zero carbon standards for new commercial and residential developments, through pursuing a planning scheme amendment with local and state government partners; and*
 - (iii) *Encourage leadership in the local development industry by promoting leading practice buildings, such as developments that have met high sustainability standards (for example, case studies, tours and recognition); and*
 - (b) *Advocate to other levels of government to improve energy performance of buildings with an ultimate aim of achieving zero carbon buildings, such as through:*
 - (i) *Increasing ESD requirements in all planning schemes across Victoria;*
 - (ii) *Increasing energy performance standards in the National Construction Code; and*
 - (iii) *Advocating to the government and electricity distributors to reduce impediments to installing solar PV on multi-unit developments, such as distribution network constraints, on-site embedded networks and metering arrangements.*

Community and social implications

47. The Yarra *Housing Strategy* acknowledges that Environmentally Sustainable Design is highly valued by the community which is a common theme throughout the Strategy. This Planning Scheme Amendment is a key action to realise this aspiration.
48. Actions identified in this report would increase the sustainability performance of buildings that will be of socio-economic benefit to the community by reducing the running costs of buildings and reducing demand on finite natural resources.

Economic development implications

49. The economic development implications have been thoroughly examined by the Frontier Economists consultants and conclude that the benefits of the changes balance with the costs.
50. Further analysis is also proposed to be undertaken on the transactional financial impacts of the proposed changes to the planning scheme.

Human rights and gender equality implications

51. The implications of the report have been assessed and are not considered likely to breach or infringe upon, the human rights contained in the *Victorian Charter of Human Rights and Responsibilities Act 2006*.

Operational analysis

Financial and resource impacts

52. Council has allocated budget to join the CASBE project to develop a zero-carbon planning policy and planning scheme amendment out of the Strategic Planning and Governance operational budget. Exact costs will depend on the number of Councils joining Stage 2 and will be confirmed through an Expression of Interest process in coming weeks.
53. An MOU for Stage 2 is proposed with all participating Councils to share the cost between municipalities for the Planning Scheme Amendment.
54. Undertaking the project collaboratively offers significant financial savings by enabling shared costs associated with the amendment.

Legal Implications

55. The evidence base recommends that Council seek a single ESD 'Particular Provision' in a new Clause 53.XX as the most appropriate planning mechanism to implement the Elevated ESD Objectives and Standards.
56. This recommendation differs from the State Government's proposed approach though Stage 2 of the ESD Roadmap's, which recommends:
 - (a) *Introducing new ESD objectives and standards for commercial and industrial development through a new Clause 53; and*
 - (b) *Introducing new and updated ESD objectives and standards for residential development through Clause 54, 55, 56 and 58.*
57. Based on the Planning Report findings, the Participating Councils are seeking to utilise a provision which does not currently exist within the suite of the Victoria Planning Provisions (VPP).
58. Legal advice was sought to determine whether the 31 participating Councils could seek to prepare and introduce a new 'Particular Provision' into their planning schemes under section 8A (2) of the Planning and Environment Act 1987 (P&E Act) without offending s 10(1) of the P&E Act (Part 1). The relevant sections are as follows:
 - (a) *A municipal council must not prepare an amendment to the State standard provisions or the local provisions of a planning scheme in force in its municipal district unless it has applied to the Minister under this section and the Minister has authorised it to do so; and*
 - (b) *The power given to a planning authority to prepare an amendment to the State standard provisions of a planning scheme extends only to the inclusion of a provision in or deletion of a provision from the State standard provisions of the planning scheme.*
59. The legal advice confirmed that Councils can seek to prepare and insert a new 'Particular Provision' into their planning scheme, provided Councils have 'authorisation' from the Minister to do so.
60. The advice also suggested that if this is rejected by the Minister, participating councils could ask the Minister to be the proponent of such an amendment. A further opportunity would be to appoint an Advisory Committee (AC) under Part 7, s151 of the P&E Act and refer consideration of a draft amendment seeking to introduce a new 'Particular Provision' to the Advisory Committee.

Conclusion

61. The three consultant reports have provided a solid evidence base to pursue a planning scheme amendment to increase sustainability standards of developments including a zero carbon performance standard.
62. Further work on the evidence can continue throughout Stage 2 of the amendment project in preparation for a Panel Hearing and Ministerial Advisory Committee.

63. Community, industry and stakeholder engagement will continue to support the planning scheme amendment.

RECOMMENDATION

1. That Council notes the officers report in relation to the proposed Zero Carbon Development Planning Scheme Amendment.
2. That Council, having considered this report:
 - (a) using its powers as a planning authority under sections 8A and 8B of the Planning and Environment 1987, seek authorisation from the Minister for Planning to prepare an Amendment to the Yarra Planning Scheme as shown in Attachment [2] to this report;
 - (b) request that the Minister for Planning establish an advisory committee to advise on the ESD project in accordance with section 151 of the Planning and Environment Act 1987;
 - (c) endorses the three consultant reports as shown in Attachments [4, 5 & 6] to this report, as supporting documents to this Amendment;
 - (d) authorises the Interim CEO to make minor changes to the Amendment and supporting documentation, and provide guidance to any Advisory Committee established by the Minister for Planning; and
 - (e) supports the Letter to Ministers as shown in Attachment [3] that encourages the Mayor and Deputy Mayor to write to the Minister for Planning and Housing, Minister for Energy, Environment and Climate Change, and Minister for Local Government and Suburban Development outlining the benefits to the community of introducing zero carbon focused and elevated ESD planning policy into the Planning Scheme, and how this Amendment should be adopted as a part of the State Government's environmentally sustainable development planning reforms.

Attachments

- 1 Attachment 1 - Zero Carbon Summary of documentation
- 2 Attachment 2 - Zero Carbon Development Proposed Particular Provision
- 3 Attachment 3 - Zero Carbon Development Draft Letter to Ministers
- 4 Attachment 4 - Zero Carbon Development Frontier Economics CBA Report (Final)
- 5 Attachment 5 - Zero Carbon Development Hansen Partnership Planning report (Final)
- 6 Attachment 6 - Zero Carbon Development Technical ESD and Development Feasibility Report - (Final)
- 7 Attachment 7 - Zero Carbon Development Final Explanatory Report
- 8 Attachment 8 - Zero Carbon Development Instruction Sheet

8.4 Updated Events in Public Spaces Policy

Reference	D22/93615
Author	Louisa Marks - Visual Arts Officer
Authoriser	Unit Manager Arts, Culture and Venues

Purpose

1. To present to Council the updated Events in Public Spaces Policy (Attachment 1) for adoption.

Critical analysis

History and background

2. In March 2016, Council endorsed the Events in Public Places Policy. The Policy was initiated to create a single, comprehensive process to manage all proposals for events in Yarra's public spaces. The "one stop shop" approach in applying the Policy has been managed by the Events & Festivals & Event Permits Business Unit within the Arts, Culture & Venues Branch.
3. The Policy provides:
 - (a) A formal mechanism for dealing with requests for all events;
 - (b) A differentiation of events based on type and scale;
 - (c) Guiding Principles with an assessment matrix for the evaluation of proposals; and
 - (d) A list of Yarra's open spaces and reserves including characteristics and use classification for each.
4. When organised activities meet one or more of the following criteria, the requirement for an event permit is triggered:
 - (a) 50 people or more;
 - (b) Ticketing for the participants;
 - (c) Amplified music;
 - (d) Infrastructure being erected on the public space; and
 - (e) A reservation of public spaces (for 'exclusive' use).
5. The event permit is an overarching permit that incorporates other permits as needed, depending on the elements of the event.
6. Events are separated into two categories for assessment: (a) those requiring a detailed proposal process, where the scale and/or longevity of the proposed event merits an Expression of Interest (EOI), and (b) smaller scale events that can be considered at any time (rolling applications).
7. The EOI process is designed to enable Council to consider significant event proposals collectively, via a panel of internal stakeholders, which enables better coordination of events across the municipality and ensure events permits have been considered across Council's different areas of interest and expertise.

Discussion

8. The Events in Public Spaces Policy was developed to provide a clear framework for the consideration of event proposals and the ways in which permitted events would be managed.

9. The reasons for which the Policy was originally developed remain highly relevant and indeed, have magnified since its inception.
 - (a) A growing population and increasing urban density are placing greater pressure on Yarra's, parks, and reserves to function as both outdoor spaces for the quiet enjoyment of residents and sites for events and activities, large and small;
 - (b) The global pandemic created the need for outdoor spaces to function as open-air venues. Council has facilitated a number of schemes to enable expanded outdoor dining on footpaths, parklets, as well as events on local roads. Mandated restrictions on indoor venues are presently relaxing, however the government led push for outdoor activation to bring people together in a safer environment to stimulate community connection and economic regeneration remains active; and
 - (c) Environmental and sustainability considerations continue to escalate. Council has expressed its commitment to urgent action on climate change in the City of Yarra's Climate Emergency Plan 2020-2024. The Plan articulates Yarra's ambition to move towards zero waste to landfill and shift towards a more conscious and circular model of consumption. The implications for Yarra managed and permitted events are significant, requiring a paradigm shift in event operations, particularly in relation to single use plastics associated with food and beverage consumption.
10. With the exception of the new guidelines requiring a move towards more sustainable events, the revised policy does not include substantial changes, rather clarifications and refinements.
11. The key relevant changes are listed below:
 - (a) Refinements:
 - (i) Definitions: Small, Medium, Large/Major Events;
 - (ii) Identification of suitable large/major event sites within the Policy;
 - (iii) Changes to Community Notification;
 - (iv) Weighting criteria:
 - Environmental Considerations up 5%;
 - Economic Considerations up 5%;
 - The highest weighting is to Community Benefit (30%), followed closely by Site Suitability and Impact (25%); and
 - (b) New additions:
 - (i) Reference to Rallies, Protests & Vigils; and
 - (ii) Waste Management and the introduction of Circular Economy and Sustainable Practice.

Options

12. That Council endorses and adopts the revised Events in Public Spaces Policy as presented to enable its implementation.
13. Whilst Officers believe the review has been rigorous and the changes proposed should be fit for purpose for the coming years, Council may wish to defer the revised policy consideration should it wish to highlight particular areas for further work, for example in responding to issues arising from the Covid-19 pandemic that may not be apparent.

Community and stakeholder engagement

External Consultation

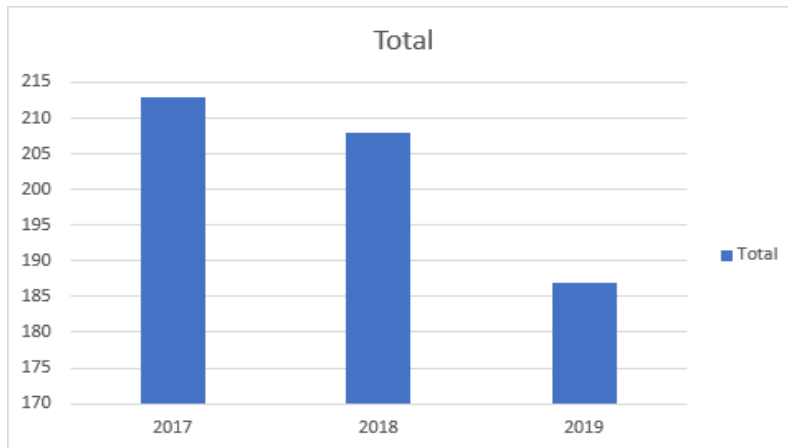
14. Feedback the existing Events in Public Spaces Policy was sought via an online survey to former and current permit recipients between 3-17 December 2021. Council received four responses.

15. Responses generally noted the friendliness and “good service” of Event Permit Officers. One respondent noted they “would like better personal assistance to CALD groups”.
16. The survey suggested broad satisfaction with the Policy and application experience for event organisers, the single point of entry providing a more streamlined approach and reducing confusion and complexity in the application process.
17. Two focus sessions conducted with Major EOI Permit recipients Velodrome Events and Triathlon Victoria.
18. Noting these respondents are experienced event managers, the comments included:
 - (a) Suggestions for process improvements relating to administration, for example the streamlining of forms and the provision of templates and clear graphic checklists;
 - (b) Anticipation of the assistance required to move towards improving measures of sustainability; and
 - (c) Some frustration relating to the timing of the EOI process and equity of access to limited outdoor spaces.
19. Notable anecdotal feedback to officers has been the positive response to the Working for Victoria staff who were able to provide practical on-site support during their period of engagement in 2021, including an event concierge role which is currently no longer taking place now that the program has concluded.

Internal Consultation (One Yarra)

The following Council business units have contributed to the policy review:

- (a) Arts, Culture and Venues;
 - (b) Strategic Planning;
 - (c) Open Space Maintenance;
 - (d) Open Space Design;
 - (e) Sustainability;
 - (f) Yarra Waste Services;
 - (g) Recreation;
 - (h) Building Services;
 - (i) Risk;
 - (j) Compliance;
 - (k) Construction Management;
 - (l) Economic Development; and
 - (m) Communications.
20. Internal consultation has also been sought from the Major Events Panel members (an internal team of key stakeholders convened to assess EOI applications for ‘major’ event proposals) and their respective teams.
21. From an internal administration perspective, adopting a single point of entry has enabled greater oversight and improved management of a growing number of Yarra wide event applications.
22. Below is a graph showing the total of Event Permits across a 3 year period pre-Covid which is more typical of demand. It outlines the number of Event Permits issued between 2017-2019 with the most being 212 in 2017.



23. Most of the event bookings across 2017-2019 were also mainly low impact small bookings such as weddings, family social gatherings and community events within parks.
24. However, Covid-19 has led to an increased market interest in developing outdoor event sites, whether that is on roads, car parks or in parks and gardens. There has been notable increase in demands for events to be staged at the Fairfield Amphitheatre and at the Burnley Circus site where some infrastructure already exists.
25. The Burnley Circus site is known to be Yarra's most suitable site for large scale, long stay events. Named after a summer circus residency that occupied the site for many years, some infrastructure has been installed to support its use as an ongoing event site, such a 3-phase power. The site's position next to other green spaces including Burnley Golf Course & Burnley Park, distance from residences, as well as its proximity to public transport, makes it an ideal inner city event site.
26. Council has options to consider the addition of more permanent facilities at Burnley Circus site such as bathroom facilities, hard stand area for vehicles, power & water access and shade, branding & signage, and acoustic structure to contain amplified sound. These would benefit the programming of future events in Yarra at Burnley Circus site. However, the operating models and any proposed upgrades to the Burnley Circus site is outside the scope of this policy review and can be considered by Council at a future time.
27. The review of EOI for major events permits have consistently highlighted the competing demands on Yarra's open spaces and the incompatibility of many of these spaces for both major events and sporting activities. This is not simply about availability of the grounds outside sporting events, but turf protection and turf regeneration. So, whilst the statics reveal sporting grounds have a 14.04% utilisation rate, these spaces are often locked up due to the need for turf regeneration or that they are on hold for a priority of use arrangement with sports clubs.
28. Opportunities to explore how more events could be accommodated whilst also balancing Council's commitments to spaces for active and passive recreation could arise from the Open Space Strategy 2020, Physical Activity Strategy and precinct masterplans including the Burnley Masterplan and associated review of the future of Burnley Golf Course.

Policy analysis

[Alignment to Community Vision and Council Plan](#)

29. The policy aligns with some key Themes articulated in the Community Vision:

- (a) Theme 1: Strong and vibrant community. Yarra is a place of accessible opportunities for participation in community life. We share our skills, abilities, and knowledge, cultivating a diverse community where everyone can belong;
 - (b) Theme 4: Environmental sustainability. We are all custodians of the City of Yarra. While our skyline is growing, so are our green spaces. We are smarter in how we manage growth and use our resources and energy. We celebrate, enable, and promote a circular economy;
 - (c) Theme 6: Thriving local economy. Yarra is a thriving hub of accessible, people-centred commercial activity, offering unique goods and services to locals and visitors. Yarra is known as a place where small businesses thrive; and
 - (d) Theme 7: Shared spaces. Our shared spaces connect communities, businesses, and cultures together. They reflect our community's diverse voices. These spaces are green, encourage nature and are accessible for all.
30. The policy aligns with the four of the Council Plan strategic objectives:
- (a) Strategic Objective 1: Climate and environment. Yarra urgently mitigates climate change while also adapting to its impacts and developing resilience in everything we do. The community, business and industry are supported and encouraged to do the same;
 - (b) Strategic Objective 2: Social equity and health. Yarra's people have equitable access and opportunities to participate in community life. They are empowered, safe and included;
 - (c) Strategic Objective 3: Local economy. Yarra's neighbourhoods and major activity centres, nightlife and employment precincts are thriving, accessible and connected. They support and inspire diverse creative communities, cultural activities, businesses, and local employment; and
 - (d) Strategic Objective 4: Place and nature. Yarra's public places, streets and green open spaces bring our community together. They are planned to manage growth, protect our unique character, and focus on people and nature.

Climate emergency and sustainability implications

- 31. The proposed revisions to this policy include specific reference to Yarra's Climate Emergency Plan 2020-2024, as well as drawing from the yet to be endorsed Circular Economy and Single-Use Plastic Free Events Policies and Action Plans.
- 32. To align with these policies, it is intended that events managed by or permitted in Yarra will need to adhere to the guidelines set out in these policies at a set date in the future, including the requirement to embed waste reduction practices and, as far as practicable, remove single use plastics from event waste streams.
- 33. It is anticipated such a significant shift in event operations will require additional resources to incentivise, communicate and support changes in procurement practices, as well as other sustainability improvements.
- 34. The Events in Public Spaces Policy includes consideration of related policies that address sustainability issues when assessing event applications, including land care and management, waste management and sustainable transport.

Community and social implications

- 35. The policy addresses organised activities, and in particular those involving 50 people or more. This number may be revised upwards at the time of the review of Council's Local Law, anticipated to occur in 2027, in order to reduce administration and costs for small events which are typically social gatherings.

36. The Events in Public Spaces Policy seeks to oversee balanced use of Yarra's public spaces for events while ensuring community amenity and quiet enjoyment of these spaces and nearby residences are considered and upheld.

Economic development implications

37. Organised event such as fun runs, cultural events and community events stimulate visitation and cultural tourism to the City.

Human rights and gender equality implications

38. The policy respects the right of people to meet and congregate and has mechanisms in place to ensure the consideration of other people's access to public space and public safety.
39. This revised policy includes a new section explicitly addressing rallies, protests, and vigils, acknowledging the right to congregate in a planned or spontaneous manner to protest or express community or political messages.
40. The revised policy requires the organiser of a protest, vigil, or rally to notify the relevant authorities including Victoria Police and City of Yarra as the local government authority.
41. The revised policy states:
- "If a rally or protest seeks to occupy space on Council owned or managed land where areas are to be blocked off or structures or equipment set up, organisers must contact Council to confirm if an Event Permit is required."

Operational analysis

Financial and resource impacts

42. Currently there are two Event Permit Officers to manage a significant workload of bookings and permits: one full time officer and one half-time Major Event Permit Officer. On a typical year pre-pandemic, Event Fees generate approximately \$100,000 income to Council.
43. It should be noted that there is currently not adequate resourcing within the Festivals & Events Unit to check the compliance of minor and medium sized events. Whilst the Working for Victoria program provided Council with additional staffing to supervise these types of events, it would not be financially feasible to recover the costs of these within event permit fees without these becoming overly expensive and burdensome for the community.
44. The introduction of event permit requirements to satisfy the environmental and waste management measures will need to be staged to enable event organisers to adapt to new processes.
45. Officers will work to develop a Sustainable Event Toolkit and undertake a review to event permit fees to introduce a rebate or discount for those event organisers who comply with the requirements of the plastic free and minimising waste and emissions.

Legal Implications

46. There are no legal implications as part of this policy review.

Conclusion

47. The revised Events in Public Space policy incorporates learnings from the application of the previous Policy over the past five years, with the findings from the consultation with past permit holders and the feedback from the cross council teams involved in these permits.
48. The small but significant changes recommended in this revision demonstrate the previous Policy was working well in providing a streamlined and easy to use service for community members and event organisers.

RECOMMENDATION

1. That Council endorse the revised Events In Public Places Policy 2022 (as attached).

Attachments

- 1 Attachment 1 - Revised Events In Public Places Policy 2022
- 2 Attachment 2 - Events in Public Space Permit Application

8.5 Yarra Libraries Strategic Plan 2022-2026

Reference	D22/93623
Author	Cory Greenwood - Coordinator Library Development and Marketing
Authoriser	Acting Director Community Wellbeing

Purpose

1. To seek Council approval on the proposal to release the attached Yarra Libraries' Draft Strategic Plan for 2022-2026 for public exhibition from Wednesday 11 May 2022, which will provide an opportunity for the community and other stakeholders to comment and provide feedback.

Critical analysis

History and background

2. The new draft Yarra Libraries Strategic Plan 2022-2026 (Attachment A) aims to build on the achievements of the previous Strategic Plan 2017-2020, providing a comprehensive framework for the development and implementation of public library services in Yarra for the next four years.
3. The draft Plan was developed through an in-depth research and consultation process that began in April 2021 with the assistance of CoSquared' a consultancy who has worked with Council previously to develop our Customer Experience Strategy.

Discussion

4. The new draft Yarra Libraries Strategic Plan 2022-2026 categorises our future priorities and actions into four broad themes that articulate the intended action and benefit or our community: *Access*, *Build*, *Connect* and *Discover*.
5. The theme of *Access* describes the ways in which we will work to remove barriers for our community that limit their ability to use our services and find value in our collections.
6. The theme of *Build* describes the ways in which we will work to increase the skills, knowledge and capacity of our community through our collections, programs and services.
7. The theme of *Connect* describes the ways in which we will expand our role as a touchpoint for the community between other Council services, local businesses/organisations and other individuals, through use and leverage of technology.
8. The theme of *Discover* describes the ways in which we will foster increasingly vibrant, relevant and enriching collections, programs and services that enhance the cultural lives of our community.

Options

9. There are no alternative options presented for consideration; the development of a new draft Yarra Libraries Strategic Plan is essential for the effective management and delivery of our library service.

Community and stakeholder engagement

10. A period of broad community consultation to gather feedback about our service and inform the development of our new strategic plan was held between 6 September 2021 and 10 December 2021.

11. An online survey was conducted through the “Your Say” website. 483 completed submissions were recorded and reached every suburb in the municipality. The largest age group of respondents were 35-39 year-olds (n=62), closely followed by 10-14 year-olds (n=44).
12. Four pop-up consultations were organised at various locations across the municipality: Carlton Farmers Market (Carlton North Primary School) on Saturday 6 November 2021, 8:00am-1:00pm, Gleadell Street Market, Richmond on Saturday 13 November 2021, 10am-1pm (cancelled due to poor weather), Harmsworth Street Reserve, Collingwood on Tuesday 23 November 2021, 3pm-5pm and Edinburgh Gardens, Fitzroy North on Saturday 4 December 2021, 10am-1pm.
13. Bicultural community liaisons supported our engagement activities by conversing in community languages and encouraging survey submissions. 30% of respondents reported they spoke a language other than English at home and 8% of submissions (n=37) were received in languages other than English (Vietnamese, Greek, Spanish, Arabic, Indonesian, Japanese, Korean, Mandarin, Somali, French, Filipino, Estonian, Dinka, Amharic and Tigrigna).
14. An online consultation was held on 27 August 2021 and was attended by 22 people, including representatives from NBNCo, Telstra, Carringbush Adult Education, Professional Migrant Women’s Association and CoHealth.
15. A second online consultation was held on 20 October 2021 and was attended by 26 people, including representatives from other Council departments. An internal survey was also circulated prior to the meeting to capture additional feedback and ideas from invited participants who were unable to make the session.
16. The Library Advisory Committee was initially consulted prior to the formal consultation period at a scheduled committee meeting on 24 February 2021.
17. The Active Ageing Advisory Committee was consulted on 20 October 2021.
18. The Disability Access Committee was consulted on 12 October 2021.
19. Temporary installations were installed at each of the five Yarra Libraries branches throughout January 2022 invited library visitors to provide written feedback and contribute to a visual noticeboard of what the library means to them. Over 200 contributions were recorded.

Policy analysis

Alignment to Community Vision and Council Plan

20. The draft Yarra Libraries Strategic Plan 2022-2026 responds to three of the eight themes outlined in the Yarra 2036 Community Vision: *Strong and vibrant community*, *Social equity* and *Shared spaces*.
21. Through partnerships and ongoing collaborations with other Council departments, Library Services may also support and contribute towards future priorities outlines under additional themes.
22. The draft Yarra Libraries Strategic Plan 2022-2026 responds to two of the six Strategic Objectives outlined in the Council Plan 2021-25: *Social equity and health* and *Place and nature*.

Climate emergency and sustainability implications

23. The Yarra Libraries Strategic Plan 2022-2026 theme of *Build* intends to enhance the resilience of our community to prepare for health-related and other impacts of climate change; this will be delivered through partnerships and community education programs.
24. The Yarra Libraries Strategic Plan 2022-2026 themes of *Access* and *Discover* intend to embed and promote the transition towards net zero carbon and a circular economy through partnership and collaboration with Council’s waste minimisation team.

25. Specific initiatives to engage and support the community to participate in climate emergency actions, and to promote circular economy approaches and conscious consumption are detailed as tactical actions in the Branch Plan.
26. The draft Yarra Libraries Strategic Plan 2022-2026 also outlines the ways in which Councils support the United Nations' Sustainable Development Goals and the Stretch Targets for Australian Libraries as set by the Australian Library and Information Association.

Community and social implications

27. Tactical actions outlined in the Branch Plan intend to respond to the *Social equity and health* strategies as detailed in the Council Plan 2021-25.
28. The draft Yarra Libraries Strategic Plan 2022-2026 theme of *Connect* intends to build a more resilient, inclusive safe and community. Social, physical and mental wellbeing needs will be addressed through partnerships and community education programs and supported by library spaces and collections.
29. Feedback obtained through the community consultation period revealed how community members are currently using the library to seek high levels of assistance, predominately with technology and to navigate the complexities of government bureaucracy. The draft Yarra Libraries Strategic Plan 2022-2026 aims to solidify our position as an integral pillar in enabling community members to stay connected with modern life, and ensuring they are equipped with the necessary digital literacy skills and have access to required technology.
30. Another predominant theme found in the feedback is how our role during the COVID-19 pandemic and subsequent emergency response was critical to supporting the health and mental wellbeing of our community. The draft Yarra Libraries Strategic Plan 2022-2026 aims to expand our capacity to mobilise and respond to public health emergencies and play a supportive role in the recovery of our community.

Economic development implications

31. Tactical actions outlined in the Branch Plan intend to respond to the *Local economy* strategies as detailed in the Council Plan 2021-25.
32. The draft Yarra Libraries Strategic Plan 2022-2026 themes of *Access, Build, Connect* and *Discover* intend to enhance the skills, knowledge and capability of our community and provide pathways to learning and employment.
33. Access to information, room to study and create, and opportunities to connect with professionals and other service providers provide foundations for generating economic activity in our community. The tactical actions outlined in the Branch Plan support and influence economic development among individuals who may leverage our spaces, collections, programs and partnerships to forge a new idea, start a business or develop new skills that open them to further employment or education pathways.

Human rights and gender equality implications

34. The draft Yarra Libraries Strategic Plan 2022–2026 actively supports the substantive rights outlined in the *Charter of Human Rights and Responsibilities Act 2006 (Vic.)*, notably those of relevance to the role and function of public libraries including freedom of thought, conscience, religion and belief, freedom of expression, taking part in public life and cultural rights.
35. A tactical action listed in in the Branch Plan outlines our commitment to undertake gender impact assessments on all aspects of our service delivery, including our collections and programs.

Operational analysis

Financial and resource impacts

36. All tactical actions proposed in the Branch Plan have been costed within the existing resources of Yarra Libraries' operational budget.

37. All proposed commitments and actions for future years will be subject to Council's consideration and approval during the annual budget planning cycle.
38. Future commitments and actions will continue to be developed and monitored during the life of the plan and presented to Council as part of our annual reporting process.

Legal Implications

39. There are no legal implications inherent in the draft Strategic Plan.

Conclusion

40. Yarra Libraries makes a significant and much valued contribution to the community, which has been reinforced by the feedback received from the community and internal and external stakeholders throughout the consultation process.
41. Library Services are the highest-rated Council service in the annual Customer Satisfaction Survey, and have held this position for three consecutive years.
42. In February 2022, Vision Super awarded Yarra Libraries with the Local Heroes award for their outstanding contribution to the community throughout COVID-19.
43. The marketing campaign that accompanied the community consultation for the development of this Strategic Plan won first place at the 2022 IFLA PressReader International Marketing Awards. The judging panel commended the campaign for its clever use of print and digital marketing, plus non-traditional outreach and effective user engagement.
44. The new draft Yarra Libraries Strategic Plan 2022-2026 will enable Council to continue to lead the way and provide the best possible service for Yarra's diverse community.

RECOMMENDATION

1. That Council:
 - (a) approves the release of the Draft Yarra Libraries Strategic Plan 2022-2026 for the purposes of public exhibition from Wednesday 11 May 2022 to Friday 27 May 2022; and
 - (b) receives a further report which considers submissions received to inform the finalisation of the Draft Yarra Libraries Strategic Plan 2022-2026, prior to its planned adoption at a future Council meeting.

Attachments

- 1 Attachment 1 - Draft - Yarra Libraries Strategic Plan 2022-2026

8.6 IntoWork Report

Reference	D22/95519
Author	Diarmuid McAlary - Director Corporate, Business and Finance
Authoriser	Director Corporate, Business and Finance

Purpose

1. The purpose of this report is to make public a decision made at a Confidential Council Meeting held on 16 March 2021 and to inform the community of the outcome of subsequent negotiations for the benefit of the Inner North Community including Yarra.

Critical analysis

History and background

IntoWork (Inner North Group Training - INGT)

2. The Inner North Training Group was established in 1983 by the predecessor Councils of Brunswick, Coburg, Fitzroy, Northcote and Gatic as a key partner. IntoWork was incorporated by the Councils' predecessors as a not-for-profit company limited by guarantee with the objective of providing industry training and placement services in the communities that they represented, Melbourne's "Inner North". IntoWork is registered as a charity with the Australian Charities and Not-for-profits Commission (ACNC).
3. IntoWork membership was impacted by the amalgamation of Councils from the creation of Moreland and Darebin Councils in June 1994, followed by the creation of Yarra Council in May 1996. These changes were followed by the demise of Gatic in 1996. Since this time there have been three 'Member Councils' – Darebin, Moreland and Yarra and the Councils were the only members of IntoWork. Each Member Council had equal membership.
4. IntoWork amended its memorandum of association in 1988 to expand the objects. The amendments removed certain limitations in the objects which directed the focus of IntoWork to training apprentices in the inner northern area of Melbourne. Since the expansion of its objects, the scope of services provided by IntoWork and its reach have expanded significantly. IntoWork has acquired a number of subsidiaries, which are mainly focused on the provision of employee training and placement services, but which also extend to other services such as NDIS services.
5. With each of these acquisitions and partnerships, IntoWork has grown and diversified its offerings and it now operates nationally. IntoWork co-ordinates the activities of the IntoWork Group and provides shared services and operational support to the IntoWork Group organisations.

Inner North Community Foundation

6. The Inner North Community Foundation was established in 2007 by IntoWork as a "means of ensuring that the corporate success of IntoWork could be translated into a perpetual social, economic and financial contribution to the local community."
7. The Foundation is an independent community foundation and is trustee for the Inner North Community Foundation Charitable Fund and Public Fund. It manages philanthropic dollars to provide funds for projects that create prosperous, connected, and cohesive communities in Melbourne's Inner North, particularly encouraging pathways to employment.
8. Since its establishment, the Foundation has granted more than \$2.6 million in grants to the municipalities of Darebin, Moreland, and Yarra. Grants have been awarded across 30 different suburbs to 130 community organisations, running innovative and creative programs that unlock the potential of local people.

Discussion

9. Yarra City Council, Darebin City Council, and Moreland City Council were each a 'Member Council' of IntoWork and collectively formed the 'Member Councils'.
10. In February 2019, the CEO's of the Member Councils initiated a Governance Review of IntoWork. Each CEO appointed a lead Director and the project was coordinated by a Project Manager.
11. The three Member Councils have worked together as a collective over the past three years to undertake the review to establish the ability to realise the Member Council's strategic objectives, manage the risks to Council and determine the future options for the Member Council's relationship with Into Work.
12. Through the review the Member Council's considered an alternative that would return the benefit of IntoWork to its original purpose. The Member Council's considered the Inner North Community Foundation as the most appropriate organisation to receive and deliver benefit to the inner north community, as it was established by IntoWork in 2007 as a "means of ensuring that the corporate success of IntoWork could be translated into a perpetual social, economic and financial contribution to the local community."
13. A confidential report was provided to Council at its meeting on 16 March 2021 to provide:
 - (a) comprehensive background on the arrangements with IntoWork and the Inner North Community Foundation;
 - (b) an outline of the terms that had been established with IntoWork;
 - (c) an outline of the proposal to determine the beneficiary of these terms through the Inner North Community Foundation; and
 - (d) an outline of the proposal that Council (along with the other two Member Council's) relinquish its interest in IntoWork in exchange for a 30 year commitment from IntoWork to the Inner North Community Foundation valued at \$6.8 million and operational funding for core staffing costs valued at \$7.4 million (based on 2.5% Federal CPI average).
14. The following resolution was recommended and passed as an outcome of the meeting.

Yarra's Council Resolution

This resolution was confidential and has been deemed appropriate for release now that execution of the agreement has been completed.

At its meeting held on 16 March 2021 (confidential item), it was resolved:

That:

- (a) *Council confirms acceptance of the proposal to relinquish the Member Council interests in IntoWork in exchange for a 30-year commitment totalling approximately \$11.86m (\$14.2m based on 2.5% CPI average) from IntoWork to the Inner North Community Foundation to benefit our local community, that includes:*
 - (i) *operational funding for core staffing costs valued at \$168,757 + Federal CPI (as agreed by both parties on an annual basis) each year for the next 30 years;*
 - (ii) *an annual contribution of \$200,000 to the corpus each year for the next 30 years; and*
 - (iii) *an additional contribution of \$800,000 to the corpus over the life of the agreement.*
- (b) *subject to all three Member Councils supporting the proposal to relinquish the Member Councils interests in IntoWork in exchange for the 30-year funding commitment to the Inner North Community Foundation, a summary report will be made public by the Member Councils on an agreed date;*

- (c) *Council authorises the CEO to do all things necessary to execute the removal of Member Councils' interests in IntoWork in exchange for benefits and participation on the Inner North Community Foundation Board;*
 - (d) *Council authorises the CEO to do all things necessary to execute the introduction of Member Councils' participation on the Inner North Community Foundation Board; and*
 - (e) *Officers provide a further report to Council upon completion of the execution of this decision.*
15. Darebin and Moreland Council's passed the same confidential resolutions during the month of March 2021.
16. Following Council's decisions made in March 2022, the Member Councils and IntoWork commenced discussions with the Inner North Community Foundation to secure an agreement with all parties. Agreement was reached and completed in December 2021. The Agreement provided for the matter being maintained as confidential until such time as a collective announcement had been made which all parties were required to endorse. A key consideration for each Member Council was the transparency of decision making.
17. The announcement was made on 28 April 2022.
18. At the Council meeting on 16 March 2021, it was resolved that a further report be provided to Council upon the execution of this decision. This is now possible given the announcement has been made, in accordance with the legal agreement between all five parties.

Options

19. There are no other options to consider as part of this report.

Community and stakeholder engagement

20. The Governance Review was conducted by a small team consisting of CEO's, Project Director and Project Manager who were subject to a confidentiality agreement throughout the course of the review. An Information Barrier was established to prevent the Member Directors from being aware of the existence of the Governance Review itself or the content as a further measure to protect the Council's interests and their independence as a member of the Board.
21. Consultation was undertaken with IntoWork through the CEO and members of the Governance Review throughout June to December 2020.
22. Consultation with the Inner North Community Foundation through the CEO and members of the Governance Review in December 2020.
23. Councillors across the Member Councils were briefed in February 2021.

Policy analysis

Alignment to Community Vision and Council Plan

24. The proposal contained in this report aligns with object 2 – An Inclusive Yarra of the Council Plan.

Climate emergency and sustainability implications

25. There are no climate emergency and significant sustainability implications relating to the recommendation contained within this report.

Community and social implications

26. The Inner North Community Foundation provides funding that addresses disadvantage, promotes equity, support the vulnerable and removes barriers to support the community into employment. By securing the future of the Inner North Community Foundation, the Member Councils provide certainty and stability to secure the future of the inner north community. This agreement will ensure that the Inner North Community Foundation will be able to fund projects that create prosperous, connected, and cohesive communities, particularly encouraging pathways to employment into the future.

Economic development implications

27. The proposal secured support to the inner north that is aligned to the intended purpose of IntoWork through the Inner North Community Foundation, that is today's context is a more appropriate entity.
28. The Inner North Community Foundation philanthropic funds are used for grant making across broad interests, with a special focus on building pathways to employment and promoting economic participation. This priority recognises the importance of work, which ensures personal and family wellbeing, and enables people to be active contributors in community life.
29. The major granting activity of the Foundation is to strengthen pathways to employment through organisations running innovative and creative programs that unlock people's potential to contribute to our prosperity.

Human rights and gender equality implications

30. The implications of this report have been assessed in accordance with the requirements of the Charter of Human Rights and Responsibilities.

Operational analysis

Financial and resource impacts

31. The agreement secures the direct investment in the inner north that is aligned to the intended purpose of IntoWork through the Inner North Community Foundation. Where IntoWork has been successful in expanding its operations nationally beyond its intended purpose with great benefit, this agreement returns the focus and investment directly to the inner north to strengthen pathways to employment through organisations running innovative and creative programs that unlock people's potential to contribute to our prosperity.
32. Whilst Council had a controlling interest in IntoWork, it did not have ownership and there is no materiality to the interest. IntoWork has not previously formed part of Council's financial statement and legal advice has confirmed that IntoWork should not have formed part of Council's financial statements.

Legal Implications

33. A key driver of the Member Council's Governance Review of IntoWork was to mitigate risk to the Member Councils in their relationship with IntoWork.

Conclusion

34. Having read and considered this report, that Council note the recommendations below.

RECOMMENDATION

1. That Council:
 - (a) notes that its decision made under Confidential item 5.1 IntoWork Governance Review and Proposal for Change on 16 March 2021 to relinquish Member Council interest in IntoWork in exchange for a 30-year funding commitment to the Inner North Community Foundation has now been implemented through a Signed Relationship Deed executed on the 7 December 2021; and therefore the decision of Council will now be made public (the executed Relationship Deed is between Moreland City Council, City of Yarra, Darebin City Council, Inner Northern Group Training Limited and Inner North Community Foundation Ltd);
 - (b) notes that the Council resolution made under Confidential item 5.1 IntoWork Governance Review and Proposal for Change on 16 March 2021 is provided publicly in this report under previous Council resolutions; and
 - (c) notes that for the purpose of public transparency, this report provides an overview of the information related to Council's decision on 16 March 2021 and action taken execute the agreement.

Attachments

There are no attachments for this report.

8.7 Appointment of Council representative to the Collingwood Children's Farm Committee of Management

Reference	D22/95460
Author	Rhys Thomas - Senior Governance Advisor
Authoriser	Group Manager Chief Executive's Office

Purpose

1. To appoint Councillors as delegates to the Collingwood Children's Farm Committee of Management for the remainder of the 2021/2022 Council year.

Critical analysis

History and background

2. In order to assist the Council to undertake its extensive range of functions, Council has established a number of Advisory Committees, to which it appoints both Councillors and community representatives; and appointed delegates to represent it on a range of external organisations.
3. Appointments to these committees were made at the Council meeting of 16 November 2021 (adjourned to 23 November 2021) and 7 December 2021, but a change is required in relation to the appointment to the Collingwood Children's Farm Committee of Management.

Discussion

4. The Collingwood Children's Farm is a not-for-profit community organisation which manages the community farm in St Helier's Street Abbotsford. The Farm is governed by a Committee of Management, made up of elected volunteers with specific skills and experience, as well as a Councillor appointed by the City of Yarra. The Committee of Management provides strategic direction and oversees the Farm management.
5. At the Council meeting of 16 November 2021 (adjourned to 23 November 2021), Council appointed Cr Jolly as its representative.
6. Cr Jolly has since indicated his intention to resign the position.

Process

7. Before considering the officer's recommendation, Council should seek nominations for the vacancy.
8. Where the number of nominations exceeds the number of appointments Council intends to make, Council is required to conduct an election to determine which candidates shall be presented for ratification. The process for these elections is set out in the City of Yarra Governance Rules 2020 and is conducted using the procedure for electing the Mayor set out at Chapter Two, Part A.
9. In summary, this process is as follows:
 - (a) any number of Councillors may be nominated for each vacancy;
 - (b) no seconder is required;
 - (c) the nominee must consent to their nomination;
 - (d) Councillors present shall vote by a show of hands;
 - (e) in the event that no candidate receives a majority, candidates shall be eliminated in accordance with the provisions of the Governance Rules 2020; and

- (f) in the event of an election being required for a Committee with multiple vacancies, an election shall be conducted for the first vacancy, then a further election for the second vacancy, and so on.
- 10. Following the conduct of an election if required, Council then ratifies these outcomes (together with the appointment of representatives where the number of nominations matched the number of vacancies) in accordance with the officer's recommendation.

Options

- 11. There are no options presented in this report.

Community and stakeholder engagement

- 12. No community engagement has been undertaken in the development of this report.

Policy analysis

Alignment to Community Vision and Council Plan

- 13. In its Yarra 2036 Community Vision, Council articulated an objective for a community that is *"informed and empowered to contribute to the shared governance of Yarra, (where) decision-making is through access, inclusion, consultations and advocacy."*
- 14. The City of Yarra Council Plan 2021-2025 commits Council to *"provide opportunities for meaningful, informed and representative community engagement to inform Council's decision-making"* and to *"practice good governance, transparency and accountable planning and decision-making."*
- 15. The ongoing operation of community advisory committees and the appointment of Councillors to all committees in an open and transparent process underpins both the Yarra 2036 Community Vision and the City of Yarra Council Plan 2021-2025 and demonstrates Council's ongoing commitment to good governance.

Climate emergency and sustainability implications

- 16. No climate emergency implications are presented in this report.

Community and social implications

- 17. No community or social implications are presented in this report.

Economic development implications

- 18. No economic development implications are presented in this report.

Human rights and gender equity implications

- 19. No human rights or gender equity implications are presented in this report.

Operational analysis

Financial and resource impacts

- 20. There are no financial or resource implications arising from appointing a replacement representative to the Committee of Management.

Legal Implications

- 21. The recommendation of this report has been structured to ensure that committee members are lawfully appointed in accordance with the relevant provisions of the Collingwood Children's Farm.

Conclusion

- 22. This report recommends the appointment of a new representative to the Collingwood Children's Farm Committee of Management following the resignation of Cr Jolly.

RECOMMENDATION

1. That Council:
 - (a) note the resignation of Cr Jolly from the Collingwood Children's Farm Committee of Management; and
 - (b) appoint Cr _____ as its representative on the Collingwood Children's Farm Committee of Management for the remainder of the 2021/2022 Council year.

Attachments

There are no attachments for this report.

8.8 Motions for MAV State Council

Reference	D22/98719
Author	Rhys Thomas - Senior Governance Advisor
Authoriser	Group Manager Chief Executive's Office

Purpose

1. To provide an opportunity for Council to endorse motions to be submitted to the Municipal Association of Victoria (MAV) State Council to be held on 24 June 2022.

Critical analysis

History and background

2. The MAV State Council is made up of representatives from each member council and its powers include:
 - (a) determining the Rules of the Association;
 - (b) electing the president and other members of the Board;
 - (c) determining the strategic direction; and
 - (d) appointing the auditor.
3. MAV members can submit business to be considered by State Council in accordance with the MAV Rules.

Discussion

4. Council has the opportunity to submit motions for consideration by the MAV State Council. To be eligible for inclusion and presentation to the State Council, motions must:
 - (a) be of state-wide significance to the sector;
 - (b) link to the key outcomes in MAV Strategy 2021-25;
 - (c) not be identical or substantially similar to a motion submitted to State Council since October 2018; and
 - (d) not seek to endorse a motion to be put to the Australian Local Government Association National General Assembly.
5. Motions must be submitted to the MAV by 27 May 2022.
6. To identify potential motions for submission, Councillors were invited to submit motions for Council's consideration, while Council officer drew on Council's adopted advocacy priorities to identify matters suitable for presentation. As a result of this process, two potential motions were identified.
7. Firstly, the past five years has seen wide-spread disruption in the international waste sector leading to significant disruption in Australia. In 2020, the Victorian Government released a 10-year plan to overhaul Victoria's recycling sector. Increased investment to support local processing solutions and innovation will support the delivery of this plan and create greater collaboration between State Government, councils and industry. The proposed motion (found at **Attachment One**) to the State Council seeks for the MAV to advocate to the Victorian Government for increased investment to support local processing solutions, sector innovation and market development in the waste and recycling sectors.

8. Secondly, in response to the close and well established links between the incidence of respiratory illness in inner urban areas and smoke and other emissions, a number of government decisions have sought to mitigate the effects of smoke from wood heaters in residential properties. However, a Council faced with an application in a built-up area for a property including the installation of a new wood heater has no mechanism to refuse or place conditions on the use of that heater. The proposed motion (found at **Attachment Two**) to the State Council seeks for the MAV to advocate to the State Government for stronger guidelines around the installation of new wood heaters in built up metropolitan areas through the planning process including the ability to not allow them.

Options

9. Council has the option of determining whether or not to submit a motion (or motions) to the June 2022 MAV State Council.

Community and stakeholder engagement

10. There has been no external consultation in the preparation of this report.
11. Invitations have been extended to all Councillors to consider preparation of motions for consideration by Council for submission to the State Council.

Policy analysis

Alignment to Council Plan

12. Any submitted proposed motion should be consistent with Council's established policy position on the relevant subject, including the Council Plan.

Climate emergency and sustainability implications

13. There are no sustainability implications associated with this report.

Community and social implications

14. There are no community or social implications associated with this report.

Economic development implications

15. There are no economic implications associated with this report.

Human rights and gender equality implications

16. There are no human rights or gender equality implications associated with this report.

Operational analysis

Financial and resource impacts

17. There are no financial or resource impacts of submitting motions to the State Council.

Legal Implications

18. There are no legal issues associated with this report.

Conclusion

19. This report provides Councillors an opportunity for Council endorsement of motions for submission to the MAV State Council and recommends that two motions be endorsed.

RECOMMENDATION

1. That Council endorse the following motions for submission to the Municipal Association of Victoria (MAV) State Council to be held on 24 June 2022:
 - (a) Greater funding to support the transition to a circular economy (**Attachment One**); and
 - (b) Woodfires in built up areas (**Attachment Two**).

Attachments

- 1 Attachment 1 - Circular Economy - Motion for submission to MAV June 2022
- 2 Attachment 2 - Woodfires in built up areas - Motion for submission to MAV June 2022

8.9 Councillor attendance at the ALGA National General Assembly and change to Council meeting date

Reference	D22/98769
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Authoriser	Group Manager Chief Executive's Office

Purpose

1. To:
 - (a) authorise the attendance of Cr Sophie Wade (Mayor), Cr Edward Crossland (Deputy Mayor) and Cr Amanda Stone at the Australian Local Government Association National General Assembly in Canberra from 19 to 22 June 2022; and
 - (b) alter the date of the Council Meeting scheduled for 21 June 2022.

Critical analysis

History and background

2. The Australian Local Government Association National General Assembly is being held this year in Canberra from 19 to 22 June 2022. Following an invitation to all Councillors, Cr Wade (Mayor), Cr Crossland (Deputy Mayor) and Cr Stone have expressed an interest in attending the event to represent the City of Yarra.
3. Council's Councillor Support Policy provides that: *"subject to the availability of funds, Council shall meet the cost of registration fees, accommodation, travelling expenses, meals and other incidental expenses associated with authorised attendance at conferences and seminars" and that "events interstate or overseas may be attended following approval by the Council. Councillors are encouraged to nominate themselves as early as possible to enable the preparation of a report to a subsequent Council meeting. Where approval is granted, Council shall meet associated expenses, subject to any conditions or limitations determined by the Council."*
4. A Council meeting is scheduled for 21 June 2022. Council's Governance Rules provide that *"Council may change the date, time and place of any Council meeting which has been fixed by it and must provide reasonable notice of the change to the public."*

Discussion

5. The Australian Local Government Association holds its National General Assembly each year in June. The National General Assembly is held in Canberra, and is an opportunity for Councils across Australia to come together and meet with each other, as well as leaders from the Federal and State Governments (including the Commonwealth Minister for Local Government and the Shadow Minister). The Assembly is also a forum where Councils can submit motions to be debated to set the agenda for the Association for the year ahead. In previous years, Council has submitted a number of successful motions.
6. At the Council meetings on 8 March and 29 March 2022, Council resolved to submit one motion to the Assembly, and on 29 March 2022 a further three resolutions were endorsed. While these motions will be considered regardless of the attendance of a representative of the Yarra City Council, having a Councillor in attendance will enable the motions to be formally presented by Yarra Council and for Council to have a voice in the subsequent debates. The motions to be considered are:
 - (a) Multilevel climate action;
 - (b) Circular economy and waste reduction;

- (c) Incentivising and facilitating up-take of electric vehicles; and
 - (d) Flood planning and mitigation.
7. In order to enable Yarra's Councillors to attend the National General Assembly and present Council's motions on the floor, it is also necessary to reschedule the Council meeting set for 21 June 2022. While it is possible to proceed with a Council meeting with as many as four Councillors absent, the last meeting in June is planned to consider Council's Annual Budget, and it desirable to enable as many Councillors as possible to be in attendance for this matter.
8. It is therefore recommended that the Council meeting be scheduled two days later than planned and held instead on 23 June 2022.

Options

9. Council can determine to approve attendance of Councillors or not to approve attendance by alternate resolution.
10. Council has the option of altering the proposed meeting date by alternate resolution.

Community and stakeholder engagement

11. No community engagement has been undertaken in the development of this report.

Policy analysis

Alignment to Council Plan

12. The attendance at conferences enables discussion with Councillors across the nation to compare issues, processes, services standards which assist Council in formulating its own policies. It also enables Council to fulfil its Council Plan commitment to "*advocate for the best interests of our community*" through the pursuit of a Strategic Advocacy Plan.
13. The establishment of a regular program of Council meetings and the clear communication of any changes to meeting dates underpins the Council Plan commitment to "*enable greater transparency and access to the conduct of Council Meetings*" and allows members of the public to attend and participate in the meetings in line with its strategic advocacy program.

Climate emergency and sustainability implications

14. In making travel bookings, arrangements will be made to recognise the climate emergency and to minimise the impact of the travel and accommodation on the environment, by booking sustainable options where available and practicable and taking up relevant carbon offsets.

Community and social implications

15. No community or social implications are presented in this report.

Economic development implications

16. No economic development implications are presented in this report.

Human rights and gender equity implications

17. No human rights or gender equity implications are presented in this report.

Operational analysis

Financial and resource impacts

18. The cost of attendance (per Councillor) is estimated as follows:
- (a) Travel \$ 350
 - (b) Accommodation \$ 700
 - (c) Conference \$ 989
 - (d) Incidental expenses \$ 100

19. Cr Stone has expressed a desire to make her own travel arrangements at her own expense, meaning the total estimated cost for three Councillors is \$6,067. Provision is made in Council's budget for Councillor to attend approved conferences.
20. Council's budget contains a necessary provision for the conduct of the Council meeting program. Altering the meeting schedule will not have an impact on Council's budget.

Legal Implications

21. There are no legal issues concerned with attendance by Councillors at the event, save compliance with the adopted Councillor Support Policy.
22. Chapter 2, Clause 7 of the City of Yarra Governance Rules 2020 provides that "*Council may change the date, time and place of any Council meeting which has been fixed by it and must provide reasonable notice of the change to the public.*" It is proposed that such notice be provide via Council's social media channels and on Council's website.

Conclusion

23. It is recommended that Council authorise the attendance of Cr Wade (Mayor) at the Australian Local Government Association National General Assembly in Canberra from 19 to 22 June 2022.

RECOMMENDATION

1. That in accordance with the Councillor Support Policy, Council authorise the attendance of Cr Sophie Wade (Mayor), Cr Edward Crossland (Deputy Mayor) and Cr Amanda Stone at the Australian Local Government Association National General Assembly in Canberra from 19 to 22 June 2021 at an estimated cost of \$2,289.
2. That Council:
 - (a) reschedule the Council meeting scheduled for 21 June 2022 to the same time on 23 June 2022 (7.00pm for the public session, and 6.30pm for the closed session if required); and
 - (b) provide notice to the community of the change via its social media channels and Council's website.

Attachments

There are no attachments for this report.