



Minutes

Council Meeting

7.02pm, Tuesday 7 September 2021

MS Teams

1. Statement of recognition of Wurundjeri Woi-wurrung Land

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

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

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

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

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

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

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

Council officers

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

Leave of absence

- | | |
|-------------------|------------|
| • Cr Anab Mohamud | Councillor |
|-------------------|------------|

3. Announcements

We hope that you are coping okay in this current lockdown and wanted to recognise how challenging this has been for everyone.

There are several recent COVID exposure sites in Yarra, so please do remember to check the Victorian Govt website to stay informed of recent developments.

And as usual, please remember to stay home, and get tested if you have any symptoms.

There are also several locations in Yarra to get vaccinated, including Co-health and North Richmond Community Health and Council joins other tiers of government in urging all eligible people to get vaccinated as soon as possible.

Fingers crossed for the easing of restrictions as soon as is safely possible, and until then look after yourselves and each other.

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

No declarations were made.

5. Confidential business reports

The following items were deemed by the Chief Executive Officer to be suitable for consideration in closed session in accordance with section 66(2)(a) of the Local Government Act 2020. In accordance with that Act, Council may resolve to consider these issues in open or closed session.

COUNCIL RESOLUTION

Moved: Councillor de Vietri

Seconded: Councillor Stone

1. That the meeting be closed to members of the public, in accordance with section 66(2)(a) of the Local Government Act 2020, to allow consideration of confidential information

CARRIED

Item

5.1 External Membership of the Audit and Risk Committee

This item was considered in closed session to allow consideration of personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

These grounds are applicable because the report contains private information about the personal affairs of an individual.

COUNCIL RESOLUTION

Moved: Councillor Landes

Seconded: Councillor Stone

1. That Council:

- (a) thank Vince Philpott for the contribution to good governance at the City of Yarra in service to both the Audit Committee and the Audit and Risk Committee from 2015 to 2021;
- (b) appoint Kylie Maher as an external member of the Audit and Risk Committee for the period 1 October 2021 to 30 September 2024;
- (c) re-appoint David Ashmore to the Audit and Risk Committee for the period 22 September 2021 to 21 September 2024;
- (d) authorises Council officers to communicate the confidential information within this report to the extent necessary to give effect to the resolution; and
- (e) make this resolution public.

CARRIED UNANIMOUSLY

5.2 Chief Executive Officer – Determination on Performance Review for the period 2020/2021

This item was considered in closed session to allow consideration of personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

These grounds are applicable because the report contains private information about the personal affairs of an individual.

5.3 Chief Executive Officer – Adoption of Key Performance Indicators for 2021/2022

This item was considered in closed session to allow consideration of personal information, being information which if released would result in the unreasonable disclosure of information about any person or their personal affairs.

These grounds are applicable because the report contains private information about the personal affairs of an individual.

6. Confirmation of minutes

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Crossland

That the minutes of the Council Meetings held on Tuesday 17 August 2021 and Tuesday 24 August 2021 be confirmed.

CARRIED

7. Public question time

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8. Council business reports

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9. Notices of motion

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10. Petitions and joint letters

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11. Questions without notice

Nil

12. Delegates' reports

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13. General business

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13.1	Councillor de Vietri - LGBTIQ+ Training and Terminology	31

14. Urgent business

Nil

7. Public question time

This record is provided as a summary of the questions asked by members of the public during Public Question Time at a meeting of the Yarra City Council. A recording of the Council Meeting (including Public Question Time) is available on Council's website for twelve months following the meeting. Where a question is taken on notice and unable to be answered at the meeting, the full response is also published on Council's website when it becomes available.

Questioner	Question	Officer
Mitchell Price	Cash grant scheme and rate relief for small businesses.	The Director Corporate Business and Finance provided a response. The Chief Executive Officer also provided a response.
Mitchell Price	Rainbow Advisory Committee and its achievements.	The Mayor provided a response.
Kate Morrisey	Increased break ins and robberies in Richmond and what is Council and the Police doing to prevent them.	The Director Community Wellbeing provided a response.

Councillor Jolly left the meeting at 7.24pm

Questioner	Question	Officer
Jeremy Lawrence	Changing the vehicle left turning lane on the northern approach to the intersection at Coppin Street and Bridge Road to a cycle only lane.	The Director Planning and Place Making provided a response.
Jeremy Lawrence	Allocation of money for bike lanes.	The Director Planning and Place Making provided a response.

8.1 2020/21 Annual Plan Progress Report - June

Reference D21/109493
Author Shane Looney - Corporate Planner
Authoriser Manager Corporate Planning and Performance

RECOMMENDATION Start time: 7.27pm

1. That:
 - (a) Council note the 2020/21 Annual Plan Progress Report for June.

Councillor O'Brien left the meeting at 7.28pm

Councillor Jolly returned at 7.28pm

Public Submission

Gary Shadforth, Cremorne Community Inc. addressed Council on the matter.

Councillor O'Brien returned at 7.33pm

Councillor Jolly left the meeting at 7.34pm

Councillor Jolly returned at 7.36pm

COUNCIL RESOLUTION

Moved: Councillor Stone **Seconded:** Councillor Wade

1. That:
 - (a) Council note the 2020/21 Annual Plan Progress Report for June.

CARRIED UNANIMOUSLY

8.2 2020/21 Annual Financial Statements, Performance Statement, and LGPRF Reports adoption 'in principle'

Reference D21/112569
Author Wei Chen - Chief Financial Officer
Authoriser Director Corporate, Business and Finance

RECOMMENDATION Start time: 7.37pm

1. That Council:
 - (a) notes the accompanying 2020/21 Annual Financial Statements and LGPRF Reports (including the Performance Statement), and receives the endorsement of Council's Audit & Risk Committee;
 - (b) adopts the 2020/21 Annual Financial Statements and the Performance Statement 'in principle' prior to them being provided to the Victorian Auditor-General's Office for final audit sign off;
 - (c) nominates the Mayor and Audit & Risk Committee member Councillor Gabrielle de Vietri, and Audit & Risk Committee member Councillor Herschel Landes, as the two Councillors to certify the Annual Financial Statements and Performance Statement;
 - (d) authorises the nominated Councillors to accept any further recommended changes by the Victorian Auditor-General's Office; and
 - (e) designates Wei Chen, Chief Financial Officer, as Principal Accounting Officer to certify the Annual Financial Statements and Performance Statement, as required by the *Local Government Act 1989* and *Local Government (Planning and Reporting) Regulations 2014*.

Councillor O'Brien left the meeting at 7.40pm

Councillor O'Brien returned at 7.43pm

COUNCIL RESOLUTION

Moved: Councillor Landes

Seconded: Councillor Stone

1. That Council:
 - (a) notes the accompanying 2020/21 Annual Financial Statements and LGPRF Reports (including the Performance Statement), and receives the endorsement of Council's Audit & Risk Committee;
 - (b) subject to incorporating changes recommended by Council's Audit and Risk Committee as in Attachment 5 to this report, adopts the 2020/21 Annual Financial Statements and the Performance Statement 'in principle' prior to them being provided to the Victorian Auditor-General's Office for final audit sign off;
 - (c) nominates the Mayor and Audit & Risk Committee member Councillor Gabrielle de Vietri, and Audit & Risk Committee member Councillor Herschel Landes, as the two Councillors to certify the Annual Financial Statements and Performance Statement;
 - (d) authorises the nominated Councillors to accept any further recommended changes by the Victorian Auditor-General's Office; and

- (e) designates Wei Chen, Chief Financial Officer, as Principal Accounting Officer to certify the Annual Financial Statements and Performance Statement, as required by the *Local Government Act 1989* and *Local Government (Planning and Reporting) Regulations 2014*.

CARRIED UNANIMOUSLY

8.3 Draft Council Plan 2021-25 (incorporating the Municipal Public Health and Wellbeing Plan) for public exhibition

Reference D21/109858
Author Julie Wyndham - Manager Corporate Planning and Performance
Authoriser Manager Corporate Planning and Performance

RECOMMENDATION Start time: 7.52pm

1. That:
 - (a) Council endorse the draft Council Plan 2021-25 (incorporating the Municipal Public Health and Wellbeing Plan) for public exhibition.

Councillor Nguyen left the meeting at 7.53pm

Councillor Jolly left the meeting at 7.53pm

Councillor Nguyen returned at 7.55pm

Councillor O'Brien left the meeting at 7.56pm

Public Submission

Jeremy Lawrence addressed Council on the matter.

Councillor O'Brien returned at 7.59pm

COUNCIL RESOLUTION

Moved: Councillor Wade

Seconded: Councillor Crossland

1. That:
 - (a) Council endorse the draft Council Plan 2021-25 (incorporating the Municipal Public Health and Wellbeing Plan) for public exhibition.

CARRIED UNANIMOUSLY

8.4 Draft Long-Term Financial Plan 2021/22 to 2030/31

Reference D21/113547
Author Wei Chen - Chief Financial Officer
Authoriser Director Corporate, Business and Finance

RECOMMENDATION Start time: 8.03pm

1. That:
 - (a) Council endorse the draft Long-Term Financial Plan 2021/22 to 2030/31 for public exhibition.

Councillor O'Brien left the meeting at 7.56pm

Councillor O'Brien returned at 7.59pm

Public Submission

Jeremy Lawrence addressed Council on the matter.

COUNCIL RESOLUTION

Moved: Councillor Landes

Seconded: Councillor Nguyen

1. That Council:
 - (a) endorse the draft Long-Term Financial Plan 2021/22 to 2030/31 for public exhibition;
and
 - (b) note the difficulties and uncertainty that the COVID-19 pandemic is presenting to Local Governments and to Yarra Council's long term economic projections and that officers will ensure a continued process of review and scenario planning, including utilising the knowledge and input of the Audit and Risk Committee.

CARRIED UNANIMOUSLY

8.5 Recreation and Leisure Services - Physical Activity Strategy

Reference D21/102958
Author Grace van der Merwe - Participation Officer
Authoriser Director City Works and Assets

RECOMMENDATION Start time: 8.14pm

1. That:
 - (a) Council endorse the *Draft Physical Activity Strategy Yarra Moves 2021-2031; and*
 - (b) Council support officers to undertake a community consultation process to inform the development of an Action Plan.

Public Submission

Jeremy Lawrence addressed Council on the matter.

COUNCIL RESOLUTION

Moved: Councillor Stone **Seconded:** Councillor de Vietri

1. That:
 - (a) Council endorse the *Draft Physical Activity Strategy Yarra Moves 2021-2031; and*
 - (b) Council support officers to undertake a community consultation process to inform the development of an Action Plan.
2. That officers report back to Council on any feedback received on the Physical Activity Strategy in addition to input to an Action Plan and report this back to Council following the consultation period early in 2022.

CARRIED UNANIMOUSLY

The Mayor adjourned the meeting at 8.30pm

The meeting resumed at 8.36pm with Councillors Crossland, de Vietri, Jolly, Landes, Nguyen, O'Brien, Stone and Wade present.

8.6 Proposed draft law to manage consumption of liquor in Yarra's public places

Reference D21/106407
Author Sarah Ernst - Policy Advisor
Authoriser Director Community Wellbeing

RECOMMENDATION

Start time: 8.36pm

1. That Council:
 - (a) notes that the community has been engaged and given the opportunity to provide feedback and ask questions about the proposed local law, as well as considerations and options for the future management of consumption of liquor in Yarra's public places, and that this feedback is provided within this report;
 - (b) notes that stakeholders appreciate Council's responsibilities to promote local amenity and community safety, recognise the negative impacts consumption of liquor local laws can have upon people experiencing vulnerability in our community and understand the need for safeguards to ensure people are not unfairly and negatively impacted;
 - (c) notes that a proposed local law and an accompanying proposed procedures and protocols manual have been prepared (see Attachments 1 and 2) which seek to promote public amenity and community safety – including within entertainment precincts and for major events – while supporting harm minimisation, and the exclusion from enforcement, for people who are physically, psychologically, socially, culturally or economically vulnerable;
 - (d) supports the list of elements outlined in this report that would form the basis of an evaluation and monitoring plan for the consumption of liquor in public places provisions in the General Local Law (subject to Council budgeting processes);
 - (e) endorses officers to proceed to undertake public exhibition of the proposed local law and accompanying proposed procedures and protocols manual attached to this report; and
 - (f) notes that the current local law is set to sunset (expire) on 19 October 2021, after which time there would be no law in place to manage consumption of liquor in Yarra's public places.

MOTION

Moved: Councillor Nguyen

Seconded: Councillor O'Brien

1. That Council:
 - (a) notes that the community has been engaged and given the opportunity to provide feedback and ask questions about the proposed local law, as well as considerations and options for the future management of consumption of liquor in Yarra's public places, and that this feedback is provided within this report;
 - (b) notes that due to the current circumstances created by the COVID-19 pandemic the planned face-to-face consultation opportunities had to be cancelled, limiting engagement opportunities other than through digital platforms;
 - (c) notes that stakeholders appreciate Council's responsibilities to promote local amenity and community safety, recognise the negative impacts consumption of liquor local laws can have upon people experiencing vulnerability in our community and understand the need for safeguards to ensure people are not unfairly and negatively impacted;

- (d) notes that a proposed local law and an accompanying proposed procedures and protocols manual have been prepared (see Attachments 1 and 2) which seek to promote public amenity and community safety – including within entertainment precincts and for major events – while supporting harm minimisation, and the exclusion from enforcement, for people who are physically, psychologically, socially, culturally or economically vulnerable;
- (e) supports the list of elements outlined in this report that would form the basis of an evaluation and monitoring plan for the consumption of liquor in public places provisions in the General Local Law (subject to Council budgeting processes);
- (f) endorses officers to proceed to undertake public exhibition of the proposed local law and accompanying proposed procedures and protocols manual attached to this report; with the following amendments:
 - (a) Section 68C.1.5 is to be amended to read:
 - (i) 68C.1.5 on a footway adjoining any area which is licensed under the *Liquor Control Reform Act 1998*, if the premises in respect of which the area is licensed:
 - (ii) 68C.1.5.1 is open for business or otherwise trading; and
 - (iii) 68C.1.5.2 does not have as its predominant purpose the sale of packaged liquor;
- (g) notes that the current local law is set to sunset (expire) on 19 October 2021, after which time there would be no law in place to manage consumption of liquor in Yarra’s public places.
- (h) requests officers to bring a further report to Council in 2023 including:
 - (i) an evaluation of the operation of the alcohol provisions of the General Local Law over the previous two years;
 - (ii) any relevant data that is available;
 - (iii) observations from Victoria Police, community stakeholders and Council’s relevant Advisory Committees; and
 - (iv) ensuring any findings are an input into any future review process concerning the General Local Law that sunsets on 1 September 2026.

AMENDMENT

Moved: Councillor Wade

- (e) supports the list of elements outlined in this report that would form the basis of an evaluation and monitoring plan for the consumption of liquor in public places provisions in the General Local Law (subject to Council budgeting processes);
 - (i) notes that any and all liquor related infringements issued under the local law will undergo a secondary review at the Council level, with that review being conducted by one of Council’s social policy officers, as outlined at paragraphs 16 and 17 of the report;
 - (i) notes that due to the current circumstances created by the Covid-19 pandemic the planned face-to-face consultation opportunities in the most recent phase of the consultation had to be cancelled, limiting engagement opportunities other than through digital platforms;

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

COUNCIL RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor O'Brien

1. That Council:

- (a) notes that the community has been engaged and given the opportunity to provide feedback and ask questions about the proposed local law, as well as considerations and options for the future management of consumption of liquor in Yarra's public places, and that this feedback is provided within this report;
- (b) notes that due to the current circumstances created by the COVID-19 pandemic the planned face-to-face consultation opportunities in the most recent phase of the consultation had to be cancelled, limiting engagement opportunities other than through digital platforms;
- (c) notes that stakeholders appreciate Council's responsibilities to promote local amenity and community safety, recognise the negative impacts consumption of liquor local laws can have upon people experiencing vulnerability in our community and understand the need for safeguards to ensure people are not unfairly and negatively impacted;
- (d) notes that a proposed local law and an accompanying proposed procedures and protocols manual have been prepared (see Attachments 1 and 2) which seek to promote public amenity and community safety – including within entertainment precincts and for major events – while supporting harm minimisation, and the exclusion from enforcement, for people who are physically, psychologically, socially, culturally or economically vulnerable;
- (e) supports the list of elements outlined in this report that would form the basis of an evaluation and monitoring plan for the consumption of liquor in public places provisions in the General Local Law (subject to Council budgeting processes);
 - (i) notes that any and all liquor related infringements issued under the local law will undergo a secondary review at the Council level, with that review being conducted by one of Council's social policy officers, as outlined at paragraphs 16 and 17 of the report;
- (f) endorses officers to proceed to undertake public exhibition of the proposed local law and accompanying proposed procedures and protocols manual attached to this report; with the following amendments:
 - (i) Section 68C.1.5 is to be amended to read:
 - a. 68C.1.5 on a footway adjoining any area which is licensed under the *Liquor Control Reform Act 1998*, if the premises in respect of which the area is licensed;
 - b. 68C.1.5.1 is open for business or otherwise trading; and
 - c. 68C.1.5.2 does not have as its predominant purpose the sale of packaged liquor; and
- (g) notes that the current local law is set to sunset (expire) on 19 October 2021, after which time there would be no law in place to manage consumption of liquor in Yarra's public places; and
- (h) requests officers to bring a further report to Council in 2023 including:
 - (i) an evaluation of the operation of the alcohol provisions of the General Local Law over the previous two years;
 - (ii) any relevant data that is available;
 - (iii) observations from Victoria Police, community stakeholders and Council's relevant Advisory Committees; and

- (iv) ensuring any findings are an input into any future review process concerning the General Local Law that sunsets on 1 September 2026.

CARRIED UNANIMOUSLY

8.7 Council response to the draft World Heritage Strategy Plan for the Royal Exhibition Building and Carlton Gardens World Heritage Environs Area

Reference	D21/110188
Author	Richa Swarup - Senior Advisor City Heritage
Authoriser	Group Manager Chief Executive's Office

RECOMMENDATION Start time: 8.51pm

1. That Council authorises officers to finalise the following draft submissions for submitting it to the Heritage Council Victoria on or before 24 September 2021:
 - (a) Yarra City Council Submission - draft WHEA Strategy Plan, Royal Exhibition Building and Carlton Gardens, as in **Attachment Three**;
 - (b) Yarra City Council Submission - Draft Amendment Documentation Royal Exhibition Building and Carlton Gardens Review as in **Attachment Four**; and
 - (c) Yarra City Council Submission – WHEA draft DDO with Yarra Track Changes as in **Attachment Five**.

Public Submissions

The following people addressed Council on the matter:

Greg Chenhall, Fitzroy Residents Association Inc.;

Ian Wight, Royal Historical Society of Victoria;

Fiona Bell, Protectors of Public Lands Vic Inc.; and

Margaret O'Brien.

COUNCIL RESOLUTION

Moved: Councillor O'Brien

Seconded: Councillor Crossland

1. That Council authorises officers to finalise the following draft submissions for submitting it to the Heritage Council Victoria on or before 24 September 2021:
 - (a) Yarra City Council Submission - draft WHEA Strategy Plan, Royal Exhibition Building and Carlton Gardens, as in **Attachment Three**;
 - (b) Yarra City Council Submission - Draft Amendment Documentation Royal Exhibition Building and Carlton Gardens Review as in **Attachment Four**; and
 - (c) Yarra City Council Submission – WHEA draft DDO with Yarra Track Changes as in **Attachment Five**.

CARRIED UNANIMOUSLY

8.8 Audit and Risk Committee Biannual Activity Report

Reference D21/105086
Author Rhys Thomas - Senior Governance Advisor
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION

Start time: 9.17pm

1. That Council:
 - (a) receive the Audit and Risk Committee Biannual Activity Report for the period 1 January to 30 June 2021 at **Attachment One**;
 - (b) note that in the period 1 January to 30 June 2020, neither the Committee nor the Committee Chair requested that the Chief Executive Officer table a report at a Council meeting; and
 - (c) note that at its meeting on 19 August 2021, the Audit and Risk Committee confirmed that it has no recommendations to Council in its biannual activity report in respect of the period 1 January to 30 June 2021.

COUNCIL RESOLUTION

Moved: Councillor Landes

Seconded: Councillor de Vietri

1. That Council:
 - (a) receive the Audit and Risk Committee Biannual Activity Report for the period 1 January to 30 June 2021 at **Attachment One**;
 - (b) note that in the period 1 January to 30 June 2020, neither the Committee nor the Committee Chair requested that the Chief Executive Officer table a report at a Council meeting; and
 - (c) note that at its meeting on 19 August 2021, the Audit and Risk Committee confirmed that it has no recommendations to Council in its biannual activity report in respect of the period 1 January to 30 June 2021.

CARRIED UNANIMOUSLY

8.9 Instrument of Delegation to Members of Council Staff

Reference	D21/109469
Author	Rhys Thomas - Senior Governance Advisor
Authoriser	Group Manager Chief Executive's Office

RECOMMENDATION

Start time: 9.27pm

1. That in the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Council resolves:
 - (a) there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the Instrument of Delegation to Members of Council staff at **Attachment One**, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;
 - (b) the instrument comes into force immediately the common seal of Council is affixed to the instrument;
 - (c) on the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked; and
 - (d) the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Stone

1. That in the exercise of the powers conferred by the legislation referred to in the attached instrument of delegation, Council resolves:
 - (a) there be delegated to the members of Council staff holding, acting in or performing the duties of the offices or positions referred to in the Instrument of Delegation to Members of Council staff at **Attachment One**, the powers, duties and functions set out in that instrument, subject to the conditions and limitations specified in that Instrument;
 - (b) the instrument comes into force immediately the common seal of Council is affixed to the instrument;
 - (c) on the coming into force of the instrument all previous delegations to members of Council staff (other than the Chief Executive Officer) are revoked; and
 - (d) the duties and functions set out in the instrument must be performed, and the powers set out in the instruments must be executed, in accordance with any guidelines or policies of Council that it may from time to time adopt.

CARRIED UNANIMOUSLY

Councillor Landes left the meeting at 9.31pm, not returning.

9.1 Notice of Motion No.10 of 2021 - Race to Zero Carbon

Reference D21/110036
Author Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION Start time: 9.31pm

1. That:
- (a) Yarra City Council join the Race To Zero campaign, and join a worldwide coalition of leading net zero initiatives towards COP 26 and beyond;
 - (b) Yarra Council also sign on to the Better Futures Australia Declaration; and
 - (c) Officers complete the necessary steps to joining Race To Zero and adjust Yarra's reporting obligations as necessary.

Councillor O'Brien left the meeting at 9.32pm.

Councillor O'Brien returned at 9.33pm.

Public Submission

Glen McCallum, Protect Fitzroy North Inc. addressed Council on the matter.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Crossland

1. That:
- (a) Yarra City Council join the Race To Zero campaign, and join a worldwide coalition of leading net zero initiatives towards COP 26 and beyond;
 - (b) Yarra Council also sign on to the Better Futures Australia Declaration; and
 - (c) Officers complete the necessary steps to joining Race To Zero and adjust Yarra's reporting obligations as necessary.

CARRIED UNANIMOUSLY

9.2 Notice of Motion No.11 of 2021 - Planning Reform Agenda of the State Government

Reference D21/111896
Author Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION Start time: 9.36pm

1. That Council:
 - (a) notes that the Victorian Government has made a number of changes to the planning system in the last 18 months and is currently considering further significant planning reform;
 - (b) strongly voice its concern that:
 - (i) consultation with community and with Local Government on any reform proposals must occur before reforms are considered or introduced;
 - (ii) the community's voice must remain central in planning decisions;
 - (iii) strong community consultation must be a core part of major planning decisions;
 - (iv) community voice is critical for ensuring a transparent planning system that strengthens local neighbourhoods and economies;
 - (c) urgently calls on the Minister for Planning to include full consultation with Local Governments and community before any planning reform decisions are made;
 - (d) urgently writes to the Minister for Planning, the Shadow Minister for Planning and all Local Members of the Victorian Parliament to advocate Council's position;
 - (e) request the Chief Executive Officer or delegate coordinate with other Local Governments in regard to advocacy; and
 - (f) requests a report to Council, within 3 months, with an update and advice on any action Council could take to advocate effectively on this matter.

Public Submissions

The following people addressed Council on the matter:

Glen McCallum, Protect Fitzroy North Inc.;

Greg Chenhall, Fitzroy Residents Association Inc.; and

Margaret O'Brien.

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor de Vietri

1. That Council:

- (a) notes that the Victorian Government has made a number of changes to the planning system in the last 18 months and is currently considering further significant planning reform;
- (b) strongly voice its concern that:
 - (i) consultation with community and with Local Government on any reform proposals must occur before reforms are considered or introduced;
 - (ii) the community's voice must remain central in planning decisions;
 - (iii) strong community consultation must be a core part of major planning decisions;
 - (iv) community voice is critical for ensuring a transparent planning system that strengthens local neighbourhoods and economies;
- (c) urgently calls on the Minister for Planning to include full consultation with Local Governments and community before any planning reform decisions are made;
- (d) urgently writes to the Minister for Planning, the Shadow Minister for Planning and all Local Members of the Victorian Parliament to advocate Council's position;
- (e) request the Chief Executive Officer or delegate coordinate with other Local Governments in regard to advocacy; and
- (f) requests a report to Council, within 3 months, with an update and advice on any action Council could take to advocate effectively on this matter.

CARRIED UNANIMOUSLY

9.3 Notice of Motion No.12 of 2021 - Ministerial Approval of Planning Scheme Amendment C270 (Fitzroy and Collingwood)

Reference D21/114950
Author Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION Start time: 9.47pm

1. That the Mayor write to the Minister for Planning:
 - (a) thanking him for approving four of the nine DDOs proposed under Amendment C270, while noting the Council's disappointment at the lack of mandatory controls and the overall delay in approval;
 - (b) requesting an explanation for why the other five DDOs have not yet been approved; and
 - (c) requesting that he conclude the important process of developing planning controls for Fitzroy and Collingwood by approving the remainder of Amendment C270 to the Yarra Planning Scheme.

Councillor O'Brien left the meeting at 9.49pm.

Public Submission

The following people addressed Council on the matter:

Gregory Johnson, South Smith Street Action Group;

Councillor O'Brien returned at 9.52pm.

Public Submission

The following people addressed Council on the matter:

Glen McCallum, Protect Fitzroy North Inc.;

Anne Horrigan-Dixon;

Councillor Jolly left the meeting at 9.57pm, not returning.

Councillor Nguyen left the meeting at 9.57pm

Public Submission

The following people addressed Council on the matter:

Greg Chenhall, Fitzroy Residents Association Inc.;

Peter Kaylor, People of Gertrude Street; and

Councillor Nguyen returned at 9.59pm.

Public Submission

The following people addressed Council on the matter:

Margaret O'Brien.

Councillor O'Brien left the meeting at 10.07pm, not returning.

Councillor Stone left the meeting at 10.13pm and the meeting lapsed for want of quorum.

Councillor Stone returned at 10.14pm and the meeting resumed.

COUNCIL RESOLUTION

Moved: Councillor Wade

Seconded: Councillor Stone

1. That the Mayor write to the Minister for Planning:
 - (a) thanking him for approving four of the nine DDOs proposed under Amendment C270, while noting the Council's disappointment at the lack of mandatory controls and the overall delay in approval;
 - (b) requesting a public explanation to Council for why the other five DDOs have not yet been approved; and
 - (c) requesting that he conclude the important process of developing planning controls for Fitzroy and Collingwood by approving the remainder of Amendment C270 to the Yarra Planning Scheme.

CARRIED UNANIMOUSLY

The Mayor adjourned the meeting at 10.15pm

The meeting resumed at 10.20pm with Councillors Crossland, de Vietri, Nguyen, Stone and Wade present.

10. Petitions and joint letters

10.1 Petition - Closure of The Vaucluse, Richmond

Reference: D21/122333

A petition from residents of the Vaucluse Richmond containing 54 signatures. The petitioners are seeking the closure to vehicular through traffic of the Vaucluse in Richmond due to the ongoing danger to pedestrians in the narrow section with no footpath and a tight dog-leg.

COUNCIL RESOLUTION

Moved: Councillor Crossland

Seconded: Councillor Nguyen

That the petition be received and referred to the appropriate officer for consideration.

CARRIED UNANIMOUSLY

11. Questions without notice

Nil

132. Delegates' reports

12.1 Councillor Stone - Northern Alliance for Greenhouse Action (NAGA)

Start time: 10.23pm

Committee	Northern Alliance for Greenhouse Action (NAGA)
Appointed Councillors	Cr Amanda Stone
Date of Council Meeting	7 September 2021
Date of Report	1 September 2021
Report Author	Cr Amanda Stone

DELEGATES REPORT

The City of Yarra is a member of NAGA.

NAGA formed in 2002 as a network that shares information, coordinates emission reduction and adaptation activities and cooperates on the research and development of innovative projects. NAGA's goal is to substantially contribute to the transition to a low-carbon future by delivering effective programs and leveraging local government, community and business action.

The NAGA Executive comprises a Councillor from each of the 9 NAGA councils and relevant officers. The project work in the NAGA Strategic Plan (<https://www.naga.org.au/strategy.html>) is undertaken by officers within and across their councils.

NAGA Program Activities

Exploring Vulnerabilities

NAGA was commissioned by DELWP to assess the preparedness of specific vulnerable groups within the community and business sectors for expected climate change impacts, identify measures for how their level of preparedness might be

improved and map out a strategy to take this forward.

The NAGA Executive received a Presentation on this research project (Sally MacAdams) on climate change impacts on at-risk communities and business sectors in Greater Melbourne.

The research identified two different cohorts of at-risk communities

- Those who lack the knowledge to prepare themselves for climate change impacts.
- Those who lack the resources to prepare, and/or face systemic barriers over which they have little or no control, that make them highly vulnerable to climate change impacts, and which preparation can address partially at best.

A range of interventions was examined and a number of recommendations made.

Recommendations: at-risk individuals

- Continue and expand information provision for individuals, households and families on seasonal preparedness and managing climate impacts – focus on the cohort that lack the knowledge.
- Enable and invest in in-home solutions for individuals, households and families to manage climate impacts – e.g. Cool Shade, Fan Fair, Solar Saver(s). Recommendations: at-risk communities.
- Support at-risk communities directly – grants.
- Support the sector: organisations that support at-risk communities – grants and capacity building.
- Provide community cooler places - a variety of safe, free, culturally appropriate places where people can seek shelter during extreme weather (including during pandemic conditions, out of hours, and providing transport where needed).

Recommendations: at-risk communities

- Strengthen adaptation governance - build on the recent advice to local government to address climate risk in Municipal Health and Wellbeing Plans, Risk Plans and Emergency Management Plans, and Council Plans, and ensure this includes risks to at-risk communities.
- Build internal capacity for addressing climate risk at all levels – including training for staff in best-practice community-based communications.

Climate Emergency Australia

NAGA continues to act as the secretariat for CEA and is hosted by the City of Melbourne, but it plans to transition to an independent member-based entity within a year. Yarra will be invited to join as a member in due course.

CEA has run a series of valuable webinars which have been offered to all councillors.

Local government climate change community engagement research

The Executive also received a presentation on a doctoral dissertation by Dr David Meiklejohn – on the changing nature of community engagement and climate governance in local government. (See presentation attached). Insights into the effectiveness (or not) of conventional community engagement methods in relation to climate action were provided and discussed.

Executive members discussed how shared climate governance might work in their councils, and how to engage community stakeholders to help design solutions for

climate mitigation and adaptation. This will be a future agenda item for NAGA.

Council Updates

Yarra and City of Melbourne are leading a project on Power Purchase Agreements for business and will present on this at the Greenhouse Alliances Conference on 15th October. Other initiatives reported include:

- A Bring Your Bills Day (Hume)
- Expanding EV fleet to 8 (Banyule)
- Climate Justice project (Darebin)
- Research on Urban Resilience Frameworks (Melbourne)
- Construction of 2 wetlands (Moreland)
- Solar Farm on Plenty landfill site tendered (Nillumbik)
- Extensive use of recycled material for roads, paving and constructions sites (Whittlesea)

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Nguyen

That this Delegates' Report be accepted.

CARRIED UNANIMOUSLY

12.2 Councillor Stone - Yarra Energy Foundation

Start time: 10.26pm

Committee	Yarra Energy Foundation
Appointed Councillors	Cr Amanda Stone, Cr Sophie Wade
Date of Council Meeting	7 September 2021
Date of Report	1 September 2021
Report Author	Cr Amanda Stone

DELEGATES REPORT

Yarra Energy Foundation was established in 2010 with the following purpose:

The objects of the Company are to promote, preserve, protect and enhance the natural environment by acting to radically reduce greenhouse gas emissions and seek to achieve sustainable carbon neutrality in the Territory. (Yarra Energy Foundation Constitution 2017).

YEF is a company limited by guarantee and Yarra Council appoints 2 councillor representatives to its governing board each year.

YEF and Yarra Council have recently signed a new funding agreement which accounts for respective roles in Yarra's Climate Emergency Plan.

YEF continues to provide the education and facilitation role it has always provided in assisting the community to reduce greenhouse gas emissions through:

- Yarra Solar Program – facilitating the installation of solar arrays and home

batteries

- Advice on renewable energy providers and energy savings
- Advice on home and business audits and retrofits
- Business energy audits

YEF has recently received two large grants for new projects which will accelerate the transition to renewables in Yarra.

1. Metropolitan Community Power Hub

On 8 July, the Victorian Minister for Energy, Environment and Climate Change, Lily D'Ambrosio, announced funding for seven new Community Power Hubs. The Yarra Energy Foundation (YEF) won a \$428,000 grant over 12-months from Sustainability Victoria to run Victoria's first inner metropolitan Community Power Hub. Through the Hub, YEF is collaborating with community energy groups, providing workshops, support, and local expertise to build capacity, expand energy literacy, and involve communities in shovel-ready emissions reductions projects.

2. Neighbourhood Battery Initiative

On 20 August, Minister D'Ambrosio also announced YEF won an \$800,000 grant over 12-months to trial a community battery in North Fitzroy, in partnership with Yarra Council, CitiPower and The Australian National University. The funding is provided by the Victorian Government through the *Neighbourhood Battery Initiative*. YEF will use the grant to kickstart the installation of community batteries, or 'solar sponges', across the network to accelerate a large-scale transition to net zero emissions. The battery will reduce wasted solar energy, improve energy equity, affordability, increase the number of households that can export energy to the grid, and be more cost-effective than household batteries. The first community consultation sessions are on 1 and 11 September.

On further news from the Foundation:

3. Lighthouse Foundation solar donation

In June, the Lighthouse Foundation, a Yarra not-for-profit providing homes and care to children and young people impacted by long-term neglect, abuse and homelessness, received a 4kW solar energy system donated through the Yarra Solar Program. All the savings from cheaper, renewable electricity will go directly to helping youth homelessness. For each panel installed through the Yarra Solar Program, the City of Yarra and YEF donate a percentage to a local community organisation.

In particular, the Community Battery project will engage the community broadly in its design and the ongoing model. If successful as a trial, a series of community batteries will roll out to provide a "solar sponge" in Yarra, helping to make stored energy available to those homes without solar, reducing energy bills, helping to stabilise the grid and reducing emissions across the city.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Wade

That this Delegates' Report be accepted.

CARRIED UNANIMOUSLY

12.3 Councillor de Vietri – Rainbow Advisory Committee

Start time: 10.30pm

Committee	Rainbow Advisory Committee
Appointed Councillors	Cr Gabrielle de Vietri, Cr Edward Crossland
Date of Council Meeting	7 September 2021
Date of Report	6 September 2021
Report Author	Cr Gabrielle de Vietri

DELEGATES REPORT

This was the second meeting of the recently formed Rainbow Advisory Committee (“the Committee”).

1. Community Vision

Committee members were presented with the Yarra Council’s recently adopted Community Vision.

2. Terms of Reference

At the inaugural meeting, Committee members raised the question of use of the acronym LGBTIQ+ in the Committee’s Terms of Reference. A discussion ensued and a request was made to explore the inclusion of “A” in the Advisory Committee’s Terms of Reference. Officers returned on August 23 with feedback advising of the reason for the naming, and that a Council motion would be required in order to change the name. Committee members unanimously agreed to put a recommendation to council that Councillors include the “A” to include asexual and aromantic communities in LGBTIQA+ (1) to refer to the ToR, and (2) to adopt the change across the board in council communications.

3. Thematic study on areas of significance

Committee members discussed a recent motion moved by Cr Crossland in which Council identified the need to undertake a thematic study on areas of significance in Yarra to the LGBTIQA+ community, and what can be done in this space to maintain and preserve them.

4. Impacts of gentrification on LGBTIQA+ businesses

We heard from local LGBTIQA+ business owners that the pressures of gentrification combined with COVID has made doing business in Yarra very difficult at this time and that more support was needed to sustain LGBTQIA+ businesses in the area. Is there a way of identifying cultural significance and protecting LGBTIQA+ businesses from the impacts of gentrification? Officers from Economic Development will address the committee to discuss what being done in this space with queer businesses.

5. Pride Street Festival

The Committee was very excited to hear that the next Pride Festival is due to be held in Fitzroy and Collingwood on 5 December 2021. Local businesses are keen to get involved.

COUNCIL RESOLUTION

Moved: Councillor de Vietri

Seconded: Councillor Crossland

That this Delegates' Report be accepted.

CARRIED UNANIMOUSLY

13. General Business

13.1 Councillor de Vietri - LGBTIQA+ Training and Terminology

Start time: 10.33pm

Public Submission

Bee Gibson, Aces+ Melbourne addressed Council on the matter.

COUNCIL RESOLUTION

Moved: Councillor de Vietri

Seconded: Councillor Crossland

1. That Councillors undertake LGBTIQA+ diversity and inclusivity training, which
 - (a) aligns with strategic goal 2.1 in the LGBTIQ+ Strategy (2021-2024) which aims for “an inclusive organisational culture that is reflective of Yarra’s diverse communities” and of which, Actions 2.1.4 and 2.2.2 include “Continue to educate staff on issues affecting the LGBTIQ+ community” and “Continue to provide training to staff around LGBTIQ+ inclusion”; and
 - (b) in accordance with the Councillor Code of Conduct Standard 2(a), this training is deemed necessary for all Councillors to undertake in order to effectively perform the role of a Councillor.
2. That as per the Rainbow Advisory Committee’s recommendation, Council include the letter “A” in the term LGBTIQA+ in recognition of inclusion of Asexual and Aromantic communities:
 - (a) in the Rainbow Advisory Committee’s Terms of Reference; and
 - (b) to adopt the change across the board in Council communications.

CARRIED UNANIMOUSLY

BACKGROUND

The Rainbow Advisory Committee acknowledged that Yarra Council currently uses the LGBTIQ+ acronym in alignment with the Victorian Public Sector’s LGBTIQ+ Inclusive Language Guide. However, it has been recommended unanimously by the Committee that the addition of “A” to form the acronym LGBTIQA+ is important to be truly inclusive of all members of our diverse community.

Conclusion

The meeting concluded at 10.37pm.

Confirmed Tuesday 5 October 2021

Mayor