



Minutes

Council Meeting

7.00pm, Tuesday 5 October 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

COVID Vaccination Forum

I would like to thank all Yarra residents of all ages who have already rolled up their sleeves and been vaccinated. We do have a way to go, 72% of our residents in Yarra have received one dose of the vaccine but less than half of our residents have received their second dose. So I would like to take this opportunity to urge all of those people who are eligible to get vaccinated as soon as possible.

*We understand that there is a lot of misinformation out there and some members of our community are apprehensive about getting the vaccine. To help we will be holding community vaccine forum on **Thursday 14 October**, one at lunchtime and another in the evening. We know the community have questions and this forum will help provide reassurance for you and your family. You will be able to ask questions anonymously and learn more about the vaccines; AstraZeneca, Moderna and Pfizer, from trustworthy and reliable sources. There will be more details to come in coming days including an exciting line up of speakers and links to register. It is important that we work together to reach Victoria's 80% double dose target so that we can get back to enjoying the things we love and seeing our loved ones.*

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

No declarations were made.

5. Confidential business reports

Nil

Following consideration of Confidential business, the meeting resumed in open session.

6. Confirmation of minutes

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Crossland

That the minutes of the Council Meeting held on Tuesday 7 September 2021 be confirmed.

CARRIED

7. Public question time

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Public Questions

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8. Council business reports

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9. Notices of motion

Nil

10. Petitions and joint letters

Nil

11. Questions without notice

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11.2	Councillor Jolly - COVID vaccination uptake	21
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12. Delegates' reports

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12.1	Councillor Crossland – Business Advisory Group (BAG)	22

13. General business

Nil

14. Urgent business

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14.1	Adoption of proposed amendment to the General Local Law related to the consumption of liquor in Yarra's public places	25

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	Refer to
Hugh Crothers	When will charge points be available for Electric Vehicles?	The Director Planning and Place Making provided a response.
Chris Walton, Collingwood Basketball Association	Demand for indoor sports and Fitzroy Gasworks Sports stadium.	The Director City Works and Assets provided a response.
David Balding	Recent works on Highett Street at the intersection with Church Street. A kerb has been constructed to block the left-turn bike lane. Closure of the path along the Yarra between Walmer Street and Shamrock Street.	The Director Planning and Place Making provided a response.
Joel Peterson	Why Council believe the MSIR is a success if recently published data shows no benefit with regards to drug related offences and a reduced public perception of safety.	The Mayor provided a response. The Director Community Wellbeing also provided a response. Cr Stone also provided a response.
Matthew Carabott	Submission from Council through the Mayor to Richard Win's office in relation to threshold for internal heritage controls.	The Mayor provided a response.

8.1 Adoption of proposed amendment to the General Local Law related to the consumption of liquor in Yarra's public places

Reference D21/122284
Author Sarah Ernst - Policy Advisor
Authoriser Director Community Wellbeing

RECOMMENDATION Start time: 7.41pm

1. That Council:
 - (a) endorses the proposed amendment to Yarra's General Local Law with regard to the management of consumption of liquor in public places, and the amended guidelines proposed as additions to the Procedures and Protocols Manual (see Attachments 1 and 2), in accordance with the power to make local laws prescribed in Section 71(1) of the *Local Government Act 2020*;
 - (b) notes that the proposed amendment to the General Local Law is certified as being consistent with the requirements outlined in Section 72 of the *Local Government Act 2020*, including compatibility with the *Charter of Human Rights and Responsibilities Act 2006* (see Attachment 3);
 - (c) notes the extensive community consultation process that has occurred over multiple opportunities and an extended period of time, (including during the most recent public exhibition period), that considered various options for the future management of consumption of liquor in Yarra's public places;
 - (d) 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;
 - (e) notes that the proposed local law and accompanying proposed Procedures and Protocols Manual (see Attachments 1 and 2) 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;
 - (f) endorses the list of elements outlined in this report that will form the basis of an evaluation and monitoring plan for the consumption of liquor in public places provisions in the General Local Law; and
 - (g) notes that the current local law is set to sunset (expire) on 19 October 2021.

Public Submission

Nick Haslett addressed Council on the matter.

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Wade

1. That Council:

- (a) endorses the proposed amendment to Yarra's General Local Law with regard to the management of consumption of liquor in public places, and the amended guidelines proposed as additions to the Procedures and Protocols Manual (see Attachments 1 and 2), in accordance with the power to make local laws prescribed in Section 71(1) of the *Local Government Act 2020*;
- (b) notes that the proposed amendment to the General Local Law is certified as being consistent with the requirements outlined in Section 72 of the *Local Government Act 2020*, including compatibility with the *Charter of Human Rights and Responsibilities Act 2006* (see Attachment 3);
- (c) notes the extensive community consultation process that has occurred over multiple opportunities and an extended period of time, (including during the most recent public exhibition period), that considered various options for the future management of consumption of liquor in Yarra's public places;
- (d) 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;
- (e) notes that the proposed local law and accompanying proposed Procedures and Protocols Manual (see Attachments 1 and 2) 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;
- (f) endorses the list of elements outlined in this report that will form the basis of an evaluation and monitoring plan for the consumption of liquor in public places provisions in the General Local Law; and
- (g) notes that the current local law is set to sunset (expire) on 19 October 2021.

CARRIED UNANIMOUSLY

8.2 Road Safety Study Policy

Reference	D21/131584
Author	Peter Moran - Manager Infrastructure, Traffic and Civil Engineering
Authoriser	Director City Works and Assets

RECOMMENDATION Start time: 8.10pm

1. That Council:
 - (a) note the outcome of the LAPM Policy review; and
 - (b) endorse the Road Safety Study Policy 2021.

Councillor O'Brien left the meeting at 8.10pm

Councillor O'Brien returned at 8.14pm

Councillor Jolly left the meeting at 8.10pm

Councillor Jolly returned at 8.17pm

Public Submissions

The following people addressed Council on the matter:

Haydn Carmichael;

Jeremy Lawrence, Streets Alive Yarra;

The Mayor adjourned the meeting at 8.27pm

The meeting resumed at 8.32pm

Bruce Echberg.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Landes

1. That Council:
 - (a) note the outcome of the Local Area Placemaking and Traffic Management Studies (LAPMS) Policy Review, and acknowledge the need to revise Yarra's approach to local streets in terms of movement and place; and
 - (b) note the draft Road Safety Study Policy as an approach to road safety only, which supports the implementation of Yarra's Safe Travel Strategy 2016 -2026 and which cannot by itself supersede the previous LAPMS Policy.
2. That Council acknowledge the high level of community interest and engagement in planning local streets and the need for a Framework to capture that interest and engagement.
3. That Council:
 - (a) acknowledge the need to undertake road safety projects in the 2021 -2022 financial year and therefore adopt the Road Safety Studies Policy, subject to removal of the Background section, as the basis on which to conduct the two budgeted studies for 2021-2022 only - in Richmond and East Clifton Hill/North Abbotsford; and

- (b) officers provide a review of the new process to Council following the completion of these two studies with recommendations for further refinement of the approach or its replacement if appropriate.

4. That Council:

- (a) also note the draft Placemaking Framework and the forthcoming **Transport Action Plan**, both of which will guide our approach to movement and place in Yarra's streets; and
- (b) request officers to prepare and present to Council a broader Framework for Liveable Local Streets which clearly articulates:
 - (i) Yarra's aspiration for local streets;
 - (ii) the elements which contribute to a sense of place in local streets;
 - (iii) the different functions that local streets perform;
 - (iv) the council strategies and plans which impact on local streets;
 - (v) how implementation of these strategies and plans;
 - (vi) in Yarra's local streets will be coordinated within the organisation;
 - (vii) how Yarra's residents and businesses can have a say about the future of their streets and can initiate positive change in their street; and
 - (viii) how new developments can contribute to improving movement and place in local streets.

5. That the Liveable Local Streets Framework (which may be part of the Placemaking Framework), the Placemaking Framework and the Transport Action Plan be presented to Council at the same meeting, with clear links articulated between them, before the end of 2021 for endorsement.

6. That Council acknowledge the work of officers in conducting Local Area Traffic and Placemaking Studies over the past 20 years and their success in managing the complex and competing issues in managing movement of people and vehicles through our streets.

CARRIED UNANIMOUSLY

Councillor Jolly left the meeting at 8.34pm

Councillor Jolly returned at 8.37pm

8.3 Place Making Framework

Reference	D21/131799
Author	Susan Stanes - Senior Coordinator Design and Place Making
Authoriser	Manager City Strategy

RECOMMENDATION Start time: 8.46pm

1. That Council:
 - (a) note the officer report regarding place making and the proposed Place Making Framework as shown in the attachment; and
 - (b) adopt the Place Making Framework as outlined in Attachment 1 to serve as the guiding document for the organisation to plan, develop, implement and manage place making projects.
2. That the Place Making Framework document be publicly available on Yarra's website.

Councillor Jolly left the meeting at 8.46pm

Councillor O'Brien left the meeting at 8.47pm

Councillor O'Brien returned at 8.50pm

Councillor Jolly returned at 8.58pm

Public Submissions

The following people addressed Council on the matter:

Bruce Echberg;

Haydn Carmichael;

Steven Vaughn, Lets Enhance Gleadell Street; and

Jeremy Lawrence, Streets Alive Yarra.

Councillor O'Brien left the meeting at 9.01pm

Councillor O'Brien returned at 9.03pm

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Nguyen

1. That Council:
 - (a) note the officer report regarding placemaking and the proposed Place Making Framework as shown in the attachment; and
 - (b) notes the role of a Place Making Framework as an umbrella document for improving and activating Yarra's streets and public places;
 - (c) thanks officers for preparing this Framework, providing a clear interpretation of placemaking and identifying priority precincts for placemaking projects; and
 - (d) acknowledge that these priorities do not include local streets where residents are highly engaged in their local place.
2. That Council further notes the previous resolution in Item 8.2 of this agenda calling for the development of a Liveable Local Streets Framework to be included as part of, or otherwise connected, to the Placemaking Framework.
3. That Council therefore defers consideration of the Placemaking Framework until it can be presented to Council alongside the Liveable Local Streets Framework and Transport Action Plan for their consideration together.

CARRIED UNANIMOUSLY

8.4 Parklet Policy and design Guidelines

Reference	D21/131747
Author	Bruce Phillips – Director Planning and Place Making and Simon Osborne - Senior Project Officer - Retail, Tourism and Marketing
Authoriser	Director Planning and Place Making

RECOMMENDATION Start time: 9.10pm

1. That Council notes:
 - (a) the current Council permission for the temporary parklets expires on 31 October 2021;
 - (b) that on 1 June 2021, Council requested officers to prepare a further report providing analysis of the temporary program and bring forward a recommended policy position for a more permanent outdoor dining program, and
 - (c) that the current waiver of any parklet fees is until end December 2020, as well as the current waiver of footpath trading fees for the same period in order to assist hospitality traders.
2. That Council notes:
 - (a) the officers report recommending a Parklet Policy and Design Guidelines for a permanent program for parklets;
 - (b) the proposed Parklet Policy and Guidelines as shown in Attachment 1; and
 - (c) that the Parklet Policy and Guidelines have had due regard to safety aspects and streetscape and amenity aspects in their formulation, and in this regard, note that officers have considered the opinions of two Road Safety Auditors for the design of a typical parklet layout.
3. That Council adopt the Parklet Policy and Design Guidelines as outlined in Attachment 1.
4. That in relation to fees for parklets, Council notes the following recommendations from officers:
 - (a) that the fees be structured in a three tier arrangement, on a per carspace used basis, regarding 'Primary Streets' (being Smith Street, Brunswick Street and Gertrude Street) , 'Secondary Streets' (being Langridge Street and Peel Street and similar streets) and 'Neighbourhood' Streets (such as Highett Street and similar streets);
 - (b) that an '*annual covid recovery fee*' for a parklet (per carspace) be set against these street categories, reflecting some worth of the public land to be occupied by a local business in these streets, and then reviewed in the 23/24 budget;
 - (c) that the '*annual covid recovery fee*', per carspace taken up by a parklet, be as follows:
 - (i) Primary Streets; \$ 5,000;
 - (ii) Secondary Streets; \$ 3,000; and
 - (iii) Neighbourhood Streets; \$ 2,250; and
 - (d) that fees for annual parklets in year 1 provide a discounted fee of 25 % from the *covid recovery fee* in recognition of the difficulty that hospitality traders are experiencing during the current pandemic;
 - (e) that the determined fee be also waived until 1 April 2022, due to the ongoing pandemic period for some months which will continue to impact on hospitality traders;
 - (f) that the *summer period* parklet permit behalf of an annual parklet fee; and

- (g) that an ‘application and inspection fee’ of \$ 275 be applied for a parklet application processing and monitoring payable for both an annual parklet permit fee and a summer parklet permit from 1 November 2021.

5. That Council now determine that the fee for *annual parklet permits*, on a per carspace basis, be as follows:

Street category	1 Nov 2021 to 31 March 2022	1 April 2022 to end Sept 2022 period (that is, 6 mths fee per carspace) at a 25 % discounted rate from the ‘covid recovery fee’	1 October 2022 to 30 September 2023 period (the ‘covid recovery fee’)	For the 1 October 2023 to 30 Sept 2024 period
	Fee per carspace	Fee per carspace	Fee per carspace	Fee per carspace
Primary Streets (Smith St, Brunswick St and Gertrude St only)	No fee	\$ 1,875	\$ 5,000	To be determined by the Council 23/24 budget process
Secondary Streets (examples include Peel St and Langridge St)	No fee	\$ 1,125	\$ 3,000	To be determined by the Council 23/24 budget process
Neighbourhood Streets (example Groom St and Highett St)	No fee	\$ 844	\$ 2,250	To be determined by the Council 23/24 budget process

6. That the *summer parklet permit* fee be one half of the annual parklet permit fee, but fully waived for the 21 / 22 summer period.
7. That Council apply an application and inspection fee of \$ 275 per parklet application, and that it be payable from 1 November 2021 to cover the costs of administering the permissions and inspections.
8. That officers write to all existing parklet operators advising of the new Parklet Policy and Guidelines, and also of the Council determination regarding fees.
9. That Council discontinue the funding of safety bollards by Council from 1 November 2021 and require the traders to continue to pay for the leasing of the blocks.
10. That the CEO be authorised to operationalise these determinations of Council.

Public Submissions

The following people addressed Council on the matter:

Katie Marron, Miss Katie's Crab Shack; and

Jeremy Lawrence, Streets Alive Yarra.

Councillor Nguyen left the meeting at 9.25pm

Councillor Nguyen returned at 9.27pm

MOTION

Moved: Councillor Wade

Seconded: Councillor de Vietri

1. That Council notes:
 - (a) the current Council permission for the temporary parklets expires on 31 October 2021;
 - (b) that on 1 June 2021, Council requested officers to prepare a further report providing analysis of the temporary program and bring forward a recommended policy position for a more permanent outdoor dining program, and
 - (c) that the current waiver of any parklet fees is until end December 2020, as well as the current waiver of footpath trading fees for the same period in order to assist hospitality traders.
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 - (b) that an '*annual covid recovery fee*' for a parklet (per carspace) be set against these street categories, reflecting some worth of the public land to be occupied by a local business in these streets, and then reviewed in the 23/24 budget;
 - (c) that the '*annual covid recovery fee*', per carspace taken up by a parklet, be as follows:
 - (i) Primary Streets; \$ 5,000;
 - (ii) Secondary Streets; \$ 3,000; and
 - (iii) Neighbourhood Streets; \$ 2,250; and
 - (d) that fees for annual parklets in year 1 provide a discounted fee of 25 % from the *covid recovery fee* in recognition of the difficulty that hospitality traders are experiencing during the current pandemic;
 - (e) that the determined fee be also waived until 1 April 2022, due to the ongoing pandemic period for some months which will continue to impact on hospitability traders;
 - (f) that the *summer period* parklet permit behalf of an annual parklet fee; and
 - (g) that an 'application and inspection fee' of \$ 275 be applied for a parklet application processing and monitoring payable for both an annual parklet permit fee and a summer parklet permit from 1 November 2021.

5. That Council now determine that the fee for *annual parklet permits*, on a per carspace basis, be as follows:

Street category	1 Nov 2021 to 31 March 2022	1 April 2022 to end Sept 2022 period (that is, 6 mths fee per carspace) at a 25 % discounted rate from the 'covid recovery fee'	1 October 2022 to 30 September 2023 period (the 'covid recovery fee')	For the 1 October 2023 to 30 Sept 2024 period
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Neighbourhood Streets (example Groom St and Highett St)	No fee	\$ 844	\$ 2,250	To be determined by the Council 23/24 budget process

6. That the *summer parklet permit* fee be one half of the annual parklet permit fee, but fully waived for the 21 / 22 summer period.
7. That Council apply an application and inspection fee of \$ 275 per parklet application, and that it be payable from 1 November 2021 to cover the costs of administering the permissions and inspections.
8. That officers write to all existing parklet operators advising of the new Parklet Policy and Guidelines, and also of the Council determination regarding fees.
9. That if there is a further lock down prior to 1 April 2022, the Council reconsider its approach to parklet fees and waivers, as it has done multiple times in 2021.
10. That Council discontinue the funding of safety bollards by Council from 1 November 2021 and require the traders to continue to pay for the leasing of the blocks.
11. That the CEO be authorised to operationalise these determinations of Council.

Councillor Jolly suggested an amendment, however the amendment was not accepted by the mover.

COUNCIL RESOLUTION

Moved: Councillor Wade

Seconded: Councillor de Vietri

1. That Council notes:
- the current Council permission for the temporary parklets expires on 31 October 2021;
 - that on 1 June 2021, Council requested officers to prepare a further report providing analysis of the temporary program and bring forward a recommended policy position for a more permanent outdoor dining program, and

- (c) that the current waiver of any parklet fees is until end December 2020, as well as the current waiver of footpath trading fees for the same period in order to assist hospitality traders.

2. That Council notes:

- (a) the officers report recommending a Parklet Policy and Design Guidelines for a permanent program for parklets;
- (b) the proposed Parklet Policy and Guidelines as shown in Attachment 1; and
- (c) that the Parklet Policy and Guidelines have had due regard to safety aspects and streetscape and amenity aspects in their formulation, and in this regard, note that officers have considered the opinions of two Road Safety Auditors for the design of a typical parklet layout.

3. That Council adopt the Parklet Policy and Design Guidelines as outlined in Attachment 1.

4. That in relation to fees for parklets, Council notes the following recommendations from officers:

- (a) that the fees be structured in a three tier arrangement, on a per carspace used basis, regarding 'Primary Streets' (being Smith Street, Brunswick Street and Gertrude Street) , 'Secondary Streets' (being Langridge Street and Peel Street and similar streets) and 'Neighbourhood' Streets (such as Highett Street and similar streets);
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- (e) that the determined fee be also waived until 1 April 2022, due to the ongoing pandemic period for some months which will continue to impact on hospitability traders;
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Neighbourhood Streets (example Groom St and Highett St)	No fee	\$ 844	\$ 2,250	To be determined by the Council 23/24 budget process

6. That the *summer parklet permit* fee be one half of the annual parklet permit fee, but fully waived for the 21 / 22 summer period.
7. That Council apply an application and inspection fee of \$ 275 per parklet application, and that it be payable from 1 November 2021 to cover the costs of administering the permissions and inspections.
8. That officers write to all existing parklet operators advising of the new Parklet Policy and Guidelines, and also of the Council determination regarding fees.
9. That if there is a further lock down prior to 1 April 2022, the Council reconsider its approach to parklet fees and waivers, as it has done multiple times in 2021.
10. That Council discontinue the funding of safety bollards by Council from 1 November 2021 and require the traders to continue to pay for the leasing of the blocks.
11. That the CEO be authorised to operationalise these determinations of Council.

CARRIED

The Mayor used her casting vote in favour.

CALL FOR A DIVISION

For: Councillors Stone, Crossland, de Vietri and Wade

Against: Councillors Jolly, O'Brien, Nguyen and Landes

The Mayor used her casting vote in favour.

CARRIED

Councillor Jolly left the meeting at 10.10pm

8.5 Old Heidelberg Road, Alphington

Reference	D21/111629
Author	Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser	Group Manager Chief Executive's Office

The Mayor adjourned the meeting at 10.11pm

The meeting resumed at 10.18pm

RECOMMENDATION Start time: 10.18pm

1. That in the matter of the eastern portion of the Old Heidelberg Road Reservation, Council:
 - (a) receive and note the report on the outcome of the community consultation and processes as referenced in its resolution of August 2020;
 - (b) note the range of community aspirations referenced in the many submissions received;
 - (c) further note the verbal community submissions as presented at this meeting;
 - (d) now determine that the current Old Heidelberg Road Reservation is required to be opened to enable general public access by pedestrians to the Darebin Creek Reserve and authorise Officers to take necessary steps to implement that outcome; and
 - (e) in regard to the community submissions proposing a possible connecting link from the Old Heidelberg Road Reservation to the Darebin Creek Trail, resolve that The Mayor write to The Minister for Roads, The Hon. Ben Carrol MP advising of the various community proposals (i.e. a connection from Old Heidelberg Road reservation to the Darebin Creek Trail and a new Bridge crossing of Darebin Creek) and requesting the Department consider same.

Councillor Jolly returned at 10.20pm

Public Submissions

The following people addressed Council on the matter:

Marinis Pirpiris, Alphington Grammar School;

Vivianne Nikou, Alphington Grammar School;

Chris Stecki;

Todd Perry;

Norm O'Bryan;

Danielle Permezel;

James Thyer, Community Coalition For the Darebin Yarra Link; and

Andrew Barclay.

Councillor Jolly left the meeting at 10.38pm

Councillor Jolly returned at 10.46pm

Councillor Stone left the meeting at 10.48pm

Councillor Stone returned at 10.49pm

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor O'Brien

1. That in the matter of the eastern portion of the Old Heidelberg Road Reservation, Council:
 - (a) receive and note the report on the outcome of the community consultation and processes as referenced in its resolution of August 2020;
 - (b) note the range of community aspirations referenced in the many submissions received;
 - (c) further note the verbal community submissions as presented at this meeting;
 - (d) now determine that the current Old Heidelberg Road Reservation is required to be opened to enable general public access by pedestrians to the Darebin Creek Reserve and authorise Officers to take necessary steps to implement that outcome; and
 - (e) in regard to the community submissions proposing a possible connecting link from the Old Heidelberg Road Reservation to the Darebin Creek Trail, resolve that The Mayor write to The Minister for Roads, The Hon. Ben Carrol MP advising of the various community proposals (i.e. a connection from Old Heidelberg Road reservation to the Darebin Creek Trail and a new Bridge crossing of Darebin Creek) and requesting the Department consider same.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor de Vietri

Seconded: Councillor Stone

That the meeting be further extended for an hour.

CARRIED

8.6 Active Transport Advisory Committee Membership

Reference D21/126586
Author Rhys Thomas - Senior Governance Advisor
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION

Start time: 11.02pm

1. That Council appoint:
 - (a) _____, _____, _____ and _____ to a four year term; and
 - (b) _____, _____, _____ and _____ to a two year termon the Active Transport Advisory Committee, with the terms concluding on 30 June 2025 and 30 June 2023 respectively.
2. That Council thank all applicants who put themselves forward for consideration as member of the Active Transport Advisory Committee.

Councillor O'Brien left the meeting at 11.04pm

COUNCIL RESOLUTION

Moved: Councillor Landes

Seconded: Councillor Crossland

1. That Council appoint:
 - (a) David Cheng, Alyson McDonald, Michael Oxe and Chris Star to a four year term; and
 - (b) Vaughn Allan, Karen Hovenga, Troy Parsons and Ella Sutton to a two year termon the Active Transport Advisory Committee, with the terms concluding on 30 June 2025 and 30 June 2023 respectively.
2. That Council thank all applicants who put themselves forward for consideration as member of the Active Transport Advisory Committee.

CARRIED UNANIMOUSLY

Councillor O'Brien returned at 11.07pm

10. Petitions and joint letters

Nil

11. Questions without notice

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 Questions Without Notice) 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.

11.1 Councillor Landes - COVID vaccination uptake

Question:

What is Yarra's response to coming out of COVID, in particular the initiatives and leaderships to the uptake of vaccinations, the policy around mandating vaccinations within the organisation and accessing the services and amenities of Council?

Response:

The Director Community Wellbeing provided a response.

The Group Manager People, Culture and Community also provided a response.

11.2 Councillor Jolly - COVID vaccination uptake

Question:

I have received many emails from people asking me why our municipality which is one of the smallest graphically in Australia which is full of community health centres, hospitals, next to the Exhibition Centre and with many GP's, of the 79 Councils in Victoria, we are 78th worst and City of Melbourne worse than us with the vaccine uptake.

Where is the problem coming from with the hesitancy of vaccine uptake and what is the process to try and find the answer to it?

Response:

The Director Community Wellbeing provided a response.

11.3 Councillor Stone - COVID vaccination uptake

Question:

It has been suggested from people in health that the relatively youth of the population in Yarra and Melbourne and to a lesser degree other inner municipalities like Darebin and Moreland might explain the lag with the vaccination because they weren't eligible. Have we received any of that information?

Response:

The Director Community Wellbeing provided a response.

Councillor Jolly left the meeting at 11.22pm, not returning

Councillor Nguyen left the meeting at 11.23pm, not returning

12. Delegates' reports

12.1 Councillor Crossland – Business Advisory Group (BAG)

Start time: 11.23pm

Committee	Business Advisory Group (BAG)
Date of Committee Meeting	Thursday 30 September 2021
Report Author	Crs Herschel Landes and Edward Crossland

DELEGATES REPORT

The Committee met on Thursday 30 September 2021 Crs Landes and Crossland were in attendance and provide/s this report to Council.

Agenda items for this meeting included:

- Discussion on Painting Controls within activity centres that form part of a heritage overlay
- Economic recovery from Covid - a roadmap out

The discussion examined the idea of paint controls across activity centres - particularly paint controls on buildings that don't have individual citations but form part of the holistic narrative.

Hosier lane in the city was discussed as an example where there are no rules where what has emerged is a uniquely cultural identity which probably deserves its own heritage citation. The question was asked whether one can heritage protect an outcome that has emerged from chaos? The discussion focussed around "control" and "chaos" and examined very reflective ideas that if there is to be an adoption of chaos, then one had to also accept the idea of destruction and disruption and that within a commercial setting that may not sit comfortably with everyone.

Yet, activity centres also need an opportunity to develop their own identity and raison d'etre through organic iterations and collaborations. A controlled space may not assist in such a process.

The discussion concluded with consensus that should the matter progress, that officers may wish to investigate possible examples that have been employed at other municipalities that could be applicable for application in Yarra, that facilitate some level of control, without stifling creativity, and or creating unnecessary and onerous processes; noting the significant cost, time, and resource impacts associated with standard application of paint controls; to both businesses, and Council, which was not readily supported.

The second topic led by Department of Jobs, Precincts and Regions discussed the roadmap to economic recovery from Covid; in particular, encouraging outdoor activations - turning businesses inside out and investing in ventilation and the new Covid normal. These were described as "open streets" and noting that Cities that have adapted will be best placed to meet the challenges that Covid has brought about.

The meeting discussed the concept of "hybrid working" developing street level identity and accommodating new habits. The BAG highlighted the limitations of the COVIDSafe operational requirements, the significant limitations imposed by clearways to operate outside, the disparity between COVIDSafe operational

requirements between different industries, and the lack of ability for businesses to readily pivot the operation of their business due to limitations of and processes associated with permits. The BAG welcomed the opportunity to work with all parties to establish broader means of supporting businesses to operate in new and innovative ways.

The discussion concluded with consensus that the BAG meet again with State Government representatives in November to further examine a range of short and long-term initiatives to support business activity in new and varied ways in response to COVIDSafe operational requirements and in recovery from the pandemic, and that a report be brought to Council outlining some of those potential initiatives.

There was a proposed motion that Council note the Delegate's Report and that officers bring a report to Council as soon as possible outlining a range of proposed short and long-term initiatives to support business activity in response to COVIDSafe operational requirements and in recovery from the pandemic, including the roles of businesses, Council, and the State Government."

COUNCIL RESOLUTION

Moved: Councillor Crossland

Seconded: Councillor Landes

1. That the Delegate's report be tabled and noted.

CARRIED

13. General Business

Nil

14. Urgent business

- 14.1 Adoption of proposed amendment to the General Local Law related to the consumption of liquor in Yarra's public places

Start: 11.29pm

COUNCIL RESOLUTION

Moved: Councillor Landes

Seconded: Councillor de Vietri

1. *That Council note that:*
 - (a) **Attachment One** included at Item 8.1 (Proposed Local Law) was out of date;
 - (b) **Attachment Three** at Item 8.1. (Certification of Legal Compliance) includes the correct and up to date version of the local law, alongside the certificate; and
 - (c) the correct, and legally certified, version of the proposed local law was publicly exhibited on the YourSay Yarra page and is still available at this website.
2. *That the motion at Item 8.1 (Adoption of proposed amendment to the General Local Law related to the consumption of liquor in Yarra's public places) carried earlier in this meeting be rescinded.*

CARRIED

COUNCIL RESOLUTION

Moved: Councillor Wade

Seconded: Councillor O'Brien

1. That Council:
 - (a) endorses the proposed amendment to Yarra's General Local Law with regard to the management of consumption of liquor in public places (found at **Attachment Three**), and the amended guidelines proposed as additions to the Procedures and Protocols Manual (found at **Attachment Two**) (~~see Attachments 1 and 2~~), in accordance with the power to make local laws prescribed in Section 71(1) of the *Local Government Act 2020*;
 - (b) notes that the proposed amendment to the General Local Law is certified as being consistent with the requirements outlined in Section 72 of the *Local Government Act 2020*, including compatibility with the *Charter of Human Rights and Responsibilities Act 2006* (see **Attachment Three**);
 - (c) notes the extensive community consultation process that has occurred over multiple opportunities and an extended period of time, (including during the most recent public exhibition period), that considered various options for the future management of consumption of liquor in Yarra's public places;
 - (d) 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;

- (e) notes that the proposed local law and accompanying proposed Procedures and Protocols Manual (see Attachments 1 and 2) 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;
- (f) endorses the list of elements outlined in this report that will form the basis of an evaluation and monitoring plan for the consumption of liquor in public places provisions in the General Local Law; and
- (g) notes that the current local law is set to sunset (expire) on 19 October 2021.

CARRIED UNANIMOUSLY

Conclusion

The meeting concluded at 11.34pm.

Confirmed Tuesday 19 October 2021

Mayor