



Minutes

Council Meeting

7.05pm, Tuesday 8 March 2022

Richmond Town Hall

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 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
• Cr Amanda Stone	Councillor

Council officers

• Chris Leivers	Interim Chief Executive Officer
• Brooke Colbert	Group Manager Advocacy and Engagement
• Malcolm Foard	Acting Director Community Wellbeing
• Ivan Gilbert	Group Manager Chief Executive's Office
• Lucas Gosling	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
• Rhys Thomas	Senior Governance Advisor
• Mel Nikou	Governance Officer

Municipal Monitor

• Yehudi Blacher	Municipal Monitor
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Leave of absence

• Cr Gabrielle de Vietri	Councillor
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3. Announcements

International Women's Day

International Women's Day is a global day celebrating the social, economic, cultural, and political achievements of women.

The day also marks a call to action for advancing women's equality.

This year's theme is Break The Bias. To do this we need to remake and reshape the systems and structures that create barriers to a gender equal world.

At Yarra - on the eve of releasing our Gender Equality Action Plan 2022 - we are building on progress to date with new, concrete plans for continuing to lead positive, genuine, lasting change.

We are proud of our achievements, but we are not complacent. Our commitment to this work is stronger than ever.

This International Women's Day, is a reminder that each of us can create change and together – collectively - we can continue to work towards ...

A world free of bias, stereotypes, and discrimination.

A world that is diverse, equitable, and inclusive.

A world where difference is valued and celebrated.

Together we can forge women's equality.

Collectively we can all Break The Bias.

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

Rhys Thomas declared that his wife is a Director of Urbis Pty Ltd, who are a planning consultant that regularly represents clients in the City of Yarra. He disclosed that had played an administrative role in the development of the report for Item 8.1 – Statutory Planning Delegations.

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 15 February 2022 be confirmed, subject to changing the seconder to Councillor O'Brien on page 6.

CARRIED

7. Public question time

Item

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Questions

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8. Council business reports

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9. Notices of motion

Item	Page	Res. Page
9.1 Notice of Motion No.2 of 2022 - Collingwood Children's Farm Committee of Management Pledge	33	33

10. Petitions and joint letters

Nil

11. Questions without notice

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11.1 Councillor Jolly - Connie Benn Centre	34

12. Delegates' reports

Nil

13. General business

Nil

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	Refer to
Maurice Sheehan	Can Council please advise, that given the very poor condition of Bridge Rd between Punt Road and Church St, when will Vic Roads commence the resurfacing of this section.	The Director Planning and Place Making provided a response.
Maurice Sheehan	Can Council confirm on what date Design and Development Overlay Schedules DD041 to DD050 relating to planning Amendment C291 will come into effect.	The Director Planning and Place Making provided a response.
Shane Delphine, Yarra Climate Action Now	Please provide updates on the timing for the rollout of the FOGO collection service and the contamination rates in the current glass and recyclables collections and steps being taken to address these?	The Acting Director City Works and Assets provided a response.
Virginia Noonan	Collection of waste collection not being done properly	The Acting Director City Works and Assets provided a response.
Dorothy James	Too much Graffiti	The Acting Director City Works and Assets provided a response.
Dorothy James	Council's expenditure	The Mayor provided a response.

8.1 Councillor Code of Conduct Review

Reference D22/45494
Author Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION Start time: 7.29pm

1. That Council:
 - (a) note the report; and
 - (b) determine to adopt the revised Councillor Code of Conduct being **Attachment 1** hereto.

RECOMMENDATION 2.

1. That Council:
 - (a) note the report; and
 - (b) determine to adopt the Councillor Social Media Policy being **Attachment 2** hereto.

Public Submissions

The following people addressed Council on the matter:

Guy Bulot;

Dorothy James;

Maurice Sheehan;

Adam Promnitz; and

Victoria Chipperfield.

MOTION 1.

Moved: Councillor Wade **Seconded:** Councillor Nguyen

1. That Council:
 - (a) note the report;
 - (b) accept for tabling a version of the Councillor Code of Conduct that differs from Attachment One insofar as it:
 - (i) refers to the MAV Policy Position relating to prospective candidates for state or federal elections as published from time to time, and deletes the restatement of the current MAV Policy Position;
 - (ii) removes text which overlaps with, or duplicates, the content of the draft Councillor Social Media Policy to avoid potential inconsistencies and confusion about the source of Councillor obligations;
 - (iii) re-orders several clauses to improve clarity; and
 - (iv) other changes; and
 - (c) now determine to adopt the revised Councillor Code of Conduct as tabled.

LAPSED

COUNCIL RESOLUTION 1

Moved: Councillor Jolly

Seconded: Councillor Landes

1. That Council:

- (a) note the report;
- (b) accept for tabling a version of the Councillor Code of Conduct that differs from Attachment One insofar as it:
 - (i) refers to the MAV Policy Position relating to prospective candidates for state or federal elections as published from time to time, and deletes the restatement of the current MAV Policy Position;
 - (ii) removes text which overlaps with, or duplicates, the content of the draft Councillor Social Media Policy to avoid potential inconsistencies and confusion about the source of Councillor obligations; and
 - (iii) re-orders several clauses to improve clarity;
- (c) make the following further changes to the Councillor Code of Conduct as tabled:
 - (i) replace the words “actively undermine” with “misrepresent” at clause 7.11.3(f);
 - (ii) replace the words “actively undermine” with “misrepresent” at clause 7.11.5(a); and
- (d) now determine to adopt the revised Councillor Code of Conduct as tabled.

CARRIED

CALL FOR A DIVISION

For: Councillors Jolly, Stone, O'Brien, Crossland, Nguyen, Landes and Wade

Against: Councillor Mohamud

COUNCIL RESOLUTION 2

Moved: Councillor Wade

Seconded: Councillor Landes

1. That Council:

- (a) note the report;
- (b) accept for tabling a version of the Councillors Social Media Policy that differs from Attachment Two insofar as it:
 - (i) clarifies the necessary connection between the use of social media and the performance of functions as Councillors; and
 - (ii) amends and removes of certain Examples to improve clarity of operation;
- (c) make the following further changes to the Councillors Social Media Policy as tabled:
 - (i) delete the words “actively undermine or” from clause 5.4;
 - (ii) delete the words “or actively undermine” from clause 8.1; and
- (d) now determine to adopt the revised Councillors Social Media Policy as tabled.

CARRIED UNANIMOUSLY

8.2 Statutory Planning - Delegations

Reference D22/44481
Author Mary Osman - Manager Statutory Planning
Authoriser Director Planning and Place Making

RECOMMENDATION Start time: 8.27pm

1. That Council:
 - (a) note the Officer's report regarding existing delegations and protocols for processing of planning applications, including an analysis of the level of applications determined at the Planning Decisions Committee;
 - (b) note that as part of the implementation of the Statutory Planning Service Review 2019, that the internal planning processes are now fully electronic, which are assisting in the efficiency of processing planning applications;
 - (c) note that further ongoing process improvements are being pursued by the Statutory Planning office to further improve overall service delivery and customer service;
 - (d) note the existing delegation and protocols, as outlined in the report and attachments, which currently guide and direct which planning applications are presented to the Planning Decisions Committee for determination; and
 - (e) note the benchmarking which has recently been carried out with nearby Councils regarding the level of applications that are dealt with by the equivalent of a Planning Decision Committee at those Councils.
2. That in the context of the report, the ongoing Service Review intent of assessing further efficiency improvements and the benchmarking provided, that Council consider the current Deed of Delegation to determine if any refinements or changes to delegations to the Planning Decisions Committee are assessed to be appropriate.
3. That Council note that in the officers opinion, as outlined in the report, that some changes and refinements to the Instrument of Delegation to the Planning Decision Committee would create some further overall service improvements to the statutory planning processes, and that the recommendations in this report are presented for Council consideration.
4. That in the exercise of the power conferred by s11(1)(a) of the Local Government Act 2020 Council resolves:
 - (a) there be delegated to the members of the Planning Decisions Committee the powers, duties and functions set out in the Instrument of Delegation to Members of the Planning Decisions Committee at **Attachment Two**, subject to the conditions and limitations specified in that Instrument;
 - (b) the instrument comes into force immediately once the Instrument of Delegation is signed by the Council and remains in force until Council determines to vary or revoke it; and
 - (c) 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.
5. That Council amend and adopt the Protocols for use of Delegated Authority (Planning Protocols) subject to:
 - (a) amendment of the clause relating to Heritage Victoria Referrals to read:

All Heritage Victoria referrals are managed under delegation with only 'significant' applications referred to Council as determined by the Manager Statutory Planning and or the Director Planning and Place Making

A copy of all Heritage Victoria referrals be provided to Councillors for their information.; and

- (b) amendment of the clause relating to Heritage Council Applications to read:

All Heritage Council Applications are managed under delegation with only 'significant' applications referred to Council as determined by the Manager Statutory Planning and or the Director Planning and Place Making

A copy of all Heritage Council Applications be provided to Councillors for their information.

Public Submissions

The following people addressed Council on the matter:

Ken Gomez;

Glen McCallum; and

Virginia Noonan.

COUNCIL RESOLUTION

Moved: Councillor Landes

Seconded: Councillor Crossland

1. That Council:

- (a) note the Officer's report regarding existing delegations and protocols for processing of planning applications, including an analysis of the level of applications determined at the Planning Decisions Committee;
- (b) note that as part of the implementation of the Statutory Planning Service Review 2019, that the internal planning processes are now fully electronic, which are assisting in the efficiency of processing planning applications;
- (c) note that further ongoing process improvements are being pursued by the Statutory Planning office to further improve overall service delivery and customer service;
- (d) note the existing delegation and protocols, as outlined in the report and attachments, which currently guide and direct which planning applications are presented to the Planning Decisions Committee for determination; and
- (e) note the benchmarking which has recently been carried out with nearby Councils regarding the level of applications that are dealt with by the equivalent of a Planning Decision Committee at those Councils.

2. That in the context of the report, the ongoing Service Review intent of assessing further efficiency improvements and the benchmarking provided, that Council consider the current Deed of Delegation to determine if any refinements or changes to delegations to the Planning Decisions Committee are assessed to be appropriate.

3. That Council note that in the officers opinion, as outlined in the report, that some changes and refinements to the Instrument of Delegation to the Planning Decision Committee would create some further overall service improvements to the statutory planning processes, and that the recommendations in this report are presented for Council consideration.

4. That in the exercise of the power conferred by s11(1)(a) of the Local Government Act 2020 Council resolves:

- (a) there be delegated to the members of the Planning Decisions Committee the powers, duties and functions set out in the Instrument of Delegation to Members of the Planning Decisions Committee at Attachment Two, subject to:

- (i) the replacement of the word “Councillors” with “ward Councillors and must include a brief written explanation why the item is being called up to the Planning Decisions Committee” in clause 2.7 of the Schedule; and
- (ii) the replacement of the words “a Councillor” with “two or more ward Councillors and must include a brief written explanation why the item is being called up to the Planning Decisions Committee” in clause 4 of the Schedule; and
- (iii) the insertion of the words “26 October 2024 or” after the word “until” in clause 2.4 of the instrument.

and subject to the conditions and limitations specified in that Instrument;

- (b) the instrument comes into force immediately once the Instrument of Delegation is signed by the Council and remains in force until Council determines to vary or revoke it; and
- (c) 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.

5. That Council amend and adopt the Protocols for use of Delegated Authority (Planning Protocols) subject to:

- (a) amendment of the clause relating to Heritage Victoria Referrals to read:

All Heritage Victoria referrals are managed under delegation with only ‘significant’ applications referred to Council as determined by the Manager Statutory Planning and or the Director Planning and Place Making

A copy of all Heritage Victoria referrals be provided to Councillors for their information.; and

- (b) amendment of the clause relating to Heritage Council Applications to read:

All Heritage Council Applications are managed under delegation with only ‘significant’ applications referred to Council as determined by the Manager Statutory Planning and or the Director Planning and Place Making

A copy of all Heritage Council Applications be provided to Councillors for their information.

6. That Council seek a review of Statutory Planning processes forming part of the broader continuous improvement program to include Councillor and targeted community consultation to review but not limited to:

- (a) facilitating business applications;
- (b) facilitating efficient and transparent processing of applications; and
- (c) consultation/mediation.

CARRIED

CALL FOR A DIVISION

For: Councillors Crossland, Mohamud, Nguyen, Landes and Wade

Against: Councillors Jolly, Stone and O'Brien

8.3 433 Smith Street, North Fitzroy (former Gasworks site) Development Plan

Reference D22/41308
Author Geoff Glynn - Executive Planner
Authoriser Director Planning and Place Making

RECOMMENDATION

Start time: 9.10pm

1. That Council:
 - (a) notes the officer report in relation to the site known as 433 Smith Street, North Fitzroy, commonly referred to as the former 'Gasworks site';
 - (b) notes that a 'Development Plan Overlay' exists in the *Yarra Planning Scheme* for this site requiring the approval of a 'Development Plan';
 - (c) note that the Minister for Planning is the Responsible Authority for this site under the Yarra Planning Scheme provisions and has the authority to approve the required 'Development Plan' for the site;
 - (d) note that *Development Victoria* has prepared and lodged the attached 'Development Plan' in relation to this site to the Department of Environment, Land, Water and Planning on 14 February, 2022 for assessment and endorsement by the Minister for Planning; and
 - (e) note that the Department of Environment, Land, Water and Planning on 14 February, 2022 has provided a copy of the lodged 'Development Plan' to Council for comment prior to the Minister for Planning making a determination to approve the 'Development Plan'.
2. That Council further notes:
 - (a) that Development Victoria has held consultations with the local community over a number of years including a Community Reference Group and a reporting of those consultation results;
 - (b) that it has previously received update reports from Council officers at various times in relation to certain aspects of this site (such as the stadium), and that officers have been engaged with Development Victoria over this period holding dialogue on various elements;
 - (c) that Council officers have over this period expressed concerns to Development Victoria with some of the concepts being developed up for the purpose of the Development Plan; in particular the open space provision in both dimensions and suitability for a redevelopment site producing a vast number of dwellings, and the various setbacks and interfaces of buildings from existing roads surrounding the site, and in the proposed internal street network; and
 - (d) that the Mayor, on behalf of Council resolutions from August 2021, has formally written to various Ministers regarding specific matters regarding the interfaces with abutting roads including the Smith Street interface with the tram stop, the need for a DDA tram stop in Smith Street, undergrounding of overhead services on abutting streets and other pedestrian and bicycle matters as outlined in the Attachments 4,5,6 and 7.
3. That Council note the officer commentary in the report providing comparisons of the lodged 'Development Plan' against the provisions of the 'Development Plan Overlay' in the Yarra Planning Scheme.

4. That Council note the sections in the officer comments of the report, under the various key themes of the lodged 'Development Plan', which have been assembled through discussions with officers of relevant disciplines within Council.
5. That Council note that the key issues identified by officers are related to the following matters:
 - (a) Land Use and Open Space:
 - (i) the quality and proposed layout of the public open space for the site in both dimensions and suitability for a redevelopment site producing a vast number of dwellings is not considered adequate;
 - (ii) the provision of the indoor sports facility is a key component of the site and dedicated off street carparking to the facility has not been clearly identified as yet;
 - (iii) the undergrounding of services in the adjacent streets to the site has been ignored in the Development Plan;
 - (b) Built Form:
 - (i) the indicative heights and setbacks of buildings in the Development Plan differ to the approved DPO16 requirements in George Street and Smith Street, and
 - (ii) concerns of the height and setback of buildings along the George Street frontage and the poor pedestrian interface in that location.
 - (c) Affordable Housing:
 - (i) the *Affordable Build to Rent* (ABTR) part of the affordable housing offer is under Development Victoria management for the first 10 years, after which time it is unclear as to the ownership, management and retention of the dwellings as affordable housing;
 - (ii) the State Government funding commitment to the deliver the social housing has not been fully committed.
 - (d) Movement:
 - (i) there are a number of improvements to the pedestrian and cycling provision across the site, and in adjacent streets, that should be committed to in the Development Plan to ensure a safe and accessible infrastructure is catered for and provided;
 - (ii) public transport infrastructure adjacent to the site is said to be 'out of scope' of the Development Plan, but should be considered in the design of the development to ensure a good design outcome (e.g. Smith Street Tram stop design and functionality);
 - (iii) the internal road network functional design has not been developed sufficiently at this stage to ensure that the proposed functions can adequately be provided in the width of streets identified;
 - (e) Environment Sustainable Development:
 - (i) there are a number of improvements that should occur to the Development Plan to remove ambiguous or vague language that would improve the sustainability outcomes.
6. That Council resolve to write to the Department Environment, Land, Water and Planning advising of the expressed Council concerns and the requested changes as outlined in the table in Attachment 8, and also provide a copy to Development Victoria.
7. That the Mayor write to the Minister for Planning advising of the following particular concerns regarding the provisions of the Development Plan as outlined in this recommendation.

8. That Council advocate to the Treasurer and the Minister for Housing to seek to secure Victorian Big Housing Build (VBHB) funding to deliver the affordable housing for the development.

Public Submissions

The following people addressed Council on the matter:

Glen McCallum; and

Joshua Tobias.

MOTION

Moved: Councillor Stone

Seconded: Councillor Crossland

1. That Council:
 - (a) notes the officer report in relation to the site known as 433 Smith Street, North Fitzroy, commonly referred to as the former 'Gasworks site';
 - (b) notes that a 'Development Plan Overlay' exists in the *Yarra Planning Scheme* for this site requiring the approval of a 'Development Plan';
 - (c) note that the Minister for Planning is the Responsible Authority for this site under the Yarra Planning Scheme provisions and has the authority to approve the required 'Development Plan' for the site;
 - (d) note that *Development Victoria* has prepared and lodged the attached 'Development Plan' in relation to this site to the Department of Environment, Land, Water and Planning on 14 February, 2022 for assessment and endorsement by the Minister for Planning; and
 - (e) note that the Department of Environment, Land, Water and Planning on 14 February, 2022 has provided a copy of the lodged 'Development Plan' to Council for comment prior to the Minister for Planning making a determination to approve the 'Development Plan'.
2. That Council further notes:
 - (a) that Development Victoria has held consultations with the local community over a number of years including a Community Reference Group and a reporting of those consultation results;
 - (b) that it has previously received update reports from Council officers at various times in relation to certain aspects of this site (such as the stadium), and that officers have been engaged with Development Victoria over this period holding dialogue on various elements;
 - (c) that Council officers have over this period expressed concerns to Development Victoria with some of the concepts being developed up for the purpose of the Development Plan; in particular the open space provision in both dimensions and suitability for a redevelopment site producing a vast number of dwellings, and the various setbacks and interfaces of buildings from existing roads surrounding the site, and in the proposed internal street network; and
 - (d) that the Mayor, on behalf of Council resolutions from August 2021, has formally written to various Ministers regarding specific matters regarding the interfaces with abutting roads including the Smith Street interface with the tram stop, the need for a DDA tram stop in Smith Street, undergrounding of overhead services on abutting streets and other pedestrian and bicycle matters as outlined in the Attachments 4,5,6 and 7.
3. That Council note the officer commentary in the report providing comparisons of the lodged 'Development Plan' against the provisions of the 'Development Plan Overlay' in the Yarra Planning Scheme.

4. That Council note the sections in the officer comments of the report, under the various key themes of the lodged 'Development Plan', which have been assembled through discussions with officers of relevant disciplines within Council.
5. That Council note that the key issues identified by officers are related to the following matters:
 - (a) Land Use and Open Space:
 - (i) the quality and proposed layout of the public open space for the site in both dimensions and suitability for a redevelopment site producing a vast number of dwellings is not considered adequate;
 - (ii) the provision of the indoor sports facility is a key component of the site and dedicated off street carparking to the facility has not been clearly identified as yet;
 - (iii) the undergrounding of services in the adjacent streets to the site has been ignored in the Development Plan;
 - (b) Built Form:
 - (i) the indicative heights and setbacks of buildings in the Development Plan differ to the approved DPO16 requirements in George Street and Smith Street, and
 - (ii) concerns of the height and setback of buildings along the George Street frontage and the poor pedestrian interface in that location.
 - (c) Affordable Housing:
 - (i) the *Affordable Build to Rent* (ABTR) part of the affordable housing offer is under Development Victoria management for the first 10 years, after which time it is unclear as to the ownership, management and retention of the dwellings as affordable housing;
 - (ii) the State Government funding commitment to the deliver the social housing has not been fully committed.
 - (d) Movement:
 - (i) there are a number of improvements to the pedestrian and cycling provision across the site, and in adjacent streets, that should be committed to in the Development Plan to ensure a safe and accessible infrastructure is catered for and provided;
 - (ii) public transport infrastructure adjacent to the site is said to be 'out of scope' of the Development Plan, but should be considered in the design of the development to ensure a good design outcome (e.g. Smith Street Tram stop design and functionality);
 - (iii) the internal road network functional design has not been developed sufficiently at this stage to ensure that the proposed functions can adequately be provided in the width of streets identified;
 - (e) Environment Sustainable Development:
 - (i) there are a number of improvements that should occur to the Development Plan to remove ambiguous or vague language that would improve the sustainability outcomes.
6. That Council resolve to write to the Department Environment, Land, Water and Planning advising of the expressed Council concerns and the requested changes as outlined in the table in Attachment 8, and also provide a copy to Development Victoria.
7. That the Mayor write to the Minister for Planning advising of the following particular concerns regarding the provisions of the Development Plan as outlined in this recommendation.

8. That Council advocate to the Treasurer and the Minister for Housing to seek to secure Victorian Big Housing Build (VBHB) funding to deliver the affordable housing for the development.

AMENDMENT

Moved: Councillor Wade

9. That the Council note the proximity to the proposed Wellington Street site of the Big Build, and that the Mayor write to the Minister for Planning asking whether this site has been considered as an alternate location for the social and affordable housing apartments currently proposed to be built on the Wellington Street site.

The amendment was accepted by the mover and seconder and incorporated into the motion.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Crossland

1. That Council:
- (a) notes the officer report in relation to the site known as 433 Smith Street, North Fitzroy, commonly referred to as the former 'Gasworks site';
 - (b) notes that a 'Development Plan Overlay' exists in the *Yarra Planning Scheme* for this site requiring the approval of a 'Development Plan';
 - (c) note that the Minister for Planning is the Responsible Authority for this site under the Yarra Planning Scheme provisions and has the authority to approve the required 'Development Plan' for the site;
 - (d) note that *Development Victoria* has prepared and lodged the attached 'Development Plan' in relation to this site to the Department of Environment, Land, Water and Planning on 14 February, 2022 for assessment and endorsement by the Minister for Planning; and
 - (e) note that the Department of Environment, Land, Water and Planning on 14 February, 2022 has provided a copy of the lodged 'Development Plan' to Council for comment prior to the Minister for Planning making a determination to approve the 'Development Plan'.
2. That Council further notes:
- (a) that Development Victoria has held consultations with the local community over a number of years including a Community Reference Group and a reporting of those consultation results;
 - (b) that it has previously received update reports from Council officers at various times in relation to certain aspects of this site (such as the stadium), and that officers have been engaged with Development Victoria over this period holding dialogue on various elements;
 - (c) that Council officers have over this period expressed concerns to Development Victoria with some of the concepts being developed up for the purpose of the Development Plan; in particular the open space provision in both dimensions and suitability for a redevelopment site producing a vast number of dwellings, and the various setbacks and interfaces of buildings from existing roads surrounding the site, and in the proposed internal street network; and
 - (d) that the Mayor, on behalf of Council resolutions from August 2021, has formally written to various Ministers regarding specific matters regarding the interfaces with abutting roads including the Smith Street interface with the tram stop, the need for a DDA tram stop in Smith Street, undergrounding of overhead services on abutting streets and

other pedestrian and bicycle matters as outlined in the Attachments 4,5,6 and 7.

3. That Council note the officer commentary in the report providing comparisons of the lodged 'Development Plan' against the provisions of the 'Development Plan Overlay' in the Yarra Planning Scheme.
4. That Council note the sections in the officer comments of the report, under the various key themes of the lodged 'Development Plan', which have been assembled through discussions with officers of relevant disciplines within Council.
5. That Council note that the key issues identified by officers are related to the following matters:
 - (a) Land Use and Open Space:
 - (i) the quality and proposed layout of the public open space for the site in both dimensions and suitability for a redevelopment site producing a vast number of dwellings is not considered adequate;
 - (ii) the provision of the indoor sports facility is a key component of the site and dedicated off street carparking to the facility has not been clearly identified as yet;
 - (iii) the undergrounding of services in the adjacent streets to the site has been ignored in the Development Plan;
 - (b) Built Form:
 - (i) the indicative heights and setbacks of buildings in the Development Plan differ to the approved DPO16 requirements in George Street and Smith Street, and
 - (ii) concerns of the height and setback of buildings along the George Street frontage and the poor pedestrian interface in that location.
 - (c) Affordable Housing:
 - (i) the *Affordable Build to Rent* (ABTR) part of the affordable housing offer is under Development Victoria management for the first 10 years, after which time it is unclear as to the ownership, management and retention of the dwellings as affordable housing;
 - (ii) the State Government funding commitment to the deliver the social housing has not been fully committed.
 - (d) Movement:
 - (i) there are a number of improvements to the pedestrian and cycling provision across the site, and in adjacent streets, that should be committed to in the Development Plan to ensure a safe and accessible infrastructure is catered for and provided;
 - (ii) public transport infrastructure adjacent to the site is said to be 'out of scope' of the Development Plan, but should be considered in the design of the development to ensure a good design outcome (e.g. Smith Street Tram stop design and functionality);
 - (iii) the internal road network functional design has not been developed sufficiently at this stage to ensure that the proposed functions can adequately be provided in the width of streets identified;
 - (e) Environment Sustainable Development:
 - (i) there are a number of improvements that should occur to the Development Plan to remove ambiguous or vague language that would improve the sustainability outcomes.

6. That Council resolve to write to the Department Environment, Land, Water and Planning advising of the expressed Council concerns and the requested changes as outlined in the table in Attachment 8, and also provide a copy to Development Victoria.
7. That the Mayor write to the Minister for Planning advising of the following particular concerns regarding the provisions of the Development Plan as outlined in this recommendation.
8. That Council advocate to the Treasurer and the Minister for Housing to seek to secure Victorian Big Housing Build (VBHB) funding to deliver the affordable housing for the development.
9. That the Council note the proximity to the proposed Wellington Street site of the Big Build, and that the Mayor write to the Minister for Planning asking whether this site has been considered as an alternate location for the social and affordable housing apartments currently proposed to be built on the Wellington Street site.

CARRIED UNANIMOUSLY

The Mayor adjourned the meeting at 9.31pm.

The meeting resumed at 9.38pm.

8.4 Local Liveable Streets

Reference	D22/39503
Author	Hayley McNicol - Senior Urban Designer
Authoriser	Director Planning and Place Making

RECOMMENDATION Start time: 9.39pm

1. That Council:
 - (a) note the officer report regarding the proposed *Local Liveable Streets* document;
 - (b) note the *Local Liveable Streets* document and its content as shown in Attachment 1;
 - (c) note that the *Local Liveable Streets* document is high level and allows for further work consistent with other Council strategies and policies to be undertaken as projects are identified and taken forward for more detailed design work;
 - (d) note that the *Local Liveable Streets* document sets out a range of possible community led ideas, some of which are covered by existing programmes and budgets, and
 - (e) note the process for assessing medium and larger scale ideas from the community, and that any of those eligible projects would need to run through the annual budget process for consideration and determination regarding budget allocation.
2. That Council adopt the attached *Local Liveable Streets* document as shown in Attachment 1, to help guide and support future improvements and projects to local streets.

Councillor Mohamud returned to the meeting 9.40pm

Councillor O'Brien returned to the meeting at 9.40pm

Public Submissions

The following people addressed Council on the matter:

Steven Vaughan, Let's Enhance Gleadell Street; and

Jeremy Lawrence, Streets Alive Yarra.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Mohamud

1. That Council:
 - (a) note the officer report regarding the proposed *Local Liveable Streets* document;
 - (b) note the *Local Liveable Streets* document and its content as shown in Attachment 1;
 - (c) note that the *Local Liveable Streets* document is high level and allows for further work consistent with other Council strategies and policies to be undertaken as projects are identified and taken forward for more detailed design work;
 - (d) note that the *Local Liveable Streets* document sets out a range of possible community led ideas, some of which are covered by existing programmes and budgets, and
 - (e) note the process for assessing medium and larger scale ideas from the community, and that any of those eligible projects would need to run through the annual budget process for consideration and determination regarding budget allocation.
2. That Council adopt the attached *Local Liveable Streets* document as shown in Attachment 1, to help guide and support future improvements and projects to local streets.

CARRIED UNANIMOUSLY

8.5 Place Making Framework

Reference	D22/39520
Author	Susan Stanes - Senior Coordinator Design and Place Making
Authoriser	Director Planning and Place Making

RECOMMENDATION Start time: 9.48pm

1. That Council:
 - (a) note the officer report regarding the proposed final *Place Making Framework* document;
 - (b) note the *Place Making Framework* document and content as shown in Attachment 1.
 - (c) note that the *Place Making Framework* sits alongside the *Local Liveable Streets* document to ensure quality design outcomes in Yarra's public spaces including local neighbourhood streets;
 - (d) note that the *Place Making Framework* (PMF) sets out to define what 'place making' is, the Council's role and identify its priorities; and
 - (e) note that the *Place Making Framework* sets out a place making approach for Yarra, and outlines the key spatial areas of the municipality that would benefit from specific coordinated planning and delivery.
2. That Council adopt the final *Place Making Framework* document as shown in Attachment 1 to serve as the guiding document for the organisation to plan, develop, implement and manage place making projects.

Public Submission

Steven Vaughan, Let's Enhance Gleadell Street addressed Council on the matter.

COUNCIL RESOLUTION

Moved: Councillor Crossland

Seconded: Councillor Landes

1. That Council:
 - (a) note the officer report regarding the proposed final *Place Making Framework* document;
 - (b) note the *Place Making Framework* document and content as shown in Attachment 1.
 - (c) note that the *Place Making Framework* sits alongside the *Local Liveable Streets* document to ensure quality design outcomes in Yarra's public spaces including local neighbourhood streets;
 - (d) note that the *Place Making Framework* (PMF) sets out to define what 'place making' is, the Council's role and identify its priorities; and
 - (e) note that the *Place Making Framework* sets out a place making approach for Yarra, and outlines the key spatial areas of the municipality that would benefit from specific coordinated planning and delivery.
2. That Council adopt the final *Place Making Framework* document as shown in Attachment 1 to serve as the guiding document for the organisation to plan, develop, implement and manage place making projects.

CARRIED

CALL FOR A DIVISION

For: Councillors Stone, Crossland, Mohamud, Nguyen, Landes and Wade

Against: Councillors Jolly and O'Brien

8.6 Yarra Transport Strategy - Moving Forward: Exhibition Draft

Reference	D22/39487
Author	Simon Exon - Unit Manager Strategic Transport
Authoriser	Director Planning and Place Making

RECOMMENDATION

Start time: 10.02pm

1. That Council:

- (a) notes the officer report regarding the draft *Yarra Transport Strategy* as shown in the attachment which includes a vision, objectives, policies and other supporting activities to advance improvements to the transport network;
- (b) notes that the draft strategy aligns with the key aspects of the *Yarra 2036 Community Vision* and Strategic Objective 5 of the *Council Plan 2021-2025*;
- (c) note that the draft strategy would provide specific policy direction for the progression of future actions to progress transport outcomes in the municipality;
- (d) note the recommended consultation approach as outlined in the report to engage with the community and seek comments for Council consideration;
- (e) authorises the Interim CEO to place the attached draft *Yarra Transport Strategy* on public exhibition for a period of 4 weeks;
- (f) require officers to bring back a further report after the exhibition period outlining the submissions, officers comments and a revised *Yarra Transport Strategy* for further Council consideration; and
- (g) note that following the adoption of a *Yarra Transport Strategy* that officers will prepare an action plan for Council consideration.

Public Submissions

The following people addressed Council on the matter:

Jeremy Lawrence, Streets Alive Yarra;

Steven Vaughan, Let's Enhance Gleadell Street; and

Shane Delphine, Yarra Climate Action Now.

COUNCIL RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor Landes

1. That Council:

- (a) notes the officer report regarding the draft *Yarra Transport Strategy* as shown in the attachment which includes a vision, objectives, policies and other supporting activities to advance improvements to the transport network;
- (b) notes that the draft strategy aligns with the key aspects of the *Yarra 2036 Community Vision and Strategic Objective 5* of the *Council Plan 2021-2025*;
- (c) note that the draft strategy would provide specific policy direction for the progression of future actions to progress transport outcomes in the municipality;
- (d) note the recommended consultation approach as outlined in the report to engage with the community and seek comments for Council consideration;
- (e) authorises the Interim CEO to place the attached draft *Yarra Transport Strategy* on public exhibition for a period of 4 weeks;
- (f) require officers to bring back a further report after the exhibition period outlining the submissions, officers comments and a revised *Yarra Transport Strategy* for further Council consideration; and
- (g) note that following the adoption of a *Yarra Transport Strategy* that officers will prepare an action plan for Council consideration.

CARRIED

CALL FOR A DIVISION

For: Councillors Stone, Crossland, Mohamud, Nguyen, Landes and Wade

Against: Councillors Jolly and O'Brien

8.7 Brunswick Street Oval Precinct Redevelopment Update

Reference D22/39582
Author Ann Limbrey - Building Projects Manager
Authoriser Acting Director City Works and Assets

RECOMMENDATION Start time: 10.19pm

1. That Council:
 - (a) note the revised design for the Brunswick Street Oval Precinct (BSOP) Redevelopment and support for the design by the Edinburgh Gardens Sporting Community (EGSC), Sport and Recreation Victoria (SRV) and internal project stakeholders;
 - (b) note that a two stage approach to project delivery is proposed as being necessary to allow the Stage 1 (Sports Pavilion) construction to proceed in the near term, subject to the further approval of Council and planning approval;
 - (c) note the proposal of the State to apply the announced \$6.5 million of funding towards the construction of Stage 1, which (subject to further Council approval and planning approval) could commence construction in early 2023, and that officers have applied to SRV for a funding agreement for Stage 1 activities;
 - (d) note that Stage 2 is currently not fully funded and requires a further contribution from the State of \$6.315 million (along with Council's allocated contribution of \$2.685m) to be viable;
 - (e) note EGSC's reservations about the staging and in particular the concerns of Fitzroy Tennis Club that Stage 2 (Tennis/Community Pavilion, Tennis Courts and Grandstand works) is currently not fully funded;
 - (f) endorse the undertaking of community consultation on the BSOP Redevelopment revised design and staging to obtain feedback from the general community on the revised proposal;
 - (g) note that officers will provide a further report to Council (anticipated in late May 2022) that will provide an overview of the outcomes of the consultation and seek further direction from Council on proceeding with a planning application for the project;
 - (h) note the officer recommendation supporting a Yarra Planning Scheme clause 52.30 (State Project) planning approval approach, subject to Council's support for the project as project proponent and the planning approach; and
 - (i) note that officers have applied to Department of Environment Land Water and Planning (DELWP) to confirm whether the project has "State Project" status and are liaising on the requirements to ensure that the proposed further community consultation by Council on the revised design will meet the consultation requirements of the prospective clause 52.30 planning process.

Public Submission

Gabrielle Murphy, Edinburgh Gardens Sporting Community addressed Council on the matter.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor O'Brien

1. That Council:

- (a) note the revised design for the Brunswick Street Oval Precinct (BSOP) Redevelopment and support for the design by the Edinburgh Gardens Sporting Community (EGSC), Sport and Recreation Victoria (SRV) and internal project stakeholders;
- (b) note that a two stage approach to project delivery is proposed as being necessary to allow the Stage 1 (Sports Pavilion) construction to proceed in the near term, subject to the further approval of Council and planning approval;
- (c) note the proposal of the State to apply the announced \$6.5 million of funding towards the construction of Stage 1, which (subject to further Council approval and planning approval) could commence construction in early 2023, and that officers have applied to SRV for a funding agreement for Stage 1 activities;
- (d) note that Stage 2 is currently not fully funded and requires a further contribution from the State of \$6.315 million (along with Council's allocated contribution of \$2.685m) to be viable;
- (e) note EGSC's reservations about the staging and in particular the concerns of Fitzroy Tennis Club that Stage 2 (Tennis/Community Pavilion, Tennis Courts and Grandstand works) is currently not fully funded;
- (f) endorse the undertaking of community consultation on the BSOP Redevelopment revised design and staging to obtain feedback from the general community on the revised proposal;
- (g) note that officers will provide a further report to Council (anticipated in late May 2022) that will provide an overview of the outcomes of the consultation and seek further direction from Council on proceeding with a planning application for the project;
- (h) note the officer recommendation supporting a Yarra Planning Scheme clause 52.30 (State Project) planning approval approach, subject to Council's support for the project as project proponent and the planning approach; and
- (i) note that officers have applied to Department of Environment Land Water and Planning (DELWP) to confirm whether the project has "State Project" status and are liaising on the requirements to ensure that the proposed further community consultation by Council on the revised design will meet the consultation requirements of the prospective clause 52.30 planning process.

CARRIED UNANIMOUSLY

The Mayor adjourned the meeting at 10.32pm

The meeting resumed at 10.38pm

8.8 Proposed Discontinuance of Road at 1 Stephenson Street, Cremorne

Reference D22/33171
Author Bill Graham - Coordinator Valuations
Authoriser Director Corporate, Business and Finance

RECOMMENDATION Start time: 10.38pm

1. That Council, acting under clause 3 of schedule 10 Of the *Local Government Act 1989 (Act)*:
 - (a) resolves, having followed all the required statutory procedures pursuant to sections 207A and 223 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the road at 1 Stephenson Street, Cremorne, and being part of the land contained in certificate of title volume 3193 folio 521 (shown marked as the 56m2 parcel on the title plan attached a schedule 1 to this report) (**Road**) is not reasonably required for public use for the reasons set out in this report;
 - (b) directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the *Victoria Government Gazette*;
 - (c) directs that once discontinued, the Road be transferred to Victorian Rail Track (**VicTrack**) for an agreed market value of \$600,000 plus GST;
 - (d) directs that the Interim CEO sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to VicTrack;
 - (e) directs that any easements, rights or interests required to be created or saved over the Road by any authority be done so and not be affected by the discontinuance and sale of the Road; and
 - (f) directs that VicTrack be required to consolidate the title to the discontinued Road with the land contained in the certificates of title to the surrounding land, by no later than 6 months after the date of transfer of the discontinued Road.

Public Submissions

The following people addressed Council on the matter:

Philip Connoles; and

Gary Shadforth, Cremorne Community Inc.

COUNCIL RESOLUTION

Moved: Councillor Landes

Seconded: Councillor Crossland

1. That Council, acting under clause 3 of schedule 10 Of the *Local Government Act 1989 (Act)*:
 - (a) resolves, having followed all the required statutory procedures pursuant to sections 207A and 223 of the Act pursuant to its power under clause 3 of Schedule 10 of the Act, and being of the opinion that the road at 1 Stephenson Street, Cremorne, and being part of the land contained in certificate of title volume 3193 folio 521 (shown marked as the 56m2 parcel on the title plan attached a schedule 1 to this report) (**Road**) is not reasonably required for public use for the reasons set out in this report;
 - (b) directs that a notice pursuant to the provisions of clause 3(a) of Schedule 10 of the Act is to be published in the *Victoria Government Gazette*;

- (c) directs that once discontinued, the Road be transferred to Victorian Rail Track (**VicTrack**) for an agreed market value of \$600,000 plus GST;
 - (d) directs that the Interim CEO sign any transfer or transfers of the Road and any other documents required to be signed in connection with the discontinuance of the Road and its subsequent transfer to VicTrack;
 - (e) directs that any easements, rights or interests required to be created or saved over the Road by any authority be done so and not be affected by the discontinuance and sale of the Road; and
 - (f) directs that VicTrack be required to consolidate the title to the discontinued Road with the land contained in the certificates of title to the surrounding land, by no later than 6 months after the date of transfer of the discontinued Road.
- 2. That Council note that its adopted Open Space Strategy 2020 has specific recommendations for increased open space provision in Cremorne and South Richmond.
 - 3. That Council also notes this site exists in the suburb of Cremorne and that the Council, in partnership with the State Government, has prepared and adopted the Cremorne Place Implementation Plan (CPIP), that amongst other things, seeks to provide further open space in Cremorne to service the increased population; and in this regard, refers to the potential for some open space improvements in the precinct through discussions with VicTrack .
 - 4. That Council also notes:
 - (a) the recent sale by VicTrack of the parcel of land at 1 Stephenson Street and the high value attained in that sale;
 - (b) that there are other parcels of land in the vicinity of 1 Stephenson Street, some of which are possibly surplus to VicTrack requirements; and
 - (c) that Council Officers and VicTrack have engaged in various negotiations concerning these parcels of land over recent years.
 - 5. Council now directs the Interim CEO and Council Officers to recommence purposeful negotiations and discussions with VicTrack in order to seek opportunities to:
 - (a) provide further much needed Open Space in Cremorne, and progress opportunities for further open space in the precinct through surplus or underutilised VicTrack sites; and
 - (b) specifically seek to explore potential for the Wangaratta Reserve to be expanded into the existing titles (and road) of the abutting streets owned by VicTrack.
 - 6. Council directs Council officers to engage in discussions and purposeful negotiations about any other relevant parcels of land in the precinct; particularly those that may give rise to opportunities to expand Open Space in the area.
 - 7. That the Mayor write to and seek to meet with relevant Ministers (including the Treasurer) and also to the Local Member of Parliament, seeking to explore opportunities for further open space in the precinct through surplus or underutilised Government land.
 - 8. That officers note the amount of funds received for the closed road and that in future an equivalent amount and more will need to be applied to open space acquisition or expansion in Cremorne or the Wangaratta Street area.

CARRIED UNANIMOUSLY

8.9 Motions for ALGA National General Assembly

Reference D21/21705
Author Rhys Thomas - Senior Governance Advisor
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION Start time: 11.09pm

1. That Council endorse the following motions for submission to the Australian Local Government Association (ALGA) National General Assembly to be held on 19-22 June 2022, as tabled:
 - (a) _____
 - (b) _____

COUNCIL RESOLUTION

Moved: Councillor Stone **Seconded:** Councillor O'Brien

1. That Council endorse the following motion for submission to the Australian Local Government Association (ALGA) National General Assembly to be held on 19-22 June 2022, as tabled:

Motion – Multilevel Climate Action
<ol style="list-style-type: none"> 1. That this National General Assembly: <ol style="list-style-type: none"> (a) Acknowledge and endorse the ALGA call for a Local Government Climate Response Partnership Fund of \$200 million per annum over four years to help councils address the impacts of climate change in their communities; (b) Acknowledge that such a fund would create the multilevel governance called for in the Paris Agreement of 2015; (c) Note that significant funds and support for local government will be needed to prevent the worst impact of climate change on local communities and so call on the national government to create a Local Government Climate Response Partnership Fund of <u>at least</u> \$200 million per annum and work with local governments on existing and emerging local and regional projects to rapidly drive down emissions before 2030; and (d) Call on the national government to put in place a Climate Action Regulatory Reform Working Group to remove regulatory, policy and other barriers to climate action for local governments and communities and ensure policy coherence and synchronisation at all levels of Government and with relevant industry stakeholders.
National Objective
<p>Australia is a signatory to the Paris Agreement, a legally binding international treaty on climate change, adopted in December 2015 with a goal to limit global warming to 1.5 degrees Celsius.</p> <p>The agreement also requires multilevel action; all tiers of government working together to achieve this target. In Australia, local governments around the nation have long been at the forefront of climate action, yet local governments does not feature in the national government's plans for climate action.</p>

The Australian Local Government Association has called on the next Australian government to support communities in their climate change response by investing in a Local Government Climate Change Partnership Fund of \$200 million per annum over four years. This fund would contribute to the national objective of meeting the Australian government's 2030 emission reduction target, but also protect local communities, their environment and infrastructure from the worst impacts of climate change

These impacts are being keenly felt across Australia now, and the costs in terms of damage and lives lost steadily increasing. Local governments are the most poorly funded level of government yet are taking significant action to mitigate against climate change and protect their communities from its worst impacts.

Local, state and federal governments need to work in partnership on this urgent and large-scale task to both mitigate and adapt to climate change. Local governments need more funding, policy, regulatory and practical support in this task.

Summary of Key Arguments

The impacts of climate change are being felt keenly across Australia with an increase in the frequency and severity of intense weather events.

The most recent IPCC report¹ which highlighted the forecast impacts on Australia in particular, received little public attention due to being overshadowed by those very impacts - the devastating floods along the east coast causing loss of life and property and significant environmental damage.

The need to work collectively to reduce greenhouse gas emissions and limit global temperature rises to protect communities has never been more urgent. The costs of inaction are mounting and being experienced right now.

Local government has been at the forefront of climate action for many years, resulting in significant emission reductions across the nation through local action with many local governments already carbon neutral in their operations. 104 Councils representing 9.9 million citizens² around Australia have declared a climate emergency and most councils have developed climate action plans with targets for emission reductions.

A report on the commitments of local government, **State of Play**³ released in 2021, demonstrated that if all the emission reduction targets set by just 60 Australian local governments were met, emissions would be reduced by 88,200 kt. This would bring Australia 96 percent of the way to meeting its current short term target of a 28 percent reduction by 2030.

Local government has the capacity to deliver on Australia's short term emission reduction targets and much more in partnership with communities who are eager to support and participate in climate action.

However local governments are hampered in taking the action they and their communities have ambition for, due to limited financing, lack of policy support and coherence across the 3 levels of government, and regulatory impediments which prevent local councils from taking progressive and innovative action which will help reduce emissions.

Australia is a signatory to the United Nations Framework Convention on Climate Change and has signed onto the Paris Agreement which calls for multilevel governance on climate action, limiting global warming to 1.5 degrees.

¹ [Climate Change 2022: Impacts, Adaptation and Vulnerability | Climate Change 2022: Impacts, Adaptation and Vulnerability \(ipcc.ch\)](https://www.ipcc.ch)

² CEA - Home (climateemergencyaustralia.org.au)

³ Cities are Australia's secret net zero weapon — ICLEI Oceania

Whilst local government does not at present feature in the national government's climate action plans, there is an opportunity now for it to partner with councils across Australia through a proposed Local Government Climate Change Partnership Fund⁴ and to work with local governments and other stakeholders to put in place a Climate Action Regulatory Reform Working Group to remove regulatory, policy and other barriers to climate action for local governments.

These two actions will address two of the frequently cited barriers to action for local governments and create the multilevel action called for in the Paris Agreement.

We are already experiencing the costs of inaction on climate change. Australia is uniquely vulnerable to more frequent and extreme weather events with their huge personal, economic and environmental costs. These will have a compounding impact on communities' ability to recover unless decisive action is taken now to limit worst case scenarios.

An investment in multilevel action on climate now will provide a multitude of returns for the future of local communities across Australia.

CARRIED UNANIMOUSLY

⁴ [Address the Risks of Climate Change - Australian Local Government Association \(alga.com.au\)](https://alga.com.au)

8.10 Audit and Risk Committee Biannual Activity Report

Reference D22/41938
Author Rhys Thomas - Senior Governance Advisor
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION Start time: 11.14pm

1. That Council:
 - (a) receive the Audit and Risk Committee Biannual Activity Report for the period 1 July to 31 December 2021 at **Attachment One**;
 - (b) note that in the period 1 July to 31 December 2021, 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 24 February 2022, the Audit and Risk Committee made a recommendation to Council.

AUDIT AND RISK COMMITTEE RECOMMENDATION

1. That Council note the position of the Audit and Risk Committee that:
 - (a) Council is currently in a tight financial position arising from the impact of the COVID-19 pandemic and existing debt levels; and
 - (b) given the difficult situation, Council is encouraged to give careful consideration to ongoing financial viability when structuring the 2022/2023 Budget and the associated update of the Long Term Financial Plan.

COUNCIL RESOLUTION

Moved: Councillor Landes **Seconded:** Councillor Wade

1. That Council:
 - (a) receive the Audit and Risk Committee Biannual Activity Report for the period 1 July to 31 December 2021 at **Attachment One**;
 - (b) note that in the period 1 July to 31 December 2021, 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 24 February 2022, the Audit and Risk Committee made a recommendation to Council.

AUDIT AND RISK COMMITTEE RECOMMENDATION

1. That Council note the position of the Audit and Risk Committee that:
 - (a) Council is currently in a tight financial position arising from the impact of the COVID-19 pandemic and existing debt levels; and
 - (b) given the difficult situation, Council is encouraged to give careful consideration to ongoing financial viability when structuring the 2022/2023 Budget and the associated update of the Long Term Financial Plan.

CARRIED UNANIMOUSLY

9.1 Notice of Motion No.2 of 2022 - Collingwood Children's Farm Committee of Management Pledge

Reference D22/41904
Author Ivan Gilbert - Group Manager Chief Executive's Office
Authoriser Group Manager Chief Executive's Office

RECOMMENDATION Start time: 11.19pm

1. That Council:
 - (a) is alarmed by a requirement requested by the Committee of Management of the Collingwood Children's Farm for Council's elected representative to sign a Loyalty Pledge as a precondition for attendance at meetings;
 - (b) believes these unprecedented requirements would, if accepted, force a Councillor to ignore their responsibilities under the Local Government Act and is counter-posed to the most basic understanding of the principles of transparency, accountability and democracy;
 - (c) supports any Councillor refusing to sign this loyalty pledge and believes that signing this pledge should not be a precondition for attendance at Committee of Management meetings; and
 - (d) asks for its Governance officers to meet with the Collingwood Children's Farm Committee of Management to seek changes to the Loyalty Pledge so as to allow further participation of Councillors on this Committee without such participation breaching the most minimum standards of good governance and the Local Government Act.

Public Submission

Giles Fielke from the Collingwood Children's Farm addressed Council on the matter.

MOTION

Moved: Councillor Jolly **Seconded:** Councillor O'Brien

1. That Council:
 - (a) is alarmed by a requirement requested by the Committee of Management of the Collingwood Children's Farm for Council's elected representative to sign a Loyalty Pledge as a precondition for attendance at meetings;
 - (b) believes these unprecedented requirements would, if accepted, force a Councillor to ignore their responsibilities under the Local Government Act and is counter-posed to the most basic understanding of the principles of transparency, accountability and democracy;
 - (c) supports any Councillor refusing to sign this loyalty pledge and believes that signing this pledge should not be a precondition for attendance at Committee of Management meetings; and
 - (d) asks for its Governance officers to meet with the Collingwood Children's Farm Committee of Management to seek changes to the Loyalty Pledge so as to allow further participation of Councillors on this Committee without such participation breaching the most minimum standards of good governance and the Local Government Act.

LAPSED

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Wade

Seconded: Councillor Crossland

That the meeting be further extended.

CARRIED

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 Jolly - Connie Benn Centre

Question:

When will the front desk at the Connie Benn Centre be open?

Response:

The Director Corporate Business and Finance advised that it would open next month.

12. Delegates' reports

Nil

13. General Business

Nil

Conclusion

The meeting concluded at 11.33pm.

Confirmed Tuesday 29 March 2022

Mayor