

Ceremonial Meeting of Council Minutes

**held on Wednesday 9 November 2016 at 6.30pm
Richmond Town Hall**

www.yarracity.vic.gov.au

1. Statement of recognition of Wurundjeri Land

"Welcome to the City of Yarra. Council acknowledges the Wurundjeri community as the first owners of this country. Today, they are still the custodians of the cultural heritage of this land. Further to this, Council acknowledges there are other Aboriginal and Torres Strait Islander people who have lived, worked and contributed to the cultural heritage of Yarra."

2. Attendance, apologies and requests for leave of absence

Councillors

- Cr Amanda Stone (Mayor)
- Cr Mi-Lin Chen Yi Mei
- Cr Misha Coleman
- Cr Jackie Fristacky
- Cr Stephen Jolly
- Cr Mike McEvoy
- Cr Daniel Nguyen
- Cr James Searle

Apology

- Cr Danae Bosler

Council officers

- Vijay Vaidyanath (Chief Executive Officer)
- Ivan Gilbert (Group Manager Chief Executive's Officer)
- Andrew Day (Director Corporate, Business and Finance)
- Chris Leivers (Director Community Wellbeing)
- Bruce Phillips (Director Planning and Place Making)
- Jane Waldock (Assistant Director Planning and Place Making)
- Guy Wilson-Browne (Director City Works and Assets)
- Fred Warner (Group Manager People, Culture and Community)
- Joanne Murdoch (Group Manager Advocacy and Engagement)
- Rhys Thomas (Senior Governance Advisor)
- Mel Nikou (Governance Officer)

3. Declarations of Conflict of Interest

Nil

4. Council business reports

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4.1 Welcome Address

Trim Record Number: D16/126198

Responsible Officer: Chief Executive Officer

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The Chief Executive Officer opened proceedings and invited Wurundjeri Elder, Mr Colin Hunter Jr to conduct a Welcome to Country ceremony.

The Chief Executive Officer delivered a welcoming address and formally opened the Ceremonial Meeting of Yarra City Council.

4.2 Oath of Office and Code of Conduct Declaration

Trim Record Number: D16/151219

Responsible Officer: Group Manager Chief Executive's Office

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In accordance with the provisions of the Local Government Act and Local Government (Elections) Regulations, an election was held on Saturday 22 October 2016 to elect nine Councillors to the Yarra City Council. On 31 October 2016, the successful candidates were declared duly elected to serve a four year term.

According to the provisions of the Local Government Act, a person is not capable of acting as a Councillor until they have:

- (a) taken and signed the Oath of Office in the presence of the Chief Executive Officer; and
- (b) read the Councillor Code of Conduct and made a written declaration that they will abide by the Councillor Code of Conduct which is witnessed by the Chief Executive Officer.

The Chief Executive Officer called each Councillor-elect to take the Oath of Office and make the written declaration in respect of the Councillor Code of Conduct.

The following Councillors took the Oath of Office:

- (a) *(Councillor Danae Bosler was absent but did take the Oath of Office on 3 November 2016);*
- (b) Councillor Stephen Jolly (Langridge Ward);
- (c) Councillor Amanda Stone (Langridge Ward);
- (d) Councillor James Searle (Melba Ward);
- (e) Councillor Mei-Lin Chen Yi Mei (Melba Ward);
- (f) Councillor Daniel Nguyen (Melba Ward);
- (g) Councillor Mike McEvoy (Nicholls Ward);
- (h) Councillor Misha Coleman (Nicholls Ward); and
- (i) Councillor Jackie Fristacky (Nicholls Ward).

(see attached signed Oath of Office Declarations by each Councillor)




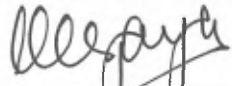
Declarations upon taking office

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- taken the oath of office; and
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Affirmation

"I will undertake the duties of the office of Councillor in the best interests of the people in the municipal district of the City of Yarra and faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1989 or any other Act to the best of my skill and judgment."


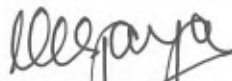
Name	Signature	CEO Signature	Date
Cr Danae Bosler			3/11/16

Councillor Code of Conduct Declaration

The Yarra City Council Code of Conduct required by section 76C(1) of the Local Government Act 1989 is made up of the following two documents:

- **Councillor Code of Conduct**
(adopted 17 September 2013, reviewed 17 May 2016)
- **Councillors Grievance Resolution Procedure**
(adopted 11 February 2013, reviewed 17 May 2016)

"In signing below, I hereby declare that I have read the Councillor Code of Conduct for Yarra City Council adopted on 17 May 2016 and declare that I will abide by this code."

Name	Signature	CEO Signature	Date
Cr Danae Bosler			3/11/16



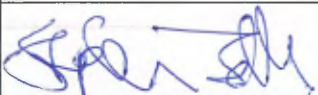
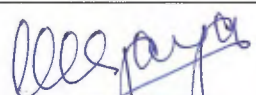
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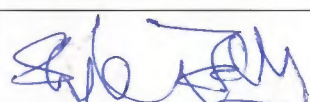
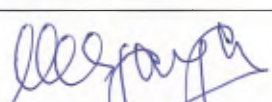
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Cr Stephen Jolly			2 NOV 2016

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Cr Stephen Jolly			2 Nov 2016



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Name	Signature	CEO Signature	Date
Cr Amanda Stone	<i>Amanda F. Stone</i>	<i>[Signature]</i>	3/11/16

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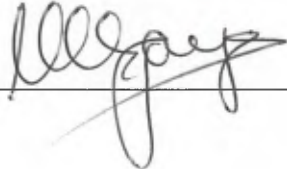
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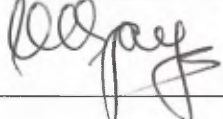
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Cr Mi-Lin Chen Yi Mei			9/11/2016

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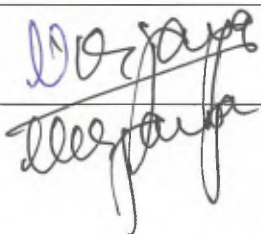
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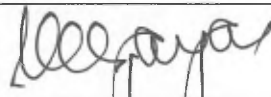
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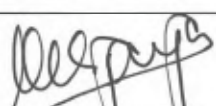
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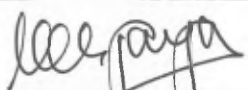
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Cr James Searle			3/11/16

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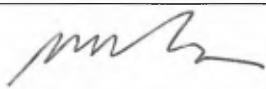
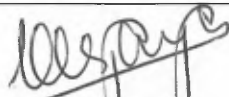
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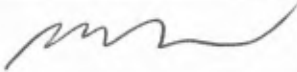

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Cr Misha Coleman			9/11/2016

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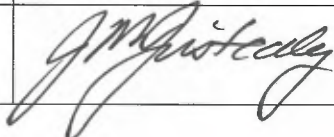
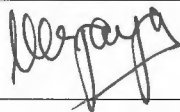
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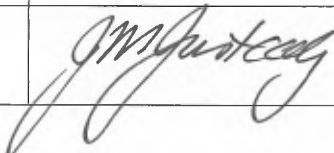
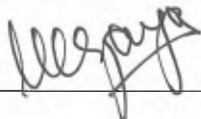
Name	Signature	CEO Signature	Date
Cr Jackie Fristacky			3/4/16

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Cr Jackie Fristacky			3/11/16



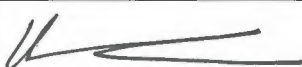
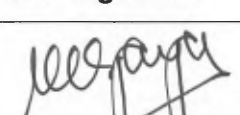
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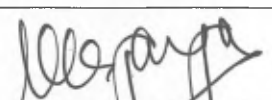
Name	Signature	CEO Signature	Date
Cr Mike McEvoy			3/11/2016

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Name	Signature	CEO Signature	Date
Cr Mike McEvoy			3/11/2016

4.3 Appointment of Acting Chairperson

Trim Record Number: D16/126199
Responsible Officer: Chief Executive Officer

[Help](#)

The Chief Executive Officer invited nominations for the role of Acting Chairperson.

Councillor Jolly nominated Councillor Coleman

There being no other nominations, Councillor Coleman was declared elected and assumed the Chair.

The Acting Chair called for any declarations of pecuniary interest or conflict of interest.
No conflicts of interests were raised.

4.4 Term of Office of Mayor

Trim Record Number: D16/154056
Responsible Officer: Chief Executive Officer

[Help](#)

RECOMMENDATION

1. That Council resolve to elect a Mayor for the period 9 November 2016 to 9 November 2017 (inclusive).

CEREMONIAL MEETING OF COUNCIL RESOLUTION

Moved: Councillor Fristacky **Seconded:** Councillor McEvoy

1. That Council resolve to elect a Mayor for the period 9 November 2016 to 9 November 2017 (inclusive).

CARRIED

4.5 Election of Mayor

Trim Record Number: D16/126200
Responsible Officer: Chief Executive Officer

[Help](#)

The election of Mayor is conducted in accordance with the provisions of the Local Government Act and the Yarra City Council Meeting Procedures Local Law.

The Acting Chair invited Councillors to nominate candidates for the office of Mayor.

Councillor Jolly nominated Councillor Stone

Councillor Stone accepted the nomination.

There being no further nominations, the Acting Chair declared the nomination period closed.

The Acting Chair declared Councillor Stone to be duly elected to the Office of Mayor of Yarra City Council for the year.

The Acting Chair congratulated Mayor Stone and vacated the Chair.

Mayor Stone assumed the Chair.

On behalf of the Council and community, flowers were presented to the new Mayor.

4.6 Mayoral and Councillor Address

Trim Record Number: D16/126201

Responsible Officer: Chief Executive Officer

[Help](#)

The newly appointed Mayor Stone thanked Councillors and then addressed the chamber on her visions and goals for the City of Yarra.

The Mayor invited Councillors to speak and the following presentations were made by:

- (a) Cr Stephen Jolly;
- (b) Cr Jackie Fristacky;
- (c) Cr Mike McEvoy;
- (d) Cr Misha Coleman;
- (e) Cr Mi-Lin Chen Yi Mei;
- (f) Cr Daniel Nguyen; and
- (g) Cr James Searle.

4.7 Mayoral and Councillor allowances and support

Trim Record Number: D16/154103

Responsible Officer: Group Manager Chief Executive's Office

[Help](#)

RECOMMENDATION

1. That Council:
 - (a) give public notice of its intent to retain the current setting of the Mayoral allowance and Councillor allowance at the top of the permissible range, plus an additional amount equivalent to the Superannuation Guarantee Levy (currently being a Mayoral Allowance of \$81,747.23 and a Councillor Allowance of \$26,419.07 per annum);
 - (b) hear and consider any submissions received at the next Council Meeting scheduled at least 28 days after the public notice of such proposal;
 - (c) note the provisions of the Councillor Support and Reimbursement of Expenses Policy and the quarterly public expense reporting will continue to operate until the next scheduled review in December 2017.

CEREMONIAL MEETING OF COUNCIL RESOLUTION

Moved: Councillor Nguyen

Seconded: Councillor Searle

1. That Council:
 - (a) give public notice of its intent to retain the current setting of the Mayoral allowance and Councillor allowance at the top of the permissible range, plus an additional amount equivalent to the Superannuation Guarantee Levy (currently being a Mayoral Allowance of \$81,747.23 and a Councillor Allowance of \$26,419.07 per annum);
 - (b) hear and consider any submissions received at the next Council Meeting scheduled at least 28 days after the public notice of such proposal;
 - (c) note the provisions of the Councillor Support and Reimbursement of Expenses Policy and the quarterly public expense reporting will continue to operate until the next scheduled review in December 2017.

CARRIED UNANIMOUSLY

4.8 Internal Development Approvals Committee - Instrument of Delegation and Membership

Trim Record Number: D16/152139

Responsible Officer: Group Manager Chief Executive's Office

[Help](#)

RECOMMENDATION

1. That:
 - (a) having reviewed the draft document, Council adopt under the seal of the Council, the Instrument of Delegation to the Internal Development Approval Committee attached to this report as **Attachment One**;
 - (b) All nine Councillors of the Yarra City Council be appointed as members of the Internal Development Approvals Committee for a term of twelve months; and
 - (c) the Chief Executive Officer, in consultation with Councillors, determine a quarterly attendance roster allocating three Councillors to each meeting, with the Committee membership for each meeting comprising those Councillors rostered to attend or their agreed substitute.

CEREMONIAL MEETING OF COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor McEvoy

1. That:
 - (a) having reviewed the draft document, Council adopt under the seal of the Council, the Instrument of Delegation to the Internal Development Approval Committee attached to this report as **Attachment One**;
 - (b) All nine Councillors of the Yarra City Council be appointed as members of the Internal Development Approvals Committee for a term of twelve months; and
 - (c) the Chief Executive Officer, in consultation with Councillors, determine a quarterly attendance roster allocating three Councillors to each meeting, with the Committee membership for each meeting comprising those Councillors rostered to attend or their agreed substitute.

CARRIED UNANIMOUSLY

4.9 Appointment of Delegates to Internal and External Bodies

Trim Record Number: D16/126203

Responsible Officer: Group Manager Chief Executive's Office

[Help](#)

RECOMMENDATION

- That Council note the following automatic appointments to Council's Advisory Committees and as Council representatives to the organisations or bodies for the 2016/2017 Council year:

Advisory Committee, Organisation or Body	Automatic appointments	Further appointments required (see below)
Audit Committee	Mayor	One other Councillor
Australia Day Awards Committee	Mayor	One Councillor from each of the other two wards
Inner Melbourne Action Plan Implementation Committee	The Mayor and the Chief Executive Officer	None
Inner South Metropolitan Mayors' Forum	Mayor	None
Performance Review Sub Committee	Mayor	Any other Councillors

- That in addition to the automatic appointments, the following Councillors be appointed as members of Council's Advisory Committees listed in the table for the 2016/2017 Council year:

Advisory Committee	Nominees required	Appointments for 2016/2017 Council Year
Aboriginal Advisory Committee	One Councillor	Cr _____
Active Ageing Advisory Committee	One Councillor	Cr _____
Audit Committee	One Councillor (in addition to the automatic appointment of the Mayor)	Cr _____
Australia Day Awards Committee	One Councillor from each ward, other than the Mayor's ward (in addition to the automatic appointment of the Mayor)	Cr _____ Cr _____
Bicycle Advisory Committee	At least one Councillor	Cr _____ ...
Business Advisory Group	At least two Councillors	Cr _____ Cr _____ ...
Community Gardens Advisory Committee	Two Councillors	Cr _____ Cr _____
Disability Advisory Committee	Two Councillors	Cr _____ Cr _____
Early Years Reference Group	At least one Councillor	Cr _____ ...

Heritage Advisory Committee	Two Councillors	Cr _____ Cr _____
Performance Review Sub Committee	One or more Councillors (in addition to the automatic appointment of the Mayor)	Cr _____ ...
Yarra Arts Advisory Committee	Two Councillors	Cr _____ Cr _____
Yarra Environment Advisory Committee	At least one Councillor	Cr _____ ...
Yarra Health and Wellbeing Advisory Committee	Two Councillors (from different wards)	Cr _____ Cr _____
Yarra Libraries Advisory Committee	Two Councillors	Cr _____ Cr _____
Yarra Multicultural Advisory Group	One Councillor	Cr _____
Yarra Sustainability Awards Panel	One Councillor in each of the following categories: 1. Business 2. Educational services 3. Community action 4. Building and design development 5. Home and garden 6. Local Hero 7. Staff award 8. Frank Fisher Award	Cr _____ (Category 1) Cr _____ (Category 2) Cr _____ (Category 3) Cr _____ (Category 4) Cr _____ (Category 5) Cr _____ (Category 6) Cr _____ (Category 7) Cr _____ (Category 8)
Youth Advisory Committee	Two Councillors	Cr _____ Cr _____

3. That the following Councillors and staff be appointed as Council representatives to the organisations listed in the table for the 2015/2016 Council year:

Organisation or body	Nominees required	Appointments for 2015/2016 Council Year
Australian Local Government Women's Association	One Councillor	Cr _____
Collingwood Children's Farm Management Committee	One Councillor	Cr _____
Doncaster Rail Local Government Group	Up to two Councillors	Cr _____ Cr _____ (optional)
Friends of Baucau	One Councillor plus one substitute Councillor	Cr _____ Cr _____ (substitute)
Mayor's for Peace	The Mayor or appointee	Cr _____
Metropolitan (Local Government) Waste Management Forum	One Councillor plus one substitute Councillor	Cr _____ Cr _____ (substitute)
Metropolitan Transport Forum	One Councillor plus one substitute Councillor	Cr _____ Cr _____ (substitute)
Municipal Association of Victoria	One Councillor plus one substitute Councillor	Cr _____ Cr _____ (substitute)
Northern Alliance for Greenhouse Action	One Councillor	Cr _____

Victorian Local Governance Association	One Councillor plus one substitute Councillor	Cr _____ Cr _____ (substitute)
Yarra Energy Foundation	Two Councillors plus one Council officer	Cr _____ Cr _____ Guy Wilson-Browne (Director City Works and Assets)

CEREMONIAL MEETING OF COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Fristacky

- That Council note the following automatic appointments to Council's Advisory Committees and as Council representatives to the organisations or bodies for the 2016/2017 Council year:

Advisory Committee, Organisation or Body	Automatic appointments	Further appointments required (see below)
Audit Committee	Mayor	One other Councillor
Australia Day Awards Committee	Mayor	One Councillor from each of the other two wards
Inner Melbourne Action Plan Implementation Committee	The Mayor and the Chief Executive Officer	None
Inner South Metropolitan Mayors' Forum	Mayor	None
Performance Review Sub Committee	Mayor	Any other Councillors

- That in addition to the automatic appointments, the following Councillors be appointed as members of Council's Advisory Committees listed in the table for the 2016/2017 Council year:

Advisory Committee	Nominees required	Appointments for 2016/2017 Council Year
Aboriginal Advisory Committee	One Councillor	Cr McEvoy Cr Chen Yi Mei
Active Ageing Advisory Committee	One Councillor	Cr Stone
Audit Committee	One Councillor (in addition to the automatic appointment of the Mayor)	Cr Coleman Mayor
Australia Day Awards Committee	One Councillor from each ward, other than the Mayor's ward (in addition to the automatic appointment of the Mayor)	Cr Coleman Cr Searle Cr Bosler
Bicycle Advisory Committee	At least one Councillor	Cr McEvoy Cr Fristacky Cr Searle
Business Advisory Group	At least two Councillors	Cr Searle Cr Fristacky
Community Gardens Advisory Committee	Two Councillors	Cr Searle Cr Bosler

Disability Advisory Committee	Two Councillors	Cr McEvoy Cr Nguyen
Early Years Reference Group	At least one Councillor	Cr Stone
Heritage Advisory Committee	Two Councillors	Cr Searle Cr Fristacky Cr Jolly
Performance Review Sub Committee	One or more Councillors (in addition to the automatic appointment of the Mayor)	Cr Bosler Cr Chen Yi Mei Cr Coleman Cr Fristacky Cr Jolly Cr McEvoy Cr Nguyen Cr Searle Cr Stone
Yarra Arts Advisory Committee	Two Councillors	Cr McEvoy Cr Chen Yi Mei
Yarra Environment Advisory Committee	At least one Councillor	Cr McEvoy Cr Stone
Yarra Health and Wellbeing Advisory Committee	Two Councillors (from different wards)	Cr Searle Cr Chen Yi Mei
Yarra Libraries Advisory Committee	Two Councillors	Cr McEvoy
Yarra Multicultural Advisory Group	One Councillor	Cr Nguyen
Yarra Sustainability Awards Panel	One Councillor in each of the following categories: 1. Business 2. Educational services 3. Community action 4. Building and design development 5. Home and garden 6. Local Hero 7. Staff award 8. Frank Fisher Award	Cr Coleman (Category 1) Cr Searle (Category 2) Cr Nguyen (Category 3) Cr Stone (Category 4) Cr Bosler (Category 5) Cr Fristacky (Category 6) Cr Chen Yi Mei (Category 7) Cr McEvoy (Category 8)
Youth Advisory Committee	Two Councillors	Cr Nguyen Cr Chen Yi Mei

3. That the following Councillors and staff be appointed as Council representatives to the organisations listed in the table for the 2015/2016 Council year:

Organisation or body	Nominees required	Appointments for 2015/2016 Council Year
Australian Local Government Women's Association	One Councillor	Cr Bosler
Collingwood Children's Farm Management Committee	One Councillor	Cr Chen Yi Mei
Doncaster Rail Local Government Group	Up to two Councillors	Cr Fristacky Cr Stone
Friends of Baucau	One Councillor plus one substitute Councillor	Cr Stone Cr Bosler (substitute)

Mayor's for Peace	The Mayor or appointee	Mayor
Metropolitan (Local Government) Waste Management Forum	One Councillor plus one substitute Councillor	Cr Chen Yi Mei Cr McEvoy (substitute)
Metropolitan Transport Forum	One Councillor plus one substitute Councillor	Cr Fristacky Cr Searle (substitute)
Municipal Association of Victoria	One Councillor plus one substitute Councillor	Cr Searle Cr Fristacky (substitute)
Northern Alliance for Greenhouse Action	One Councillor	Cr McEvoy
Victorian Local Governance Association	One Councillor plus one substitute Councillor	Cr Coleman Cr Chen Yi Mei (substitute)
Yarra Energy Foundation	Two Councillors plus one Council officer	Cr Coleman Cr Chen Yi Mei Guy Wilson-Browne (Director City Works and Assets)

CARRIED

4.10 Council Meeting Schedule 2017

Trim Record Number: D16/126204

Responsible Officer: Group Manager Chief Executive's Office

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RECOMMENDATION

1. That Council:

(a) adopt the following Meeting Schedule for the 2016 year:

(i) Ordinary Council (6.30pm for closed sessions and 7.00pm for public sessions):

- a. 7 & 21 February 2017 (Fitzroy Town Hall);
- b. 7 & 21 March 2017 (Fitzroy Town Hall);
- c. 4 & 11 April 2017 (Richmond Town Hall);
- d. 2 & 16 May 2017 (Richmond Town Hall);
- e. 6 & 27 June 2017 (Richmond Town Hall);
- f. 4 & 18 July 2017 (Richmond Town Hall);
- g. 1 & 15 August 2017 (Richmond Town Hall);
- h. 5 & 19 September 2017 (Richmond Town Hall);
- i. 3, 17 & 31 October 2017 (Fitzroy Town Hall);
- j. 21 November 2017 (Fitzroy Town Hall); and
- k. 5 & 19 December 2017 (Fitzroy Town Hall).

(ii) Internal Development Approvals Committee (6.30pm):

- a. 18 January 2017;
- b. 1 & 15 February 2017;
- c. 1, 15 & 29 March 2017;
- d. 19 & 26 April 2017;
- e. 10 & 24 May 2017;
- f. 14 & 28 June 2017;
- g. 12 & 26 July 2017;
- h. 9 & 23 August 2017;
- i. 13 & 27 September 2017;
- j. 11 & 25 October 2017;
- k. 15 & 29 November 2017; and
- l. 13 December 2017; and

(b) authorise the Chief Executive Officer to alter the location of Ordinary Meetings of Council and the Internal Development Approvals Committee (IDAC) under clause 36 of the Yarra City Council Meeting Procedures Local Law 2011 if required, subject to public notification in accordance with the Local Government Act 1989; and

(c) request the Chief Executive Officer to ensure that the adopted Council Meeting Schedule and IDAC meeting schedule and Special Meeting details are posted on the Council website and advertised appropriately.

CEREMONIAL MEETING OF COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Coleman

1. That Council:

(a) adopt the following Meeting Schedule for the 2017 year:

(i) Ordinary Council (6.30pm for closed sessions and 7.00pm for public sessions):

- a. 7 & 21 February 2017 (Fitzroy Town Hall);
- b. 7 & 21 March 2017 (Fitzroy Town Hall);
- c. 4 & 11 April 2017 (Richmond Town Hall);
- d. 2 & 16 May 2017 (Richmond Town Hall);
- e. 6 & 27 June 2017 (Richmond Town Hall);
- f. 4 & 18 July 2017 (Richmond Town Hall);
- g. 1 & 15 August 2017 (Richmond Town Hall);
- h. 5 & 19 September 2017 (Richmond Town Hall);
- i. 3, 17 & 31 October 2017 (Fitzroy Town Hall);
- j. 21 November 2017 (Fitzroy Town Hall); and
- k. 5 & 19 December 2017 (Fitzroy Town Hall).

(ii) Internal Development Approvals Committee (6.30pm):

- a. 18 January 2017;
- b. 1 & 15 February 2017;
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- g. 12 & 26 July 2017;
- h. 9 & 23 August 2017;
- i. 13 & 27 September 2017;
- j. 11 & 25 October 2017;
- k. 15 & 29 November 2017; and
- l. 13 December 2017; and

(b) authorise the Chief Executive Officer to alter the location of Ordinary Meetings of Council and the Internal Development Approvals Committee (IDAC) under clause 36 of the Yarra City Council Meeting Procedures Local Law 2011 if required, subject to public notification in accordance with the Local Government Act 1989; and

(c) request the Chief Executive Officer to ensure that the adopted Council Meeting Schedule and IDAC meeting schedule and Special Meeting details are posted on the Council website and advertised appropriately.

CARRIED

4.11 Conclusion

Trim Record Number: D16/126205

Responsible Officer: Group Manager Chief Executive's Office

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The Mayor thanked everyone in attendance especially referenced the appreciation of the representatives of the community organisations for their contribution to the citizens of Yarra.

The Mayor also extended an invitation to join her for refreshments at the public reception following the Ceremonial Meeting.

CONCLUSION

The meeting concluded at 7.33pm.

Confirmed Tuesday 22 November 2016

Mayor