



Council Meeting Minutes

**held on Tuesday 15 September 2020 at 7.00pm
MS Teams**

****Corrected by resolution at the Ordinary Council Meeting held on Tuesday 20 October 2020**

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1. Acknowledgement of Country

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

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

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

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

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

1. A. Special Announcement – North Richmond Resident turns 110

North Richmond resident Van Hoa Lam reached the impressive age of 110 years this past winter.

Hoa was born in Vietnam in 1910 and moved to Australia in 1986. When she first moved to Richmond she would “do exercise every morning with a group of friends in the park, attend community groups and get to know many new friends.”

Hoa still lives independently in North Richmond and is an avid AFL fan watching the footy on TV and past matches on youtube!

For many years, Hoa celebrated her birthday with her friends at North Richmond Community Health. This year, Hoa was unable to share her momentous birthday with her friends due to COVID-19 lockdown restrictions but the staff at North Richmond Community Health wished her Happy Birthday over the phone and sent her a card from the team.

Hoa said, “I am not allowed to meet my friends every month in the senior’s group, or go to weekly chair based exercise group, nor go to the temple and I have not had any visitors! So I took the photos that were taken from [last year’s birthday celebrations] and looked at the pictures of my old friends to recall that joy.”

“During this time in lockdown, I am still doing exercise consistently every day. I usually cycle on my bike 100 circles a day, moving my arms and legs following the instructions that I remember from the group exercise class. And my children come to visit and bring me food every day.”

What an inspiration! So, from all of us at Yarra Council, Hoa, we wish you a very Happy Birthday!

2. Attendance, apologies and requests for leave of absence

Attendance

Councillors

- Cr Danae Bosler (Mayor)
- Cr Misha Coleman (Deputy Mayor)
- Cr Mi-Lin Chen Yi Mei
- Cr Jackie Fristacky
- Cr Stephen Jolly
- Cr Bridgid O'Brien
- Cr James Searle
- Cr Amanda Stone

Council officers

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

Apology

- Cr Daniel Nguyen

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

Nil

4. Confidential business reports

Item

4.1 **Chief Executive Officer – Determination on Performance Review and KPI matters**

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

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

4.2 **C1534 - Tender for Jack Dyer Pavilion redevelopment**

This item is to be considered in closed session to allow consideration of private commercial information, being information provided by a business, commercial or financial undertaking that relates to trade secrets or if released, would unreasonably expose the business, commercial or financial undertaking to disadvantage.

These grounds are applicable because the report contains information submitted on a commercial in confidence basis by private businesses as part of a competitive procurement process.

Confidential business reports

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

COUNCIL RESOLUTION

Moved: Councillor Chen Yi Mei

Seconded: Councillor Stone

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

CARRIED UNANIMOUSLY

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

5. Confirmation of minutes

The minutes of the Council Meetings held on Tuesday 18 August 2020 and Tuesday 1 September 2020 will be confirmed at the next Council Meeting on Tuesday 20 October 2020.

Councillor Fristacky arrived to the meeting at 7.04pm

The order of business suspended to hear item 12.1.

6. Petitions and joint letters

Nil

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6. Petitions and joint letters

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.

7.1 Andrew McGregor (Plakkit Pty Ltd) – Advertising License

Question: 7.27pm

Is Yarra City Council aware the Department of Transport's released a tender in May 2020, for the development of a new Advertising License, for 1100 advertising sites over a 10 year period on VicRoads infrastructure? And the impact this license will have on the City of Yarra, including the impact on councils streetscapes, its residents, visitors and more specifically, the negative impact on Melbourne's struggling cultural sector, as sites frequently used by the cultural sector to advertise, will be the lost, gobbled up by the corporate advertising dollar.

I wish to ask the Council to lobby the Department of Transport (DoT) and the Minister responsible, Hon Ben Carroll. A new DoT Advertising license, needs to include a concession for the cultural sector. On behalf of Plakkit, I submitted a request for tender detailing an alternative proposal. The DoT must ensure a portion of VicRoads assets within Yarra City are excluded from the DoT Small Format License, and allocated exclusively for the cultural sector to use for advertising. Update - At 5pm on Monday the 14th September, I received a phone call from Cr Coleman, Mayor of Yarra City. Cr Coleman gave me some advice. I appreciate the advice and I believe Yarra understand my concerns raised and acknowledge the associated risks. I will follow the advice provided. I would still like ask Council my questions but don't want to waste Councils time.

Response:

The Mayor advised; I will do my best between now and the care taker period to elevate your concerns with the responsible minister.

7.2 Peter Kaylor (Gertrude Street Precinct COVID Recovery Group) – Vacant Premises on Gertrude Street

Question:

Councillors, are you aware there are 18 vacant premises for lease on Gertrude Street and the precinct is suffering due to extended lock downs and zero interstate and international visitors who journey to Gertrude Street for its well-known eateries and artisanal, independent traders which are promoted across the world by visitvictoria.com?

Response under 7.4

7.3 Andrew McConnell (Cutler & Co. & Builders Arms Hotel) - Opening up public spaces

Question:

Are you aware of Melbourne City Councils plans to open up public spaces, carparks, roads and laneways and the Premier's comments on September 14th to "local government across the board, we are happy to support you to expedite the planning arrangements here, but there needs to be some urgency with this, We don't want bureaucratic delays. We don't want arguments and debates. We want as many people seated in as quick a time as possible, utilising public space that has never been on offer previously ... because this challenge is absolutely unprecedented."

Response under 7.4

7.4 Sam Rush (Handsom) – Boutique Retailers

Question:

Are you aware of the current and ongoing challenges boutique retailers are facing in Gertrude Street and the wider Fitzroy community?

Response:

The Director Planning and Place Making responded to questions in 7.2, 7.3 and 7.4 as they were all on a similar topic;

I have seen the questions tonight and this is a very important topic. The retail industry have been doing it tough for a long time and the COVID situation has been extremely difficult. Council is very aware that the kerb side trading is an important topic, it has been, we have trialled a few centres over the last few months but they have only been effectively small trials. The government have made major announcements as everyone is aware. The Executive this week are considering a number of matters that the key staff have been working on across the organisation over the last couple of weeks. There are some complexities in this, but the intention is to try and make it as simple and as seamless as possible and take away the bureaucracy, so we are certainly gearing up as an organisation.

I know that the Municipal Association of Victoria (MAV) yesterday sponsored a meeting with all the CEO's in Victoria and obviously greater Melbourne as well. So we are well aware of the situation, we wish to help, we will do the best we can and will try to make it seamless.

The State Government grants, for the benefit of people listening online, there is a precinct grant that has been released today and yesterday by yourself Mayor and it is certainly a matter that our Economic Development Unit and Communications are promoting with the traders. So we are trying to help as much as we can.

The Chief Executive Officer also advised;

As the Director Planning and Place Making pointed out, I had a meeting yesterday with the State Government and with the Municipal Association of Victoria (MAV) with regard to the hospitality sector and how the situation will work with them. I had a meeting with the Department of Transport (DoT) today and also have another meeting with DoT and the Executive team. This is our top priority, it is not just because of the submitters that have spoken today, it is the biggest item on our agenda and we are completely aware of it. Where we can raise it to another level is with our Economic Development Officer, I can ask him to walk around Gertrude Street and speak with businesses and get some hands on information.

We are also working with Melbourne City Council because we know what happens in Melbourne will be replicated here very soon and we are absolutely aware of the situation in Melbourne, I have been in contact with the CEO, Justin Hanney. I don't want to over promise and under deliver because tomorrow out of the Executive meeting, we will have some sort of action plan and after my meeting with DoT tomorrow I will be able to turn it into something more concrete. We have got Gertrude Street in our sights.

In my discussion with DoT, we have been talking about the precincts, existing resident amenities and other stakeholders. It is a tough situation but we have to balance the community needs. So I would say to tonight's submitters, you may see some of our staff calling on you and calling on your resourcing in terms of innovation and what else could be done.

The Mayor also advised;

If you could forward on the proposal you referred to earlier I would be happy to arrange a meeting with relevant Council staff and yourselves before the end of the week so we can outline all opportunities.

7.5 Yvonne Pecujac – Pocket Park

Question: 7.47pm

Is the Council aware that a group of residents are pushing for the regeneration of the neglected VicRoads land at the N/E corner of Hoddle and Johnston St Collingwood, turning the eyesore into a badly needed pocket park full of native plantings and seating. Residents are happy to volunteer in turning this neglected eyesore full of broken glass and shopping trollies into valuable urban green space and wonder if a street art mural could be installed at the back of the land - currently plastered with old rock venue posters - celebrating our First People and the diversity of the area's inhabitants. With help, this piece of land is ideal for providing amenity for people, support for wildlife and celebrating our unique heritage. What do you think about this idea and does this fit in with Council policy for more open space? 2 Would the Mayor and CEO of Yarra Council be willing to write a letter to our local MP, who is also the Minister for Planning and Multicultural Affairs, supporting this proposal?

Response:

The Director City Works and Assets advised;

I wasn't aware of a proposal by residents but useful to know there is interest. As the resident mentioned it is land that is owned by VicRoads so anything done on this land would need to be done with their permission. So we would need to seek their advice. My understanding of this space is that it is currently maintained under agreement with VicRoads by the City of Yarra, although there are some negotiations in relation to that. As to the specific question on whether the Mayor will write to the local MP, I can't answer, but we can have a conversation with the community groups as to their interest and how they might be able to make their own submission to VicRoads.

The Director Planning and Place Making didn't have anything further to add.

Councillor O'Brien left the meeting at 7.49pm

7.6 Marnie Morieson (Kennedy Nolan) – Pavilion in Fairfield Park

Question: 7.52pm

Councillor O'Brien returned at 7.53pm

Are you aware that over the last week there has been an unprecedented tsunami of social media support from young people in the community, outraged by Council's decision to demolish the Pavilion in Fairfield Park. A petition started by Kennedy Nolan Architects has over 2200 signatures, and the story has been published by major design publications including the Design Files, Architecture Australia and Open Journal and shared by hundreds of individuals. Designed by multi-award winning architects Carter Couch, the pavilion & storage facility under provided storage for sets used at the bluestone amphitheatre, as well as a public space that maintained views from the walking tracks to the river. Council are intending to destroy the pavilion and to erect a storage shed for the Canoe Club in its place. We understand that this project has gone through VCAT, however, the decision to demolish the pavilion makes no sense from a sustainability or heritage perspective and destroys an outdoor public venue needlessly in a time when outdoor facilities are increasingly required. Furthermore: Council's Heritage Advisor Ruth Redden determined (06.09.2019) that the pavilion has "contributory social significance" as well as "architectural significance in and of itself" and should be retained & protected. Chair of Architecture at Melbourne University, Prof. Philip Goad wrote to council in objection to the demolition of this pavilion (03.07.2019), and support for its inclusion on the Victorian Heritage Register. The pavilion is pending listing on the Victorian Heritage Registry.

We hope that we can quickly report back to the 2200+ petition supporters that council will do one of the following (in order of preference):

- a. Follow the advice of their own heritage adviser Ruth Redden (and their 2010 City of Yarra Fairfield Master Plan) and retain & protect the pavilion in its current location.
- b. Postpone any works until the building's current nomination to the Victorian Heritage Registry has been assessed (the Heritage Victoria will meet to review the nomination in late September)
- c. Commit to relocating the pavilion structure within Fairfield Park rather than putting it in the bin. Buildings should not be so readily disposable. Can you explain, or can your governance officer explain, technically speaking, what if any are the ways that we could get the demolition of this significant pavilion stopped - could we get a council resolution, or perhaps we have the matter reassessed at the Budget Review?"

Response:

The Director City Works and Assets advised;

Some of the information we have seen from the campaign has been somewhat misleading because it does suggest that the plan is to demolish the pavilion, and there isn't a plan to demolish the pavilion. The proposal is to demolish the gazebo on top of the pavilion to make way for boat storage on the roof of the pavilion.

Council considered and approved a permit to demolish the steel structure on the roof of the pavilion in order to build a boat storage shed. Kennedy Nolan objected to the matter and it was heard by VCAT. VCAT subsequently granted a permit for the demolition of the structure noting that the structure had no heritage significance. I should say, the CMP for Fairfield Park identified Fairfield Park as having heritage significance, but none of the buildings themselves have individual or contributory

heritage significance. VCAT's finding was that based on the heritage review and the statement of significance, the structures do not contribute to the significance of the heritage place and therefore their loss would not present an unacceptable outcome from a heritage perspective. I accept there are different views on that; and what I am responding to are the decisions that have been made and the reasons that have been given based on those decisions.

Also, in relation to the campaign that has been put, it suggests that Kennedy Nolan has put an alternate solution and that their design would be an appropriate way to resolve this matter. Just for Councillors information, the alternate solution houses about a third of the boats that need to be housed to remove the boats from the current pavilion. The club require all the boats be removed and there isn't another location along the riverbank suitable to store those boats. The alternate solution isn't really a solution for the club. We did have a good look at that solution, we were open to looking at alternatives, but it couldn't house the boats and it was significantly more costly.

I understand one of the questions the submitter is seeking advice on and the petition is seeking is that we wouldn't proceed prior to hearing Heritage Victoria's determination, and we would commit to that. We are not going to ignore the fact that there has been a reference to Heritage Victoria, so what I would say is that there is no plan to demolish the gazebo until Heritage Victoria have considered the request.

In response to Question c; Officers are following the resolution of Council as it stands. Council resolved to proceed with this project, have allocated the budget for it and made a decision on the permit to demolish and VCAT have subsequently done that. At this point we would need a subsequent resolution of Council to take an approach other than that to proceed.

As I said, we are not going to proceed whilst Heritage Victoria are considering it. If they reject the demolition or suggest there is heritage value in the gazebo we would then revisit the project and would need to come back and provide advice to Council and seek further direction.

8. Delegates' reports

8.1 Councillor O'Brien – Heritage Advisory Committee (HAC)

Start time: 8.00pm

Committee	Heritage Advisory Committee (HAC)
Appointed Councillors	Bridgid O'Brien, Danae Bosler and James Searle
Date of Council Meeting	15 September 2020
Date of Report	15 August 2020
Report Author	Bridgid O'Brien

DELEGATES REPORT

The Heritage Advisory Committee (HAC) met on 6 August 2020. Cr Bosler, Cr Searle and Cr O'Brien were in attendance.

Agenda items for this meeting included:

1. Tall Proposals and Heritage Streetscapes

A paper was circulated which raised a concern of the Fitzroy Residents' Association.

A number of very tall development proposals within Heritage Overlay areas are going directly to VCAT without a Council determination due to the 60-day response period elapsing. These development proposals have not been presented to IDAC.

HAC noted two examples:

- 84-104 Johnston Street Fitzroy (11 storey development); and
- 14-18 Smith Street (10 storey tower and a basement).

As these two development applications have not been presented to IDAC, HAC requested the following clarifications:

- How does this affect the evaluation of these proposed developments from a heritage streetscape protection and heritage neighbourhood character standpoint?
- Does it diminish the connection of local heritage expertise in the final decision-making process?

It was suggested the 60-day response period and Council Actions could be included as a part of the Push Notifications System to be considered by the Council on 18 August.

The Committee requested that these matters be referred to in the Delegate's Report.

2. Views to Yorkshire Brewery- Impact of the development proposal on 128-144 Wellington Street

The concern that the views to the Yorkshire Brewery will be blocked due to a proposed development on 128-144 Wellington Street was discussed.

The related issue of the inclusion of the protection of views to the Royal Exhibition Building Dome as recommended in the World Heritage Management Plan should be in the Landmarks Policy, was agreed.

HAC recommended that Council should explore possibilities to amend the Landmarks Policy, which is part of the Planning Scheme Rewrite, before it goes on public exhibition.

3. Amendment C245: Possible options for documentation/recording of theatre interiors.

Given the possibility that Amendment C245 may result in no interior controls for Yarra's theatres, the following options for recording the theatre interiors were suggested by various HAC members:

- measured drawings could be produced through a student project if necessary
- Historical Societies may have explored options for documentation of heritage at risk
- It was noted photographs can be obtained and stored with the State Library. There can be a requirement on the developers to provide a set of photographs/film.
- It was recommended that Council organise a 3D-VR documentation as was presented to HAC a few months ago.

It was agreed that RS pursue the matter and report back to the HAC in the next meeting whether 3D-VR documentation was possible.

4. Heritage Experience (or qualifications) for specific Position Descriptions

Given the significant spread and extent of heritage in Yarra it was discussed that experience or qualifications in heritage is important particularly for significant Planning Officer positions.

HAC discussed that a requirement within Position Descriptions should include Heritage qualifications or experience, for significant staff roles in Yarra.

It was discussed that all matters in Council should have a response to heritage aspects and values, a heritage lens across all decisions. HAC seeks advice about a centralised heritage oversight of all Council matters and if Council Reports can include a specific section on heritage implications.

It was pointed out that there is need for better resourcing of Yarra's heritage department. It was also suggested that opportunities for further education and training in heritage be organised for key Council officers.

5. Cast iron gas-light base on the corner of Scotchmer Street and Upgrading of the cast iron verandas near Park Street

The requested update on the above items was provided by Yarra's Senior Heritage Officer.

The matter of the reinstatement of the half gas lamp at the junction of Pigdon/Scotchmer Street and Nicholson Street is being managed by Urban Design unit and that she is in touch with them in identifying an appropriate location.

The project for restoration of the cast iron verandas near Park Street (Nicholson Street) is cost intensive and is waiting for an appropriate budget allocation.

A permit application for the removal and reinstatement of the veranda at the old Butchers shop (745 Nicholson Street) was assessed by Council's heritage advisor for Statutory Planning unit. The reinstatement would need to fulfil the recommendations included in the permit conditions.

6. Strategy implementation reporting

The Senior Heritage Officer informed HAC that she will be seeking feedback from different units of Council on the implementation of heritage actions relating to their unit/department and would present this information to the next heritage Advisory Committee meeting.

HAC members were invited to email their priority projects to RS by mid-September 2020.

7. Budget Items for the Budget Bid 2020-2021

The Senior Heritage Officer also informed the Committee that budget bids for the next financial year need to be prepared in October. She requested the HAC members also send their priorities for heritage budgeting in the next financial year to her by email for inclusion in the bidding process and for incorporation into the Heritage budget bids for the year 2021-2022.

8. Other Matters Council elections – Caretaker period

The Committee was informed that that care taker period will start on 24 September 2020.

Scotchmer Street Picket Fence

HAC was informed about the proposed removal of picket fence from the junction of

old Inner Circle rail line and Scotchmer Street, for safety requirements related to bicycle/vehicle crossing. She explained that the picket fence is not significant from a heritage point of view. The matter was also raised with the local historical society and an advice has been sought from Terry Nott on the heritage significance and potential removal of the picket fence.

Precinct Citations

Two samples of precinct citations have been circulated, which were prepared to implement Action 3 (part 1) of the Heritage Strategy. The Senior Heritage Officer requested the HAC members provide any feedback to her by email so that she could finalise citations for other precincts and place them on Yarra’s website for easy access.

HAC members requested to provide any feedback on the sample precinct citations by email up to 25 August 2020.

Councillor Jolly left the meeting at 8.03pm

COUNCIL RESOLUTION

Moved: Councillor O'Brien

Seconded: Councillor Bosler

1. That Council:
 - (a) note this Delegate’s Report; and
 - (b) consider the General Business Motion regarding the HAC advice.

CARRIED UNANIMOUSLY

8.2 Councillor O'Brien - Yarra’s Art Advisory Committee (YAARTS)

Start time: 8.06pm

Councillor Jolly returned at 8.06pm

Committee	Yarra’s Art Advisory Committee (YAARTS)
Appointed Councillors	Bridgid O’Brien and Mi-Lin Chen Yi Mei
Date of Council Meeting	15 September 2020
Date of Report	10 September 2020
Report Author	Bridgid O’Brien

The Yarra Art Advisory Committee (YAARTS) met virtually on 9 September 2020. Cr O’Brien was in attendance. The YAARTS committee members reflect the cultural richness of Yarra’s creative community. The committee provides advice to Council arising from expertise in many artforms including theatre, festivals and events, visual arts, music, architecture and design. Committee members share their connections within the Yarra Art community through varied experience as practitioners, producers, managers, business owners, philanthropists and by wider organisational participation/membership.

YAARTS is assisted by two formal working groups with further community members: the Visual Arts Panel (specifically to provide advice on public art and the management of the Yarra Art and Heritage Collection) and the Room to Create Panel (specifically to provide advice on affordable creative spaces in Yarra). The Visual Arts Panel last met on 13 August, and the Room to Create Panel on 3 September.

Agenda items for the YAARTS meeting included:

1. Yarra Arts and Culture Strategy:

The committee discussed the impact of COVID-19 on a four-year plan. The significant and extensive work involved to prepare the draft four-year Arts and Cultural Strategy for 2021-2025 was acknowledged. It was agreed, given the significant impact of COVID-19 on the creative community and the uncertainties around recovery, the development of a 12 month strategy with an implementation and action plan for 2021 was a priority, to focus work on ensuring the sector survived and continued to be a vital part of Yarra.

The information collated through environmental scans, reviews of other relevant policies and strategies, engagement with community members conducted through online surveys and discussions within the advisory committee and working groups had been developed into a substantive Discussion Paper and identified Priority Areas for council action. However, restrictions arising from the pandemic meant final community consultation to develop action plans was not possible.

The Key Priority Areas identified from the consultation process will inform the future Arts and Cultural Strategy proposed for 2015-2020. The committee discussed at length possible actions for Council that would support the arts and culture sector and mitigate the significant impact on the creative community from the COVID-19 pandemic.

The key priorities identified for Council were to:

- (a) make it easier for artists and creative businesses to run outdoor events in parks, streets and non-traditional spaces by providing in-kind support and reducing red-tape as a part of the COVID-19 recovery;
- (b) encourage and provide networking for partnerships between artists, arts organisations and Yarra's businesses to create new opportunities to make and present arts and culture as a part of the COVID-19 recovery; and
- (c) promote the health and wellbeing impact of community engagement with the arts and culture sector, through the development of new strategies to increase access to art and culture - digitally and in person.

2. Submission to the Parliamentary Inquiry into creative and cultural industries and institutions:

The Committee discussed the draft submission to the Australian Government Parliamentary Inquiry into the creative sector. The direct and indirect economic benefits, employment opportunities within creative and cultural industries and how to recognise, measure and grow them will be considered. Submissions to the Inquiry into Australia's creative and cultural industries and institutions are due 22 October 2020.

The YAARTS Committee submission reinforces the cultural, social and economic value of the arts to Australia. In Victorian the sector is worth \$111.7bn, employs 50,000 practising professional artists and 600,000 creative industry workers, representing 8.6% of the State's workforce.

The Committee submission highlights the enormous contribution Local Government is making to support the sector and urges the Federal government to make a suitably substantial financial contribution and develop a creative-led recovery for the nation. Specifically, the Committee encourages the Australian Government to consider a scheme to match Local Government funding to the arts and culture sector across Australia, and further the funding should be administered at the local level.

3. Acknowledgements:

The Committee was thanked for their contribution to Yarra Council and for the advice they have provided to Councillors in this term. The importance of the creative community and the contribution of the artistic and cultural sector to life in Yarra was acknowledged as central to the fabric and character of our municipality.

The draft submission is attached to this delegates report.

ATTACHMENT

Australia's creative and cultural industries and institutions

On 26 August 2020 Minister for Communications, Hon Paul Fletcher MP asked a Parliamentary Committee to inquire into and report on Australia's creative and cultural industries and institutions. Submissions due 22 October 2020.

09 September 2020

CITY OF YARRA'S SUBMISSION:

Yarra City Council's Arts Advisory Committee (YAARTS) makes this submission to the Australian Government's Parliamentary Committee inquiring into Australia's creative and cultural industries and institutions as requested by the Minister for Communications, Hon Paul Fletcher MP on 26 August 2020.

Yarra City Council is one of 79 local government authorities in Victoria. Our city is defined by arts and culture; the many creatives who live and work in our city contribute to the economic strength of our city, provide place making and community building for our residents and attract local and international tourism to our city.

Yarra is on the international stage in areas of innovation and technology, music, visual arts and fashion. An ecosystem of creativity, hospitality and knowledge industries is what makes Yarra unique, makes us a sought after city to work and live and puts Yarra on top destination lists globally.

As a city of 100,000 residents we are serviced by over 75 live music venues, over 60 galleries and artist run spaces, 2 major creative precincts (the World Heritage Abbotsford Convent and the Collingwood Arts Precinct), and over 15,000 small businesses, many of them are creative in areas of architecture and design, film, fashion, arts and crafts etc.

YAARTS is a special committee made up of Councillors and local arts and cultural experts appointed to provide advice to Yarra City Council. The committee's role is defined by the Local Government Act 1989.

YAARTS community members reflect the cultural richness of our council, with expertise in many artforms; including theatre, festivals and events, visual arts, music, architecture and design and their connections to the arts are varied from being practitioners, producers, managers, business owners, philanthropists and participants.

YAARTS members make this submission to the Committee to urge the Australian Government to introduce substantial and strategic measures ensure the Australian cultural industries are sustained in this period of hibernation, given the support to reopen and operate after the shuttering, and for our country to champion a creative-led recovery by integrating creativity and innovation into all aspects of our work. We believe this is a valuable opportunity for our country to showcase our unique arts and culture and investing in this sector will bring economic, social and cultural benefits to us all.

Whilst it is well known that Australia's cultural and creative sector is worth \$111.7bn and employs 50,000 practising professional artists and 600,000 creative industry workers, the material and legislative support for this sector needs to be further considered by the Australian Government.

We argue that there is already a substantive body of work that has been commissioned by many bodies, the Australia Council for the Arts included, that document the direct and indirect economic benefits and employment opportunities of the creative and cultural industries.

Creative Victoria research shows that the creative industry adds \$33.9 billion to the Victorian economy, generates \$1.5 billion in exports per year, attracts \$2 billion in international cultural tourism and employs 8.6% of our workforce.

Arts and culture made an important contribution to Yarra's economy. We have a large number of registered businesses in Music and Performing Arts many of which are self-employed. The live music sector alone contributed \$130m to the Yarra economy and provided over 2,300 jobs.

We urge the Australian Government to recognise this data and other data it should have access to and is readily available.

We contend the information available on the non-economic benefits that enhance community, social wellbeing and promoting Australia's national identity have been articulated over and over again in many reports that vary from academic research, studies by health agencies, not only in Australia, but globally and that this has been reinforced by individual testimony from thousands of Australians who participate in cultural activities as makers or consumers.

The nature of the industry – people centred, service driven, thriving on the mobile lives we have built as a global community has meant many have had to adapt to a new way of working or, in the case of international touring and tourism, go into hibernation. The Australian Government's Jobseeker and JobKeeper schemes have been a welcome relief to many working in the creative industries, to provide financial aid to enable people to live; and we welcome specific funding streams that have been created to stimulate the creative economies. Government funding is critical, as it is the case in the other sectors.

More needs to be done.

The Victorian Government, along with other state governments across the country, has released a range of grants targeting the creative industries, of which I am sure the Committee is aware of.

Yarra City Council has also made a significant contribution to this space. Council passed an extraordinary \$7.4 million package for COVID-19 relief and that includes quick response grants, rent relief and more substantial recovery grants specifically for the creative industries in Yarra. The request from the community far exceeded our funds and the response has been extraordinary.

We have seen artists use small amounts of this funding to share lives of our diverse high-rise public housing tenants during this pandemic times: I encourage you to have a look at [Bri Hammond's](#) project as a case study in demonstrating the social & cultural value of the arts.

Similarly some of our creative businesses just needed some funding to help them create new online platforms to reach their existing audiences. Again, we have examples of writers groups, visual arts teachers, and craft organisations who were able to create new ways of providing their services online.

Our role in these examples is simply to provide some funding support. The creative sector are brimming with ideas on how they want to innovate and adapt.

We urge the Australian Government to increase the funding allocation to the Australia Council, as a legislated body supporting Australian artists and arts organisations, as well as increase the funding schemes and funding pools to creative businesses.

We encourage the Australian Government to consider a scheme of matching the funding to arts and culture made by local governments across Australia, and for that funding to be administered by local governments. This is one example of how governments can work together.

A recent report by A New Approach, an independent think tank, called [Transformative: Impacts of Culture and Creativity](#) summarises very comprehensively the opportunities for Australian action across government, business and philanthropic sectors. We think there is much already prepared in this report for the Australian Government's response to the COVID-19 pandemic.

Specifically these recommendations should be prioritised:

Department of Industry, Innovation and Science; Australian Research Council; Universities; Chambers of Commerce; Industry leaders: Identify areas of potential comparative advantage and incorporate the creative, cultural and digital sectors in industry development programs such as the Industry Growth Centres, Industrial Transformation Scheme and Cooperative Research Program. This will assist in diversifying Australia's economic base and addressing our trade deficit in creative goods and services.

Department of Health; Universities, health care providers; Australian Research Council; health insurers: Recognise the positive impacts of arts and cultural interventions in treating loneliness and mitigating the risk of dementia, and prioritise research and investment in randomised-controlled trials for Australia-specific interventions.

Philanthropists and other private supporters; Government agencies; Local, state and territory governments; Religious Institutions; Not-for-profits: Prioritise new investment in cultural participation programs and arts-based initiatives that bring together communities and give individuals both skills and a greater sense of agency to encourage greater social inclusion and cohesion.

We urge the Australian Government to listen to the Australian people, who according to Australian Bureau of Statistics data love arts and culture (82.4% attending cultural venues and events), and are prepared to invest in it (spending more than \$25 billion a year on cultural goods and services).

COUNCIL RESOLUTION

Moved: Councillor O'Brien

Seconded: Councillor Chen Yi Mei

1. That Council:
 - (a) note this Delegate's Report; and
 - (b) formally thank the Committee for their contributions and support during this Council term.

CARRIED UNANIMOUSLY

9. General Business

9.1 Councillor O'Brien – Actions from Heritage Advisory Committee

Start time: 8.07pm

COUNCIL RESOLUTION

Moved: Councillor O'Brien

Seconded: Councillor Jolly

1. That Council:
 - (a) notes the Delegates Report arising from the Heritage Advisory Committee meeting of 6 August 2020;
 - (b) notes the Heritage Advisory Committee:
 - (i) concern that a number of very tall development proposals within Heritage Overlay areas are going directly to VCAT without a Council determination due to the 60-day response period lapsing;
 - (c) requests the following clarifications be sought from appropriate Officers, be provided to Council and forwarded to the Heritage Advisory Committee:
 - (i) How does a failure to determine a planning application within 60 days affect the evaluation of these proposed developments from a heritage streetscape protection and heritage neighbourhood character standpoint at VCAT; and
 - (ii) Does this diminish the connection of local heritage expertise in the final decision-making process?
 - (d) refer the possibility of the 60-day response period and Council Actions, for inclusion as part of the Push Notifications System considered by the Council on 18 August and supported by Resolution;
 - (e) request advice from Officers about the impact of the 128-144 Wellington St development proposal on views to Yorkshire Brewery and if this will be considered by the planning authority;
 - (f) refer the inclusion of view protections of the Royal Exhibition Building Dome as recommended in the World Heritage Management Plan to the Landmarks Policy;

- (g) requests appropriate Officer's explore possibilities to amend the Landmarks Policy to include the Protections of Views, before it goes on public exhibition as part of the Planning Scheme Rewrite;
- (h) requests advice toward:
 - (i) implementing a centralised heritage oversight of all Council planning matters;
 - (ii) Council Reports including a specific section on heritage implications; and
 - (iii) opportunities for further education and training in heritage for key Council officers; and
- (i) notes that the Delegates Report from the HAC 25 June 2020 meeting was presented to Council on 18 August 2020:
 - (i) request Officers provide a written response to the Heritage Advisory Committee on Items 3, 5, 6 & 7 of that Delegates Report; and
 - (ii) Item 4 be referred to the next Budget review.

CARRIED UNANIMOUSLY

10. 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.

10.1 Councillor Stone – Construction Activity in Yarra

Question:

We all know the State Government has indicated that construction sites can work outside the usual hours as long as they have Council permission and that these applications be considered on case by case basis, but we also know that there have been a number of cases in Yarra where construction sites have lead local residents to believe that they have Council permission to work outside the regular hours and have caused quite a lot of distress to people who are trying to work and educate children from home, not to mention trying to sleep. In fact, there a numerous sites breaching local laws at the moment in relation to parking and off-site impacts of their works due to the lack of enforcement and restrictions on officers doing work.

What actions are officers taking to firstly ensure that impacts on residents and businesses are considered when the Extension of Hours Applications are made?

Secondly, what proactive work can be done to ensure that construction sites in Yarra understand that just because it's COVID it's not the 'Wild West' and that they are still accountable under their Construction Management Plans?

Response:

The Director City Works and Assets advised;

I can answer part of the question in relation to what can be done in relation to permits and our considerations and as Councillor Stone mentioned the State Government is encouraging increased construction activity. We have had a number of requests for outside of hours permits and we have taken those on their merits case by case. Our assessment of those really is what works can reasonably occur without having an unreasonable impact on residents; where there are internal works, where they are not noisy or lots of vibration or dust, we consider that those works can occur. There has been a small number of permits where we have granted additional operating hours. We have also had a lot of discussions with development sites that have had some interest in that where we have just indicated that we wouldn't do it; where rock breaking, noisy or intrusive works, we have told them that we wouldn't consider outside of hours permits. There are a number of sites where we have refused applications.

The Director Corporate Business and Finance also advised;

We are still enforcing construction obviously because there are a lot of safety aspects especially with Construction Management Plans. Our Construction team is still working and enforcing CMP's.

Please send through any specific examples or suggestions of any developers or builders that are breaching any permissions so I can work with the Compliance team to monitor them.

We do have to work under the proviso we are allowed to enforce and be out working on safety related matters. That's a very specific proviso of stage 4 restrictions that we are in and hopefully only a couple of weeks to go and I think with the opening up of the constructions industry that's foreshadowed we would be able to be out and even more proactive. Happy to take on notice any specific concerns from residents or Councillors.

10.2 Councillor Stone – Council Resolution on Black Lives Matter

Question:

We unanimously resolved on 23 June on a number of actions in relation to a local response to the Black Lives Matter Movement. In particular we resolved that there should be a report back to Council in August on opportunities for public art and signage. We had that report and we made a decision on that. Secondly, a report back in September on how Yarra could or should acknowledge the movement in consultation with Aboriginal and Torres Strait Islander community in Yarra. I understand that the in consultation with the community, that report has been deferred for now and there is no further opportunity for this Council to consider it.

Can the CEO given an undertaking publicly that this report will be presented to the new Council for consideration as soon as possible please?

Response:

The Chief Executive Officer advised;

I can publicly assure Councillors that when the new Councillors are elected we will not only have an induction on this matter but we will also have a Council report as early as November or December.

The Group Manager People and Culture also advised;

That is correct and Councillors can be assured that the report will not be forgotten and has been tabled as part of the Forward Report Schedule for early December. It also does form part of a very formal training program that we have been in discussion with the Aboriginal Partnerships team. So it will be an induction as well as a Cultural Awareness training program for the new appointed Council, as well as for the Executive and management teams.

10.3 Councillor Fristacky – Gertrude Street Open Air Dining

Question:

We heard tonight from some traders in relation to open air dining on Gertrude Street, but the issue is **being promoted** more broadly, and references s to the **M**inister supporting that.

At the same time the Premier has announced strict enforcement of clearways on arterials.

How can that be reconciled with the fact that so many of our hospitality businesses are on roads that have clearways and is the CEO taking this up with the government?

Response:

The Chief Executive Officer advised;

This matter has already been taken up with the Department of Transport (DoT). The two goals do not match and they have taken that on board. I will be receiving further information tomorrow so I keep Councillors informed via a memo on board books.

The Mayor adjourned the meeting at 8.24 pm

The meeting resumed at 8.28 pm

11.1 Elizabeth Street bicycle lane

Reference: D20/140119

Authoriser: Director Planning and Place Making

RECOMMENDATION

Start time: 8.28pm

1. That Council note that:

- (a) the December 2019 Council resolution required officers to implement a 12 month trial of protected bike lanes in Elizabeth Street and to monitor its performance via quarterly update reports before reporting back formally to the Council on next steps within 6 months of the conclusion of the 12 month trial period;
- (b) the project had been stated as an intended bike project in Council adopted strategies since 2010, being referenced specifically in the 2010 Bike Strategy, the 2015 Bike Strategy Refresh and also, in the Climate Emergency Plan (May 2020);
- (c) the protected bike lane trial was designed to specifically provide for safer cycling on a strategic bike route;
- (d) the protected bike lanes were installed and completed in early July this year through the process of a 'pilot and trial' methodology so that:
 - (i) it could be tested, adapted and adjusted, as need be, through minor changes to improve its performance, and
 - (ii) its performance can inform future decisions of the Council as to whether or not the separated bike lanes should be confirmed and formalised through more permanent road surfaces and treatments;
- (e) the separated bike lanes require a particular width of bike lane and buffer strip to be effective, safe and efficient. This enables cyclists to travel in a safe and comfortable manner and for the lanes to be capable of accommodating increased ridership into the future;
- (f) the width of the separated bike lanes implemented in the trial are similar to those used in stage 2 of the Wellington Street, Collingwood separated bike lanes;
- (g) the current 2016 VicRoads guidelines of the Department of Transport provide certain minimum widths of bike lanes abutting parked cars and carriageway lanes, and also buffer lanes to minimise propensity for car dooring of cyclists;
- (h) the Department of Transport have developed draft new Cycling Guidelines, which, it is understood, will be considered for formal endorsement very shortly, possibly by the end of September this year; and
- (i) the limited road width (kerb to kerb) of Elizabeth Street, east and west of Lennox Street, does not enable carparking on both sides of the street to be provided unless the protected bike lanes are reduced to a width of approx. 1.5 m in some sections with a buffer lane of 0.5 m, that is not compliant with the 2016 VicRoads guidelines.

2. That Council further note:

- (a) the concerns of the local community expressed since the installation of the trial separated bike lanes, and in particular, the matters raised regarding safety, and perceived safety, due to stated need to often park their car further away from their homes and the concerns stated regarding local behavioural issues in the street;
- (b) the other concerns raised in the written material provided to Council by many community members (as reproduced in Attachment 3);
- (c) the petition lodged with Council on 21 July, 2020 with some 75 signatures as reproduced in Attachment 2;

- (d) the dialogue that has occurred to date between senior Council staff and the local community spokespersons;
 - (e) the minor adjustments made to date, and the possible other adjustments that may be shortly made, as outlined in the report and attachment 4;
 - (f) the criteria outlined in the report that specify what would be considered fundamental changes to the trial and therefore in the domain of requiring full Council consideration and determination;
 - (g) that the trial has been installed for approx. 2 months at this stage;
 - (h) that a formal trial update report is scheduled which details data collected 3 months after the trial has been in operation;
 - (i) that further parking occupancy surveys are commissioned and being undertaken in preparation for a first formal evaluation period report to Council; and
 - (j) that as part of the evaluations during this 12 month period, there would be intercept surveys with persons using Elizabeth Street including residents, drivers, cyclists and pedestrians to further inform the evaluation of the trial for Council consideration.
3. That Council note that the community concerns relate substantially to the removal of parking on the north side of the street and consequential aspects as a result of that parking removal; including such matters as:
- (a) reduced opportunity to park as close to home / work / place of worship and for persons to visit premises in Elizabeth Street;
 - (b) the increased likelihood in some cases of needing to travel further and / or longer as a pedestrian in the local streets where particular behavioural issues exist; and matters of safety / feeling safe to those persons;
 - (c) issues relating to delivery of materials to premises for building works;
 - (d) issues relating to delivery of supplies and or purchasers to homes / businesses;
 - (e) access to parked cars;
 - (f) access for pedestrians across the street; and
 - (g) similar aspects; as outlined in the Attachment 3.
4. That in this regard, Council further note:
- (a) that further parking surveys are being undertaken at present, and will again be undertaken once COVID restrictions are relaxed to assess the parking occupancy rates in the local streets;
 - (b) that Council has requested the DHHS to improve the lighting in the DHHS off street carparks in order to increase the propensity for residents in the DHHS estate to use those carparks and to reduce the demand for the onstreet parking in Elizabeth Street and nearby streets;
 - (c) that some aspects of residents / business concerns can be pursued with normal Council operational protocols, such as persons obtaining Council approvals for time limited occupations of the road / bike lane for particular needs (i.e. road occupation permits) and officers can assist local community members on accessing that information;
 - (d) that some aspects raised by community members have been partly addressed with some minor changes (such as a disability parking bay, stencils on the footpath to warn pedestrians to look right), and some other minor changes can equally be addressed by some other installations of loading bays / taxi ranks etc. as sought by the community;
 - (e) that parking restriction changes in Elizabeth Street and surrounding streets can be assessed and determined by the Council through normal parking restriction protocols and committees to address and determine the requests; and

- (f) that in some instances, advisory signage and warning signs can be provided on pavements, and in conspicuous locations, to provide warnings to pedestrians and cyclists and persons accessing parked cars whilst the new arrangements become more familiar with the local community and the road users.
- 5. That Council note the section of the report headed *Guidelines for bike lane and buffer widths*, and in particular paragraphs 56-57 in relation to the discussion regarding widths of protected cycling lanes and associated buffer lanes.
- 6. That Council note Attachment 5 which provides both information and an illustration of the assessment of various widths of bike lanes, and buffer lanes, against State guidelines, and in particular the consequential width of those lanes if parking on the north side of the street was reinstated.
- 7. That Council also note advice from officers that a bidirectional bike lane in Elizabeth Street, as some community members have suggested as an alternative, would not be appropriate or recommended due specifically to connection issues at Hoddle Street and Church Street which would largely render such a facility as ineffective and cumbersome for cyclists.
- 8. That Council note that any realignment of the various lanes and buffer widths would create the need for corresponding changes to be undertaken to other line marking across the street.
- 9. That in the context of all of the above, Council:
 - (a) note the officer report, the analysis provided to date, the material provided in the attachments, the commentary of the local community as reproduced in Attachment 3, and comments received at the Council meeting; and
 - (b) consider these comments, and points of view, as part of its deliberations in determining a way forward in this matter.

Councillor O'Brien left the meeting at 8.34pm

Public Submissions

The following people made a submission to Council on the matter:

Ronen Savicky;

Dora Houpis;

Jenny Duong;

*Cuc Trang * (Rhys Thomas read out the submission);*

Sasha Beitner;

Alex Marks;

*Thay Minh Tri Dang - Monk, Chua Phuoc Tuong * (Rhys Thomas read out the submission);*

*Helen Nguyen * (Rhys Thomas read out the submission);*

Adam Promnitz;

Michael Smith;

William Ly;

Mark Soffer;

Sarah Dixon;

Herschel Landes;

Robert Buttery;

Karen Hovenga;

Kate Drake;

David Balding;
Diana I;
Lucy Platt;
Kathryn Skidmore;
Jeremy Burke;
Troy Parsons; and
Jeremy Lawrence (Streets Alive Yarra).

Councillor O'Brien returned at 9.18pm

MOTION

Moved: Councillor Jolly

Seconded: Councillor O'Brien

1. That Council note that:

- (a) the December 2019 Council resolution required officers to implement a 12 month trial of protected bike lanes in Elizabeth Street and to monitor its performance via quarterly update reports before reporting back formally to the Council on next steps within 6 months of the conclusion of the 12 month trial period;
- (b) the project had been stated as an intended bike project in Council adopted strategies since 2010, being referenced specifically in the 2010 Bike Strategy, the 2015 Bike Strategy Refresh and also, in the Climate Emergency Plan (May 2020);
- (c) the protected bike lane trial was designed to specifically provide for safer cycling on a strategic bike route;
- (d) the protected bike lanes were installed and completed in early July this year through the process of a 'pilot and trial' methodology so that:
 - (i) it could be tested, adapted and adjusted, as need be, through minor changes to improve its performance, and
 - (ii) its performance can inform future decisions of the Council as to whether or not the separated bike lanes should be confirmed and formalised through more permanent road surfaces and treatments;
- (e) the separated bike lanes require a particular width of bike lane and buffer strip to be effective, safe and efficient. This enables cyclists to travel in a safe and comfortable manner and for the lanes to be capable of accommodating increased ridership into the future;
- (f) the width of the separated bike lanes implemented in the trial are similar to those used in stage 2 of the Wellington Street, Collingwood separated bike lanes;
- (g) the current 2016 VicRoads guidelines of the Department of Transport provide certain minimum widths of bike lanes abutting parked cars and carriageway lanes, and also buffer lanes to minimise propensity for car dooring of cyclists;
- (h) the Department of Transport have developed draft new Cycling Guidelines, which, it is understood, will be considered for formal endorsement very shortly, possibly by the end of September this year; and
- (i) the limited road width (kerb to kerb) of Elizabeth Street, east and west of Lennox Street, does not enable car parking on both sides of the street to be provided unless the protected bike lanes are reduced to a width of approx. 1.5 m in some sections with a buffer lane of 0.5 m, that is not compliant with the 2016 VicRoads guidelines.

2. That Council further note:

- (a) the concerns of the local community expressed since the installation of the trial separated bike lanes, and in particular, the matters raised regarding safety and due to stated need to often park their car further away from their homes and the concerns stated regarding local behavioural issues in the street;
 - (b) the other concerns raised in the written material provided to Council by many community members (as reproduced in Attachment 3);
 - (c) the petition lodged with Council on 21 July, 2020 with some 75 signatures as reproduced in Attachment 2;
 - (d) the dialogue that has occurred to date between senior Council staff and the local community spokespersons;
 - (e) the minor adjustments made to date, and the possible other adjustments that may be shortly made, as outlined in the report and attachment 4;
 - (f) the criteria outlined in the report that specify what would be considered fundamental changes to the trial and therefore in the domain of requiring full Council consideration and determination;
 - (g) that the trial has been installed for approx. 2 months at this stage;
 - (h) that a formal trial update report is scheduled which details data collected 3 months after the trial has been in operation;
 - (i) that further parking occupancy surveys are commissioned and being undertaken in preparation for a first formal evaluation period report to Council; and
 - (j) that as part of the evaluations during this 12 month period, there would be intercept surveys with persons using Elizabeth Street including residents, drivers, cyclists and pedestrians to further inform the evaluation of the trial for Council consideration.
3. That Council note that the community concerns relate substantially to the removal of parking on the north side of the street and consequential aspects as a result of that parking removal; including such matters as:
- (a) reduced opportunity to park as close to home / work / place of worship and for persons to visit premises in Elizabeth Street;
 - (b) the increased likelihood in some cases of needing to travel further and / or longer as a pedestrian in the local streets where particular behavioural issues exist; and matters of safety / feeling safe to those persons;
 - (c) issues relating to delivery of materials to premises for building works;
 - (d) issues relating to delivery of supplies and or purchasers to homes / businesses;
 - (e) access to parked cars;
 - (f) access for pedestrians across the street;
 - (g) nowhere for emergency vehicles to stop on the Northern side;
 - (h) nowhere for anyone to safely access taxis and ubers on the street, especially at North Richmond train station; and
 - (i) similar aspects; as outlined in the Attachment 3.
4. That in this regard, Council further note:
- (a) that further parking surveys are being undertaken at present, and will again be undertaken once COVID restrictions are relaxed to assess the parking occupancy rates in the local streets;
 - (b) that Council has requested the DHHS to improve the lighting in the DHHS off street carparks in order to increase the propensity for residents in the DHHS estate to use those carparks and to reduce the demand for the on street parking in Elizabeth Street and nearby streets;

- (c) that some aspects of residents / business concerns can be pursued with normal Council operational protocols, such as persons obtaining Council approvals for time limited occupations of the road / bike lane for particular needs (i.e. road occupation permits) and officers can assist local community members on accessing that information;
 - (d) that some aspects raised by community members have been partly addressed with some minor changes (such as a disability parking bay, stencils on the footpath to warn pedestrians to look right), and some other minor changes can equally be addressed by some other installations of loading bays / taxi ranks etc. as sought by the community;
 - (e) that parking restriction changes in Elizabeth Street and surrounding streets can be assessed and determined by the Council through normal parking restriction protocols and committees to address and determine the requests; and
 - (f) that in some instances, advisory signage and warning signs can be provided on pavements, and in conspicuous locations, to provide warnings to pedestrians and cyclists and persons accessing parked cars whilst the new arrangements become more familiar with the local community and the road users.
5. That Council note the section of the report headed *Guidelines for bike lane and buffer widths*, and in particular paragraphs 56-57 in relation to the discussion regarding widths of protected cycling lanes and associated buffer lanes.
6. That Council note Attachment 5 which provides both information and an illustration of the assessment of various widths of bike lanes, and buffer lanes, against State guidelines, and in particular the consequential width of those lanes if parking on the north side of the street was reinstated.
7. That Council also note advice from officers that a bidirectional bike lane in Elizabeth Street, as some community members have suggested as an alternative, would not be appropriate or recommended due specifically to connection issues at Hoddle Street and Church Street which would largely render such a facility as ineffective and cumbersome for cyclists.
8. That Council note that any realignment of the various lanes and buffer widths would create the need for corresponding changes to be undertaken to other line marking across the street.
9. That in the context of all of the above, Council:
- (a) note the officer report, the analysis provided to date, the material provided in the attachments, the commentary of the local community as reproduced in Attachment 3, and comments received at the Council meeting; and
 - (b) having particular regard to the extensive community representations, especially the concerns relating to the adverse public safety impacts of removing the car parking spaces, now request officers to:
 - (i) undertake the works designated as **Option 2** in clause 46 of the Officers Report, that is, to narrow the separated bike lanes/buffer zone on both sides of the road and reinstall car parking on the northern side; and
 - (ii) re-instate parking restrictions on the north side as per the pre-trial restrictions, and in turn, alter the south side to pre-trial restrictions,
as soon as possible.

LOST

CALL FOR A DIVISION

For: Councillors Jolly and O'Brien

Against: Councillors Coleman, Fristacky, Stone, Chen Yi Mei, Searle and Bosler

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Coleman

1. That Council note that:

- (a) the December 2019 Council resolution required officers to implement a 12 month trial of protected bike lanes in Elizabeth Street and to monitor its performance via quarterly update reports before reporting back formally to the Council on next steps within 6 months of the conclusion of the 12 month trial period;
- (b) the project had been stated as an intended bike project in Council adopted strategies since 2010, being referenced specifically in the 2010 Bike Strategy, the 2015 Bike Strategy Refresh and also, in the Climate Emergency Plan (May 2020);
- (c) the protected bike lane trial was designed to specifically provide for safer cycling on a strategic bike route;
- (d) the protected bike lanes were installed and completed in early July this year through the process of a 'pilot and trial' methodology so that:
 - (i) it could be tested, adapted and adjusted, as need be, through minor changes to improve its performance, and
 - (ii) its performance can inform future decisions of the Council as to whether or not the separated bike lanes should be confirmed and formalised through more permanent road surfaces and treatments;
- (e) the separated bike lanes require a particular width of bike lane and buffer strip to be effective, safe and efficient. This enables cyclists to travel in a safe and comfortable manner and for the lanes to be capable of accommodating increased ridership into the future;
- (f) the width of the separated bike lanes implemented in the trial are similar to those used in stage 2 of the Wellington Street, Collingwood separated bike lanes;
- (g) the current 2016 VicRoads guidelines of the Department of Transport provide certain minimum widths of bike lanes abutting parked cars and carriageway lanes, and also buffer lanes to minimise propensity for car dooring of cyclists;
- (h) the Department of Transport have developed draft new Cycling Guidelines, which, it is understood, will be considered for formal endorsement very shortly, possibly by the end of September this year; and
- (i) the limited road width (kerb to kerb) of Elizabeth Street, east and west of Lennox Street, does not enable carparking on both sides of the street to be provided unless the protected bike lanes are reduced to a width of approx. 1.5 m in some sections with a buffer lane of 0.5 m, that is not compliant with the 2016 VicRoads guidelines.

2. That Council further note:

- (a) the concerns of the local community expressed since the installation of the trial separated bike lanes, and in particular, the matters raised regarding safety, and perceived safety, due to stated need to often park their car further away from their homes and the concerns stated regarding local behavioural issues in the street;
- (b) the other concerns raised in the written material provided to Council by many community members (as reproduced in Attachment 3);
- (c) the petition lodged with Council on 21 July, 2020 with some 75 signatures as reproduced in Attachment 2;
- (d) the dialogue that has occurred to date between senior Council staff and the local community spokespersons;

- (e) the minor adjustments made to date, and the possible other adjustments that may be shortly made, as outlined in the report and attachment 4;
 - (f) the criteria outlined in the report that specify what would be considered fundamental changes to the trial and therefore in the domain of requiring full Council consideration and determination;
 - (g) that the trial has been installed for approx. 2 months at this stage;
 - (h) that a formal trial update report is scheduled which details data collected 3 months after the trial has been in operation;
 - (i) that further parking occupancy surveys are commissioned and being undertaken in preparation for a first formal evaluation period report to Council; and
 - (j) that as part of the evaluations during this 12 month period, there would be intercept surveys with persons using Elizabeth Street including residents, drivers, cyclists and pedestrians to further inform the evaluation of the trial for Council consideration.
3. That Council note that the community concerns relate substantially to the removal of parking on the north side of the street and consequential aspects as a result of that parking removal; including such matters as:
- (a) reduced opportunity to park as close to home / work / place of worship and for persons to visit premises in Elizabeth Street;
 - (b) the increased likelihood in some cases of needing to travel further and / or longer as a pedestrian in the local streets where particular behavioural issues exist; and matters of safety / feeling safe to those persons;
 - (c) issues relating to delivery of materials to premises for building works;
 - (d) issues relating to delivery of supplies and or purchasers to homes / businesses;
 - (e) access to parked cars;
 - (f) access for pedestrians across the street, and
 - (g) similar aspects; as outlined in the Attachment 3.
4. That in this regard, Council further note:
- (a) that further parking surveys are being undertaken at present, and will again be undertaken once COVID restrictions are relaxed to assess the parking occupancy rates in the local streets;
 - (b) that Council has requested the DHHS to improve the lighting in the DHHS off street carparks in order to increase the propensity for residents in the DHHS estate to use those carparks and to reduce the demand for the onstreet parking in Elizabeth Street and nearby streets;
 - (c) that some aspects of residents / business concerns can be pursued with normal Council operational protocols, such as persons obtaining Council approvals for time limited occupations of the road / bike lane for particular needs (i.e. road occupation permits) and officers can assist local community members on accessing that information;
 - (d) that some aspects raised by community members have been partly addressed with some minor changes (such as a disability parking bay, stencils on the footpath to warn pedestrians to look right), and some other minor changes can equally be addressed by some other installations of loading bays / taxi ranks etc. as sought by the community;
 - (e) that parking restriction changes in Elizabeth Street and surrounding streets can be assessed and determined by the Council through normal parking restriction protocols and committees to address and determine the requests; and

- (f) that in some instances, advisory signage and warning signs can be provided on pavements, and in conspicuous locations, to provide warnings to pedestrians and cyclists and persons accessing parked cars whilst the new arrangements become more familiar with the local community and the road users.
5. That Council note the section of the report headed *Guidelines for bike lane and buffer widths*, and in particular paragraphs 56-57 in relation to the discussion regarding widths of protected cycling lanes and associated buffer lanes.
6. That Council note Attachment 5 which provides both information and an illustration of the assessment of various widths of bike lanes, and buffer lanes, against State guidelines, and in particular the consequential width of those lanes if parking on the north side of the street was reinstated.
7. That Council also note advice from officers that a bidirectional bike lane in Elizabeth Street, as some community members have suggested as an alternative, would not be appropriate or recommended due specifically to connection issues at Hoddle Street and Church Street which would largely render such a facility as ineffective and cumbersome for cyclists.
8. That Council note that any realignment of the various lanes and buffer widths would create the need for corresponding changes to be undertaken to other line marking across the street.
9. That in the context of all of the above, Council determines to endorse Option 1 in Clause 46 to retain the current trial as endorsed by Council in December 2019, allowing for adjustments, and refinements with further assessment at the end of the trial period and:
- (a) note the officer report, the analysis provided to date, the material provided in the attachments, the commentary of the local community as reproduced in Attachment 3, and comments received at the Council meeting; and
- (b) additionally, ask Officers to prepare the next quarterly report for the new Council which includes community and resident consultation including materials in languages, which proposes the options outlined in this Report for feedback, if viable and including new information from the DoT Guidelines.

CARRIED

CALL FOR A DIVISION

For: Councillors Coleman, Fristacky, Stone, Chen Yi Mei, Searle and Bosler

Against: Councillors Jolly and O'Brien

The Mayor adjourned the meeting at 9.57pm

The Meeting resumed at 10.03pm

11.2 Park Street Bicycle Projects

Reference: D20/137850

Authoriser: Director Planning and Place Making

RECOMMENDATION

Start time: 10.03pm

1. That Council note:
 - (a) that its resolutions in May and June, 2020 sought an officer report outlining, in part, ways that improved space for cyclists and pedestrians could be provided in the municipality due to the issues arising from the COVID -19 situation;
 - (b) that the officer report to the 23 June, 2020 outlined some ways that congestion on the Inner Circle Railway Trail could be reduced through encouraging some cyclists to use the various sections of Park Street, rather than the path on the linear trail; and
 - (c) that the Council resolution on 23 June directed officers to install a contraflow bike lane on section of Park Street between St. Georges Road and Nicholson Street.
2. That Council further note:
 - (a) that the three sections of Park Street in Nth Fitzroy and Nth Carlton, as outlined in the report, have different configurations which require different solutions to encourage the movement of cyclists along Park Street, rather than the path on the linear link;
 - (b) that the contra flow bike lane installed on the section of Park Street between St. Georges Road and Nicholson Street, has only been completed for approx. 3 weeks, and consistent with the *pilot and trial* approach of this trial, some minor adjustments have already been undertaken to improve its layout and functioning;
 - (c) that contraflow bike lanes are not uncommon as a cycling facility, and some have existed for many years in the Yarra municipality and other inner city locations, and are a legitimate means of enabling cyclists to travel in a desire line towards destinations rather than having to travel further via detours on local streets and other pathways; and
 - (d) that contra flow bike lanes do require the end connections to be seamless to the connecting bike lanes to be an effective and efficient cycling facility.
3. That Council note:
 - (a) that there has been some concerns raised by local community members on the section of Park Street where the contra flow bike lane has been installed, and also suggested some safety aspects exist;
 - (b) that officers are considering these community concerns, have made some minor adjustments and will continue to do so as the performance of the lane is monitored; and
 - (c) that now the installation of the contraflow bike lane is in place, and some minor adjustments made, that officers have commissioned an independent road safety audit as a means of assessing its performance, and safety, and will make further necessary modifications as part of the trial.
4. That Council note it will receive the scheduled 3 monthly report from officers in late November this year as part of the pilot and trial approach so that Council can kept formally informed throughout the 12 month trial.
5. That in respect to the section of Park Street - Section A (between St. Georges Road and Nicholson Street), Council resolve to:

- (a) continue the current trial including monitoring, and noting that further minor changes will be determined by officers as necessary, and from the Road Safety Audit reconditions; and
 - (b) receive a report from officers at the three-month review stage to enable the Council to consider the matter further.
6. That in respect to the section of Park Street - Section B (between Nicholson Street and Lygon Street), Council:
- (a) not proceed with the bidirectional lane concept at this point in time, due to the need to engage and consult the community because of the required removal of all car spaces along the northern side of this section of Park Street abutting the linear park in order to be able to install that cycling facility; and
 - (b) determine if it wishes to recommend an *in principle* position to the new Council, and if so, request officers to prepare a draft consultation plan for consideration of the Council in December, 2020.
7. That in respect to the sections of Park Street, Solly Avenue and Holtom Street West, (between Lygon Street and Bowen Crescent) - referred to as Section C, Council resolve to:
- (a) not pursue any works to improve cycling facilities at this stage or during the election period; and
 - (b) note that improvements to this section of the corridor may be pursued at a later date.
8. That Council, noting the increased activity on the linear park and pathways, and the likelihood that will continue to increase further over coming years, refer to the 21/22 budget process a bid for a strategic analysis of the linear park to inform the Council of options on how that should be best managed.

Public Submissions

The following people made a submission to Council on the matter:

Carolyn Davy;

Sarah Dixon;

Ann Horrigan-Dixon;

Jeremy Lawrence (Streets Alive Yarra); and

Brian Dixon.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor O'Brien

1. Council notes:

- (a) that its resolutions in May and June 2020 sought an officer report outlining, in part, ways that improved space for cyclists and pedestrians could be provided in the municipality due to the issues arising from the COVID -19 situation;
- (b) that the officer report to the 23 June 2020 Council meeting outlined some ways that congestion on the Inner Circle Railway Trail could be reduced through encouraging some cyclists to use the various sections of Park Street, rather than the path on the linear trail; and
- (c) that the Council resolution on 23 June 2020 directed officers to install a contraflow bike lane on section of Park Street between St. Georges Road and Nicholson Street.

2. Council further notes:

- (a) that the three sections of Park Street in Nth Fitzroy and Nth Carlton, as outlined in the report, have different configurations which require different solutions to encourage the movement of cyclists along Park Street, rather than the path on the linear link;
 - (b) that the contra flow bike lane installed on the section of Park Street between St. Georges Road and Nicholson Street, has only been completed for approx. 3 weeks, and consistent with the pilot and trial approach of this trial, some minor adjustments have already been undertaken to improve its layout and functioning;
 - (c) that contraflow bike lanes are not uncommon as a cycling facility, and some have existed for many years in the Yarra municipality and other inner city locations, and are a legitimate means of enabling cyclists to travel in a desire line towards destinations rather than having to travel further via detours on local streets and other pathways; and
 - (d) that contra flow bike lanes do require the end connections to be seamless to the connecting bike lanes to be an effective and efficient cycling facility.
3. Council notes:
- (a) that there has been some concerns raised by local community members on the section of Park Street where the contra flow bike lane has been installed, and also suggested some safety aspects exist;
 - (b) that officers are considering these community concerns, have made some minor adjustments and will continue to do so as the performance of the lane is monitored; and
 - (c) that now the installation of the contraflow bike lane is in place, and some minor adjustments made, that officers have commissioned an independent road safety audit as a means of assessing its performance, and safety, and will make further necessary modifications as part of the trial.
4. Council notes it will receive the scheduled 3 monthly report from officers in late November 2020 as part of the pilot and trial approach so that Council is formally informed throughout the 12 month trial.
5. That in respect to the section of Park Street - **Section A** (between St. Georges Road and Nicholson Street), Council resolves s to:
- (a) continue the current trial including monitoring, with further adjustments determined by officers as necessary, and in response to recommendations of the Road Safety Audit on the trial and to address community concerns raised with the Brunswick Street North intersection;
 - (b) update the Your Say Yarra page for community consultation on the Park Street Bicycle Projects in line with the Trialling a Safer Elizabeth St Project, such that, as part of the pilot and trial approach the page <https://yoursayyarra.com.au/makingspace/parkstreet> include “Working with you”, “Provide real time feedback on the trial” and “Questions or comments” form;
 - (c) undertake a letterbox drop to residents in the vicinity to encourage feedback via the above channel and provide safety information to address the community concerns; and
 - (d) receive a report from officers at the three-month review stage to enable the Council to consider the matter further, this report to also include consideration of the contra-flow cycle lane being shifted to the north side of Park Street and the community consultation results;
6. That in respect to the section of Park Street **Section B** (between Nicholson Street and Lygon Street), Council:
- (a) not proceed with the bidirectional lane concept at this point in time, due to the need to engage and consult the community because of the required removal of all car spaces along the northern side of this section of Park Street abutting the linear park in order to be able to install that cycling facility; and

- (b) determines that officers prepare a report for consideration of Council in December 2020, covering the following options:
- (i) consultation plan for a bidirectional bicycle lane on the northern side of Park Street;
 - (ii) review of the Inner Circle Railway Trail and consultation with stakeholders how this could be modified with separation of cyclists and pedestrians informed by examples of such separation in other Councils such as in Port Phillip; and
 - (iii) representations to the Department of Transport on conversion of Park Street to a trial formal cycle priority street on the lines of European a cycle streets supported by:
 - a. a 30km/h speed limit for the street;
 - b. bikes having priority on the cycle street with cars being required to give way to bikes; and
 - c. measures through PR, for driver information on changed road conditions and vehicle requirements to observe the 30 km/h limit on a cycle street and give cyclists priority.
7. That in respect to the sections of Park Street, Solly Avenue, Arnold Street, and Holtom Street West, between Lygon Street and Bowen Crescent - referred to as **Section C**, Council:
- (a) notes conflicts between pedestrians and cyclists on the Inner Circle Railway Trail in Princes Hill, especially around the entrance to the Railway Station Neighbourhood House, and new Princes Hill Community Garden;
 - (b) notes the need to better link cycle access from Park Street down Arnold Street to Princes Hill Secondary College given its exceptionally high percentage of students and staff cycling to the School with in excess of 250 bike racks;
 - (c) notes this route offers alternative access to the Capital City Trail through Princes Park, and community facilities in Princes Hill and Princes Park;
 - (d) notes Council's adopted policy in 2004 that Council provide for bicycles on every road in Yarra wherever possible; and
 - (e) endorses in principle to improving the east-west on-road cycle route between Lygon Street and Bowen Crescent along Park Street, Solly Avenue, Arnold Street, and Holtom Street West, with a further officer report including on appropriate consultation mechanisms for:
 - (i) on-road line markings, bicycle motifs and sharrows along these streets, and
 - (ii) green paint at intersections with these streets
8. That Council, noting the increased activity on the Linear Park and pathways, and the high likelihood increased use will accelerate, refers to the 2021/22 budget process, a bid for a strategic analysis of the Linear Park with a community participation focus to inform the Council of options on how that should be best managed.

CARRIED UNANIMOUSLY

11.3 Community Engagement Policy and Action Plan

Reference: D20/130951

Authoriser: Acting Group Manager Advocacy and Engagement

RECOMMENDATION

Start time: 10.39pm

1. That:

- (a) Council formally adopt the Community Engagement Policy 2020 and four year action plan.

Public Submission

Jeremy Lawrence (Streets Alive Yarra) made a submission to Council on the matter.

MOTION

Moved: Councillor Stone

Seconded: Councillor Fristacky

1. That:

- (a) Council formally adopt the Community Engagement Policy 2020 subject to the inclusion on Page 2 of reference to the particular and additional role of Councillors as elected representatives who engage with and are directly accountable to the community; and
- (b) Council adopts the 4 year Action Plan, subject to inclusion of:
 - (i) Action 1.6: Ensure Yarra can undertake best practice deliberative engagement of the words, “which may include but not be limited to community advisory boards, neighbourhood committees and citizens juries”;
 - (ii) Action 1.4 to read: ~~Investigate opportunities to~~ “Embed community engagement within Yarra's budgeting, policy planning processes and/or project management frameworks”;
 - (iii) Include in Action 2, reference to including engaging with people who do not use a computer to access Your Say, Social Media and other on-line communications; and
 - (iv) Action 4.5, omit the words: “the level of influence available to the community afforded by the project.

Councillor O'Brien suggested the below amendment. It was not accepted by the mover. It was then put formally. It lapsed due to having no seconder.

AMENDMENT

Moved: Councillor O'Brien

1. That Council formally adopt the Community Engagement Policy 2020 and 4 year Action Plan subject to the following amendments:
 - (a) Action 3.2 to read: Assist Councillors and staff to engage with Yarra's advisory committees.
2. That Council further determines:

- (a) the shared central resource catalogue referenced in Action Plan 4.3 be made available to Councillors to inform what consultations have taken place; provide access to previous reports and data; and allow easy reference to the feedback received – deidentified if necessary, that informs live Reports for consideration;
- (b) the IAP2 spectrum of engagement or spectrum of influence providing a framework against which staff standardise evaluation, the process guide and templates accompanying the policy be included as an appendix to the Policy and:
 - (i) includes the range of engagement methods appropriate to different levels of influence as outlined in the community engagement policy and process guide; and
 - (ii) be provided to Councillors and both be easily accessible on the Council website; and
- (c) A review of the Policy and its implementation be considered by Council in 12 months to:
 - (i) assess the success of Yarra’s community engagement and consultation processes;
 - (ii) review the Policy implementation;
 - (iii) evaluate the feedback provided to Councillors in council reports is reflective of the submissions received, a valid representation of data and engagement practices are consistent for all consultations across the organisation;
 - (iv) review the success of the evaluation template process and the required reflection of evidence of how the level of influence and approach were determined; and
 - (v) consider other aspects deemed appropriate for review.

LAPSED

MOTION

Moved: Councillor Stone

Seconded: Councillor Fristacky

1. That:

- (a) Council formally adopt the Community Engagement Policy 2020 subject to the inclusion on Page 2 of reference to the particular and additional role of Councillors as elected representatives who engage with and are directly accountable to the community; and
- (b) Council adopts the 4 year Action Plan, subject to inclusion of:
 - (i) **Action 1.6: Ensure Yarra can undertake best practice deliberative engagement of the words, “which may include but not be limited to community advisory boards, neighbourhood committees and citizens juries”;**
 - (ii) Action 1.4 to read: ~~Investigate opportunities to~~ **“Embed community engagement within Yarra's budgeting, policy planning processes and/or project management frameworks”;**
 - (iii) Include in Action 2, reference to including **engaging with people who do not use a computer to access Your Say, Social Media and other on-line communications; and**
 - (iv) Action 4.5, omit the words: “the level of influence available to the community afforded by the project.

AMENDMENT

Moved: Councillor O'Brien

Action 3.2 to read – **Assist Councillors and staff to engage with Yarra's advisory committees.**

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

MOTION

Moved: Councillor Stone

Seconded: Councillor Fristacky

1. That:

- (a) Council formally adopt the Community Engagement Policy 2020 subject to the inclusion on Page 2 of reference to the particular and additional role of Councillors as elected representatives who engage with and are directly accountable to the community; and
- (b) Council adopts the 4 year Action Plan, subject to inclusion of:
 - (i) Action 1.6: **Ensure Yarra can undertake best practice deliberative engagement of the words, "which may include but not be limited to community advisory boards, neighbourhood committees and citizens juries";**
 - (ii) Action 1.4 to read: ~~Investigate opportunities to~~ **Embed community engagement within Yarra's budgeting, policy planning processes and/or project management frameworks";**
 - (iii) Include in Action 2, reference to including **engaging with people who do not use a computer to access Your Say, Social Media and other on-line communications;**
 - (iv) Action 4.5, omit the words: **"the level of influence available to the community afforded by the project; and**
 - (v) Action 3.2 to read – **Assist Councillors and staff to engage with Yarra's advisory committees.**

2. That the following matters be referred to the next Council for their consideration:

AMENDMENT

Moved: Councillor O'Brien

- (a) Council further determines:
 - (i) the shared central resource catalogue referenced in Action Plan 4.3 be made available to Councillors to inform what consultations have taken place; provide access to previous reports and data; and allow easy reference to the feedback received – deidentified if necessary, that informs live Reports for consideration;
 - (ii) the IAP2 spectrum of engagement or spectrum of influence providing a framework against which staff standardise evaluation, the process guide and templates accompanying the policy be included as an appendix to the Policy and:
 - a. includes the range of engagement methods appropriate to different levels of influence as outlined in the community engagement policy and process guide; and
 - b. be provided to Councillors and both be easily accessible on the Council website; and

- (iii) a review of the Policy and its implementation be considered by Council in 12 months to:
- a. assess the success of Yarra’s community engagement and consultation processes;
 - b. review the Policy implementation;
 - c. evaluate the feedback provided to Councillors in council reports is reflective of the submissions received, a valid representation of data and engagement practices are consistent for all consultations across the organisation;
 - d. review the success of the evaluation template process and the required reflection of evidence of how the level of influence and approach were determined; and
 - e. consider other aspects deemed appropriate for review.

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

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Fristacky

1. That:

- (a) Council formally adopt the Community Engagement Policy 2020 subject to the inclusion on Page 2 of reference to the particular and additional role of Councillors as elected representatives who engage with and are directly accountable to the community; and
- (b) Council adopts the 4 year Action Plan, subject to inclusion of:
 - (i) **Action 1.6: Ensure Yarra can undertake best practice deliberative engagement of the words, “which may include but not be limited to community advisory boards, neighbourhood committees and citizens juries”;**
 - (ii) Action 1.4 to read: ~~Investigate opportunities to~~ **“Embed community engagement within Yarra's budgeting, policy planning processes and/or project management frameworks”;**
 - (iii) Include in Action 2, reference to including **engaging with people who do not use a computer to access Your Say, Social Media and other on-line communications;**
 - (iv) Action 4.5, omit the words: “the level of influence available to the community afforded by the project; and
 - (v) Action 3.2 to read – **Assist Councillors and staff to engage with Yarra’s advisory committees.**

2. That the following matters be referred to the next Council for their consideration:

- (a) Council further determines:
 - (i) the shared central resource catalogue referenced in Action Plan 4.3 be made available to Councillors to inform what consultations have taken place; provide access to previous reports and data; and allow easy reference to the feedback received – deidentified if necessary, that informs live Reports for consideration;
 - (ii) the IAP2 spectrum of engagement or spectrum of influence providing a framework against which staff standardise evaluation, the process guide and templates accompanying the policy be included as an appendix to the Policy and:

- a. includes the range of engagement methods appropriate to different levels of influence as outlined in the community engagement policy and process guide; and
 - b. be provided to Councillors and both be easily accessible on the Council website; and
- (iii) a review of the Policy and its implementation be considered by Council in 12 months to:
- a. assess the success of Yarra's community engagement and consultation processes;
 - b. review the Policy implementation;
 - c. evaluate the feedback provided to Councillors in council reports is reflective of the submissions received, a valid representation of data and engagement practices are consistent for all consultations across the organisation;
 - d. review the success of the evaluation template process and the required reflection of evidence of how the level of influence and approach were determined; and
 - e. consider other aspects deemed appropriate for review.

CARRIED UNANIMOUSLY

11.4 Amendment C223 - 81-95 Burnley Street and 26 Doonside Street Planning Controls - Adoption

Reference: D20/136722

Authoriser: Director Planning and Place Making

RECOMMENDATION

Start time: 11.19pm

1. That Council note:
 - (a) the officer report regarding Amendment C223 including the Panel Report, officer comments, and Attachments, and
 - (b) the various officer recommendations regarding the particulars of the proposed Amendment C 223.
2. That Council:
 - (a) adopts Amendment C223 to the Yarra Planning Scheme in accordance with Section 29(1) of the Planning and Environment Act 1987 with the changes set out in Attachment 2 and Attachment 3 to this report;
 - (b) submits the adopted Amendment C223, as set out in Attachment 4, to the Minister for Planning for approval, in accordance with Section 31(1) of the Planning and Environment Act 1987;
 - (c) submits the information prescribed under Section 31 of the Planning and Environment Act 1987 with the adopted amendment, including:
 - (i) the reasons why any recommendations of the Panel were not adopted as outlined in this report; and
 - (ii) a description of and reasons for the changes made to Amendment C223 between exhibition and adoption as outlined in Attachment 3 of this report.
3. That Council delegates to the CEO the authority to finalise Amendment C223, in accordance with Council's resolution, and to make any administrative changes required to correct errors, grammatical changes and map changes.
4. That officers advise all submitters of Council's determination in relation to Amendment C223.

The Deputy Mayor assumed the chair in the Mayors absence at 11.19pm

Public Submission

Rick Jamieson (Astrodome Pty Ltd) made a submission to Council on the matter.

Councillor O'Brien left the meeting at 11.23pm

COUNCIL RESOLUTION

Moved: Councillor Searle

Seconded: Councillor Chen Yi Mei

1. That Council note:
 - (a) the officer report regarding Amendment C223 including the Panel Report, officer comments, and Attachments, and
 - (b) the various officer recommendations regarding the particulars of the proposed Amendment C 223.
2. That Council:
 - (a) adopts Amendment C223 to the Yarra Planning Scheme in accordance with Section 29(1) of the Planning and Environment Act 1987 with the changes set out in Attachment 2 and Attachment 3 to this report;
 - (b) submits the adopted Amendment C223, as set out in Attachment 4, to the Minister for Planning for approval, in accordance with Section 31(1) of the Planning and Environment Act 1987;
 - (c) submits the information prescribed under Section 31 of the Planning and Environment Act 1987 with the adopted amendment, including:
 - (i) the reasons why any recommendations of the Panel were not adopted as outlined in this report; and
 - (ii) a description of and reasons for the changes made to Amendment C223 between exhibition and adoption as outlined in Attachment 3 of this report.
3. That Council delegates to the CEO the authority to finalise Amendment C223, in accordance with Council's resolution, and to make any administrative changes required to correct errors, grammatical changes and map changes.
4. That officers advise all submitters of Council's determination in relation to Amendment C223.

CARRIED UNANIMOUSLY

Councillor O'Brien returned at 11.27pm

11.5 Amendment C286 Public Open Space Contributions

Reference: D20/135904

Authoriser: Director Planning and Place Making

RECOMMENDATION

Start time: 11.28pm

1. That Council note:
 - (a) the officer report outlining the proposed public open space contributions rate for the municipality;
 - (b) the proposed open space contribution rate is a municipal wide contribution rate applicable to all subdivisions in Yarra; and
 - (c) the open space contribution rate proposed is derived from the methodology of the Open Space Strategy adopted by Council on 1 September, 2020.
2. That Council resolves to propose an open space contribution rate of 10.1% as part of the Yarra Planning Scheme.
3. As the planning authority, apply to the Minister for Planning (**Minister**) under section 8A of the Planning and Environment Act 1987 (Vic) (**Act**), for authorisation to prepare the Amendment;
4. If authorisation to prepare the Amendment is received under section 8A of the Act,
 - (a) as the planning authority, prepare the Amendment in accordance with section 8A(2) or section 8A(7) of the Act as relevant;
 - (b) authorise officers to make changes to the draft Amendment documentation at Attachments 1 to 3 as required prior to exhibition of the Amendment to correct any administrative errors and to meet any conditions the Minister imposes through authorisation;
 - (c) endorse, for the purpose of exhibition, the draft Amendment documentation at Attachments 1 to 3, subject to any changes required under (d)(ii) above; and
 - (d) exhibit the Amendment in accordance with sections 17, 18 and 19 of the Act for a period of 4 weeks.
5. That following the exhibition of Amendment C286 a report be provided to Council on any submissions received.
6. That the Yarra Open Space Strategy, and report detailing the methodology employed and the calculations upon which the 10.1% POSC rate is based, be placed on exhibition with the amendment documents.

Public Submission

Jeremy Lawrence (Streets Alive Yarra) made a submission to Council on the matter.

COUNCIL RESOLUTION

Moved: Councillor Stone

Seconded: Councillor Bosler

1. That Council note:
 - (a) the officer report outlining the proposed public open space contributions rate for the municipality;
 - (b) the proposed open space contribution rate is a municipal wide contribution rate applicable to all subdivisions in Yarra; and
 - (c) the open space contribution rate proposed is derived from the methodology of the Open Space Strategy adopted by Council on 1 September, 2020.
2. That Council resolves to propose an open space contribution rate of 10.1% as part of the Yarra Planning Scheme.
3. As the planning authority, apply to the Minister for Planning (**Minister**) under section 8A of the Planning and Environment Act 1987 (Vic) (**Act**), for authorisation to prepare the Amendment;
4. If authorisation to prepare the Amendment is received under section 8A of the Act,
 - (a) as the planning authority, prepare the Amendment in accordance with section 8A(2) or section 8A(7) of the Act as relevant;
 - (b) authorise officers to make changes to the draft Amendment documentation at Attachments 1 to 3 as required prior to exhibition of the Amendment to correct any administrative errors and to meet any conditions the Minister imposes through authorisation;
 - (c) endorse, for the purpose of exhibition, the draft Amendment documentation at Attachments 1 to 3, subject to any changes required under (d)(ii) above; and
 - (d) exhibit the Amendment in accordance with sections 17, 18 and 19 of the Act for a period of 4 weeks.
5. That following the exhibition of Amendment C286 a report be provided to Council on any submissions received.
6. That the Yarra Open Space Strategy, and report detailing the methodology employed and the calculations upon which the 10.1% POSC rate is based, be placed on exhibition with the amendment documents.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Stone

Seconded: Councillor O'Brien

That the meeting be extended by a further 30 minutes.

CARRIED

11.6 Yarra Nature Strategy 2020-2024; Final Strategy for consideration and adoption

Reference: D20/139789

Authoriser: Director City Works and Assets

RECOMMENDATION

Start time: 11.34pm

1. That:

- (a) Council adopt the Yarra Nature Strategy: Protecting Yarra's Unique Biodiversity 2020 – 2024; and
- (b) endorse the Director City Works and Assets to make or approve any minor changes in editing and formatting to finalise the Strategy for publication.

Public Submission

Jeremy Lawrence (Streets Alive Yarra) made a submission to Council on the matter.

Councillor Jolly left the Council meeting at 11.38pm

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

1. That Council:

- (a) adopt the Yarra Nature Strategy: Protecting Yarra's Unique Biodiversity 2020 – 2024 subject to the following amendments:
 - (i) Point 1 to read: Fauna recommended to include (but not limited to):
 - (ii) Point 3 to read: "Develop a strategy plan to improve and restore habitat opportunities in areas deemed of low quality. Where deemed appropriate ..."
 - (iii) 1.4 to read: Commission a project in recognition of Yarra's Climate Emergency Plan to advise on council's role in providing nature refuge areas (for species affected by climate change) across the municipality and actions that it can implement such.
 - (iv) Add extra point: Commission a project to protect and enhance the green corridors in Yarra:
 - a. for further strategies to increase safety for wildlife and restore habitat potential;
 - b. for actions to improve and increase connectivity of the corridors across the catchment, within the municipality of Yarra; and
 - c. to identify a network of wildlife refuge areas along the creeks and river; and
 - (v) 1.5 to read: Establish a 'local legends' community working group with a network focus, and networking group. Key stakeholders include VINC, Parks Victoria, Wurundjeri Woi Wurrung Council and staff from adjoining councils and land managers e.g. Merri Creek Management Committee (MCMC), Darebin Creek Management Committee (DCMC) and local environment community groups;
 - (vi) Add to Point 3: Investigate and document locally rare plants and animals. Promote this information via online opportunities and seek engagement from the community. Support this action through a Gardening For Wildlife Program for Yarra residents;

- (vii) Add to 1.6 new point: Provide regular updates via the Yarra website to promote community engagement.
 - (viii) 2.1 to read: Establish a 'nature in the neighbourhood' reference group. Connect with local wildlife interest groups, Gardening for Wildlife participants, Urban Agriculture interest groups, the Environment Advisory Committee members where relevant. Consider if/where it is possible to combine with Urban Agriculture and/or Environment Advisory Committee where relevant.
 - (ix) Add new point: Develop a Gardening for Wildlife Program in Yarra in accordance with the *General Business Motion Item 9.1 at Council 13 August 2019*;
 - (x) 2.3 to read: Design and implement online communication program for nature-focussed news, initiatives and interactions. Seek to integrate with existing communication mechanisms used in environmental, wildlife, sustainability and urban agriculture projects; and
 - (xi) Add new point: Develop an online platform for community members to share information on local flora, fauna and current events as well as garden and wildlife stories, photos and experiences and to champion the Gardening for Wildlife Program in Yarra.
2. That Council endorse the Director City Works and Assets to make or approve any minor changes in editing and formatting to finalise the Strategy for publication.

CARRIED UNANIMOUSLY

11.7 Yarra's Integrated Water Management Plan

Reference: D20/137402

Authoriser: Director City Works and Assets

The Mayor returned to the meeting and assumed the Chair.

RECOMMENDATION

Start time: 11.43pm

1. That Council:

- (a) notes the significant consultation involved in the development of the Integrated Water Management Plan, the valuable contribution of community members and stakeholders through this process, and that this has informed the development of the final draft of the Integrated Water Management Plan 2020-2030 being presented for consideration; and
- (b) endorses the draft Integrated Water Management Plan 2020-2030 for adoption and implementation.

Public Submission

Jeremy Lawrence (Streets Alive Yarra) made a submission to Council on the matter.

COUNCIL RESOLUTION

Moved: Councillor Fristacky

Seconded: Councillor Stone

1. That Council:

- (a) notes the significant consultation involved in the development of the Integrated Water Management Plan, the valuable contribution of community members and stakeholders through this process, and that this has informed the development of the final draft of the Integrated Water Management Plan 2020-2030 being presented for consideration;
- (b) with the inclusion of an additional action to engage with the Construction Enforcement team to ensure this is a focus of proactive inspections and enforcement and another to undertake digital community awareness campaign highlighting the effects of discharging pollutants into the stormwater network;
- (c) endorses the Integrated Water Management Plan 2020-2030 for adoption and implementation subject to the following amendments;
 - (i) In section 2.1 Building efficiency and education:
 - Investigate feasibility of **Where feasible, implement** green roofs and walls on Council buildings for urban greening and heat reduction
 - (ii) In section 9.1 Passively irrigated trees:
 - Maintain existing and established trees that provide habitat and shade promoting biodiversity and cooling within city (Planning Clause 15.01)
 - (iii) In section 9.2 Retain Water in the Environment:
 - Investigate opportunities for **Investigate and where feasible, incorporate WSUD** in urban streets – particularly as part of road surface and drainage renewals - for stormwater treatment and passive irrigation of street trees;

- Investigate opportunities for **Trial and where feasible, implement** green roofs on new Council buildings to contribute to reduced runoff and urban cooling

and:

- (d) notes, as part of the proposed regular monitoring and updating of the plan (biennially) as outlined in Section 8 of the Plan, additional actions can and will be considered and added where investigations and trials have identified the value of such actions.'

CARRIED UNANIMOUSLY

11.8 2019/20 Annual Financial Statements, Performance Statement, and LGPRF Reports adoption 'in principle'.

Trim Record Number: D20/139650

Responsible Officer: Director Corporate, Business and Finance

RECOMMENDATION

Start time: 11.52pm

1. That Council:

- (a) notes the accompanying 2019/20 Annual Financial Statements and LGPRF Reports (including the Performance Statement), and receives the endorsement of Council's Audit Committee;
- (b) adopts the 2019/20 Annual Financial Statements and Local Government Performance Reporting Framework Reports (including the Performance Statement), 'in principle' prior to them being provided to the Victorian Auditor-General's Office for final audit sign off;
- (c) nominates the Mayor and Audit Committee member Councillor Misha Coleman, and Audit Committee member Councillor James Searle, as the two Councillors to certify the Annual Financial Statements and Performance Statement;
- (d) authorises the nominated Councillors to accept any further recommended changes by the Victorian Auditor-General's Office; and
- (e) designates Mark Montague, Chief Financial Officer, as Principal Accounting Officer to certify the Annual Financial Statements and Performance Statement, as required by the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014.

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Stone

1. That Council:

- (a) notes the accompanying 2019/20 Annual Financial Statements and LGPRF Reports (including the Performance Statement), and receives the endorsement of Council's Audit Committee;
- (b) adopts the 2019/20 Annual Financial Statements and Local Government Performance Reporting Framework Reports (including the Performance Statement), 'in principle' prior to them being provided to the Victorian Auditor-General's Office for final audit sign off;
- (c) nominates the Mayor and Audit Committee member Councillor Misha Coleman, and Audit Committee member Councillor James Searle, as the two Councillors to certify the Annual Financial Statements and Performance Statement;
- (d) authorises the nominated Councillors to accept any further recommended changes by the Victorian Auditor-General's Office; and
- (e) designates Mark Montague, Chief Financial Officer, as Principal Accounting Officer to certify the Annual Financial Statements and Performance Statement, as required by the Local Government Act 1989 and Local Government (Planning and Reporting) Regulations 2014.

CARRIED UNANIMOUSLY

11.9 2019/20 Annual Plan Quarterly Progress Report - June

Trim Record Number: D20/133795

Responsible Officer: Director Corporate, Business and Finance

RECOMMENDATION

Start time: 11.54pm

1. That Council note the end-of-year result as reported in the 2019/20 Annual Plan Quarterly Progress Report - June.
2. That Council note the end-of-year capital works program adjustments as reported in:
 - (a) Capital Adjustments Running Table – 2019/20 Final; and
 - (b) 2019/20 Capital Works carried forward to 2020/21.

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor Stone

1. That Council note the end-of-year result as reported in the 2019/20 Annual Plan Quarterly Progress Report - June.
2. That Council note the end-of-year capital works program adjustments as reported in:
 - (a) Capital Adjustments Running Table – 2019/20 Final; and
 - (b) 2019/20 Capital Works carried forward to 2020/21.

CARRIED UNANIMOUSLY

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Chen Yi Mei

Seconded: Councillor Stone

That the meeting be further extended.

CARRIED

12.1 Notice of Rescission 1 of 2020 - Investing in the post-COVID recovery

Reference: D20/138988

Authoriser: Group Manager Chief Executive's Office

RECOMMENDATION

Start time: 7.08pm

1. That the motion of Council as carried on 1 September 2020 and stating:

"1. That Yarra Council acknowledge that:

- (a) the restrictions resulting from the COVID-19 pandemic, and the current lockdown in particular, has resulted in serious, negative and ongoing impacts to many Yarra residents and businesses;*
- (b) the overall impacts of this pandemic won't be fully understood or felt for some time and could last for many years;*
- (c) recovery from the pandemic will necessitate significant investment of funds and resources from all levels of government;*
- (d) the Recovery provides an opportunity to rebuild community wellbeing and the local economy, based upon principles of social justice and environmental sustainability;*
- (e) a recovery must by definition, build community resilience to future social, economic and environmental shocks and challenges, including the known impacts of climate change; and*
- (f) the Council's adopted Climate Emergency Plan can provide a strong framework to guide future planning post-COVID.*

2. *That Yarra Council commit to investing in a post COVID Recovery Plan comprising projects that will support Yarra Community members who have been hit hardest by the pandemic and build broader community resilience to future shocks.*

3. *That this program of recovery projects will consider:*

- (a) supporting innovative approaches through Yarra's Social and Affordable Housing Strategy to facilitate increased growth of social and affordable housing in Yarra;*
- (b) investing in community led initiatives and programs that will stimulate environmentally responsible small businesses in Yarra, to increase access to well-paying and sustainable jobs that both offer training and advancement opportunities;*
- (c) radically transforming the Yarra community carbon emission footprint by accelerating investment in the Climate Emergency Plan and in active transport infrastructure;*
- (d) leveraging funding - whether State or Federal or through borrowing or other sources - to enhance community health and social services in addition to public community infrastructure, that will promote community participation and support the health, wellbeing and connectedness of residents;*
- (e) ensuring that decisions made about these projects are informed by, and that consultation is centred on, those who have been most impacted in Yarra: including those from Aboriginal and Torres Strait Islander backgrounds, culturally diverse communities, public housing residents, young people and other marginalised groups; and*
- (f) using Council's adopted Climate Emergency Plan as a guiding framework.*

4. *That a Workshop to develop the details of a Post-COVID Recovery Plan be held in September with Councillors, Executive Members and other relevant officers, with a report back to Council on a proposed Recovery Plan and recommendations for financially resourcing the Plan, which may include borrowing.*
5. *That a further workshop to refine this plan be held with community and business leaders to gather their input.*
6. *That this Plan:*
 - (a) *be based on the key principles of working towards a just, fair and sustainable future; and*
 - (b) *be referred to the new Council for inclusion in the Yarra Council Plan 2020-2024 along with consideration of the Sustainable Development Goals as an additional guiding framework.”*

be rescinded.

COUNCIL RESOLUTION

Moved: Councillor Jolly

Seconded: Councillor Fristacky

1. That the motion of Council as carried on 1 September 2020 and stating:
 - “1. *That Yarra Council acknowledge that:*
 - (a) *the restrictions resulting from the COVID-19 pandemic, and the current lockdown in particular, has resulted in serious, negative and ongoing impacts to many Yarra residents and businesses;*
 - (b) *the overall impacts of this pandemic won’t be fully understood or felt for some time and could last for many years;*
 - (c) *recovery from the pandemic will necessitate significant investment of funds and resources from all levels of government;*
 - (d) *the Recovery provides an opportunity to rebuild community wellbeing and the local economy, based upon principles of social justice and environmental sustainability;*
 - (e) *a recovery must by definition, build community resilience to future social, economic and environmental shocks and challenges, including the known impacts of climate change; and*
 - (f) *the Council’s adopted Climate Emergency Plan can provide a strong framework to guide future planning post-COVID.*
 2. *That Yarra Council commit to investing in a post COVID Recovery Plan comprising projects that will support Yarra Community members who have been hit hardest by the pandemic and build broader community resilience to future shocks.*
 3. *That this program of recovery projects will consider:*
 - (a) *supporting innovative approaches through Yarra’s Social and Affordable Housing Strategy to facilitate increased growth of social and affordable housing in Yarra;*
 - (b) *investing in community led initiatives and programs that will stimulate environmentally responsible small businesses in Yarra, to increase access to well-paying and sustainable jobs that both offer training and advancement opportunities;*

- (c) *radically transforming the Yarra community carbon emission footprint by accelerating investment in the Climate Emergency Plan and in active transport infrastructure;*
 - (d) *leveraging funding - whether State or Federal or through borrowing or other sources - to enhance community health and social services in addition to public community infrastructure, that will promote community participation and support the health, wellbeing and connectedness of residents;*
 - (e) *ensuring that decisions made about these projects are informed by, and that consultation is centred on, those who have been most impacted in Yarra: including those from Aboriginal and Torres Strait Islander backgrounds, culturally diverse communities, public housing residents, young people and other marginalised groups; and*
 - (f) *using Council's adopted Climate Emergency Plan as a guiding framework.*
4. *That a Workshop to develop the details of a Post-COVID Recovery Plan be held in September with Councillors, Executive Members and other relevant officers, with a report back to Council on a proposed Recovery Plan and recommendations for financially resourcing the Plan, which may include borrowing.*
5. *That a further workshop to refine this plan be held with community and business leaders to gather their input.*
6. *That this Plan:*
- (a) *be based on the key principles of working towards a just, fair and sustainable future; and*
 - (b) *be referred to the new Council for inclusion in the Yarra Council Plan 2020-2024 along with consideration of the Sustainable Development Goals as an additional guiding framework."*

be rescinded.

CARRIED

CALL FOR A DIVISION

For: Councillors Coleman, Fristacky, Jolly, Bosler and O'Brien

Against: Councillors Stone, Chen Yi Mei and Searle

The meeting resumed back to public question time.

12.2 Notice of Motion No. 15 of 2020 - Gleadell Street Market

Reference: D20/140545

Authoriser: Group Manager Chief Executive's Office

RECOMMENDATION

Start time: 12.01am

1. That Council note the long history of the Gleadell St Market and reaffirm its commitment for the market to continue trading on Gleadell St now and into the future;
2. That Council initiate a review of the market's operations and receive an officer report in the first quarter of 2021 on ways Council can improve the operations and success of the market, with the report including:
 - (a) any trends affecting the market that Council has information about;
 - (b) sales and visitation data (if available);
 - (c) any feedback Council has received about the market from residents, customers and stallholders;
 - (d) a comparison with other inner urban open air and fresh produce markets;
 - (e) a proposed process for reviewing the operations of the market with the review including but not limited to:
 - (i) the effectiveness of Council's management/compliance model;
 - (ii) the market's operating times;
 - (iii) any possible programming/activation that could be introduced in addition to ordinary stalls;
 - (iv) the effectiveness of the stallholder working group;
 - (v) options for a community-based advisory group;
 - (vi) the way that stall vacancies are filled;
 - (vii) recommendations for improving the sustainable operations of the market in line with Council's Climate Emergency Plan, Waste Strategy, Integrated Water Management Strategy and other relevant Council strategies;
 - (viii) recommendations for reducing waste produced by the market;
 - (ix) options for storage of bins and infrastructure related to the market;
 - (x) the role and function of the community stall and whether this capacity should be increased;
 - (xi) implications for the operation of the market should streetscape improvements be made to Gleadell St; and
 - (xii) any other matters officers consider relevant.

COUNCIL RESOLUTION

Moved: Councillor Searle

Seconded: Councillor Chen Yi Mei

1. That Council note the long history of the Gleadell St Market and reaffirm its commitment for the market to continue trading on Gleadell St now and into the future;
2. That Council initiate a review of the market's operations and receive an officer report in the first quarter of 2021 on ways Council can improve the operations and success of the market, with the report including:
 - (a) any trends affecting the market that Council has information about;
 - (b) sales and visitation data (if available);
 - (c) any feedback Council has received about the market from residents, customers and stallholders;
 - (d) a comparison with other inner urban open air and fresh produce markets;
 - (e) a proposed process for reviewing the operations of the market with the review including but not limited to:
 - (i) the effectiveness of Council's management/compliance model;
 - (ii) the market's operating times;
 - (iii) any possible programming/activation that could be introduced in addition to ordinary stalls, including festive holidays;
 - (iv) the effectiveness of the stallholder working group;
 - (v) options for a community-based advisory group;
 - (vi) the way that stall vacancies are filled;
 - (vii) recommendations for improving the sustainable operations of the market in line with Council's Climate Emergency Plan, Waste Strategy, Integrated Water Management Strategy and other relevant Council strategies;
 - (viii) recommendations for reducing waste produced by the market;
 - (ix) options for storage of bins and infrastructure related to the market;
 - (x) the role and function of the community stall and whether this capacity should be increased;
 - (xi) implications for the operation of the market should streetscape improvements be made to Gleadell St; and
 - (xii) any other matters officers consider relevant.

CARRIED UNANIMOUSLY

12.3 Notice of Motion No. 16 of 2020 - Council Resolution Summary

Reference: D20/140934
Authoriser: Group Manager Chief Executive's Office

RECOMMENDATION

Start time: 12.07am

1. That a process be implemented whereby Councillors are provided a list within three working days of each Council Meeting that briefly outlines resolutions passed, planned actions, expected timelines and the responsible Manager.

REVISED RECOMMENDATION

1. That:
 - (a) a process be implemented whereby Councillors are provided a list, within three working days of each Council Meeting that briefly outlines Council Meeting resolutions passed and is circulated as an attachment via email; and
 - (b) such list of Council resolutions, be similarly distributed to appropriate Council staff.

COUNCIL RESOLUTION

Moved: Councillor O'Brien

Seconded: Councillor Fristacky

1. That:
 - (a) a process be implemented whereby Councillors are provided, within five working days of each Council Meeting a list from the Council Meeting of resolutions passed and is circulated electronically; and
 - (b) a list of public Council resolutions, be similarly distributed to appropriate Council staff.

CARRIED UNANIMOUSLY

12.4 Notice of Motion No. 17 of 2020 - Transparency of Council Committees

Reference: D20/140930
Authoriser: Group Manager Chief Executive's Office

RECOMMENDATION

1. That the following clause be inserted into the Council Committees Policy immediately underneath the heading "3.10 Transparency":

"Council's website shall include a page dedicated to committees providing a list of all:

- *Advisory Committees;*
- *Interest Groups;*
- *Project Reference Groups;*
- *Delegated Committees established under section 63 of the Act;*
- *Joint Delegated Committee established under section 64 of the Act; and*
- *any other committees, working parties, interest groups or other groups established by Council that meet periodically for the purposes of consulting with the community."*

In addition to the information for specific committee types listed below, the website should include the name, purpose and composition of each group, as well as links to Delegate's Reports that have been submitted by Councillors in relation to that group."

COUNCIL RESOLUTION (PROCEDURAL)

Moved: Councillor Chen Yi Mei **Seconded:** Councillor Coleman

That the meeting be further extended.

CARRIED

COUNCIL RESOLUTION

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

1. That the following clause be inserted into the Council Committees Policy immediately underneath the heading "3.10 Transparency":

"Council's website shall include a page dedicated to committees providing a list of all:

- *Advisory Committees;*
- *Interest Groups;*
- *Project Reference Groups;*
- *Delegated Committees established under section 63 of the Act;*
- *Joint Delegated Committee established under section 64 of the Act; and*
- *any other committees, working parties or other groups established by Council that meet periodically for the purposes of consulting with the community."*

CARRIED

CALL FOR A DIVISION

For: Councillors Coleman, Fristacky, Stone, Bosler and O'Brien

Against: Councillors Chen Yi Mei and Searle

13. Urgent Business

13.1 Urgent Business Motion – Recognition of Yarra’s Community-based Health Providers and Council Officers during the COVID19 Pandemic

Start time: 12.36am

Public Submissions

The following submissions were read out by Rhys Thomas on behalf of the submitters on the matter:

Professor Mark Stoové (Burnet Institute);and

Patricia Collocott, Chief Executive Officer, North Richmond Community Health Limited.

COUNCIL RESOLUTION

Moved: Councillor Coleman

Seconded: Councillor O'Brien

1. That Council:

- (a) notes the significant work undertaken by community health providers in the public housing estates in Yarra, including North Richmond Community Health, Co-health, St Vincent’s Hospital and Ambulance Victoria – in establishing community-based COVID testing and in providing the associated care and support for residents in the estates during Stage 3 and 4 COVID restrictions;
- (b) Thanks the Council Officers and the vast number of community-based service and support providers throughout Yarra who have contributed to keeping residents who have tested positive safe, informed and provided for during their quarantine periods;
- (c) notes the recent initiatives announced by the State Government to: reduce community transmission; reduce delays in contact tracing; and which involve a community-led response, including:
 - (i) the High Risk Accommodation Response Initiative; and
 - (ii) the New Suburban Response Units;
- (d) notes:
 - (i) that any implementation of a new locally based test, treat, isolate care, support and contact tracing models should be led by community health agencies;
 - (ii) that Yarra Council currently itself, has limited resources to support locally-based test, treat, isolate care, support and contact tracing models, especially as the easing of restrictions will require the resumption of services (such as libraries and leisure) from where staff have currently been redeployed to support Council’s emergency response; and
 - (iii) accordingly, that requests for Council resources to support new community-based COVID-related models will need to be considered by the CEO in the light of operational limitations.

CARRIED UNANIMOUSLY

Background:

COVID-19 has had an enormous impact on our community. Until such time as a safe and effective treatment and/or vaccination becomes available and is made accessible, we will need to learn to live with this virus in a socially and economically sustainable way. Containment of the virus spread is an essential part of the overall strategy.

In response to concerns on the level of community transmission in public housing, and the hard lockdown of towers in North Melbourne and Flemington, the Victorian State Government facilitated the urgent establishment of community-based COVID testing in Yarra's public housing estates in July, following a Motion passed by Yarra City Councillors on 7th July 2020.

Throughout the current health emergency, some community members have experienced significant delays in the time between taking a COVID test and receiving the results. In some instances, the time taken to get the results has led to some instances of some people not isolating when they were COVID positive (but did not know) and also unnecessary periods of isolation for others who were not.

Timely results from COVID testing can be critical in limiting the spread of the virus in the community. High levels of community transmission, combined with centralised contact tracing, has put considerable pressure on DHHS to be able to provide timely investigations and advice as community numbers increased.

Six regional centres in Victoria have already established de-centralised models that have been effective in reducing the response times for testing results. In addition, the Burnet Institute (with inputs from several community health service providers in the City of Yarra), are developing a community-based and delegated test, treat, care and support model with the DHHS, for which a trial may be established at one or more community-based health centres in Yarra.

The objectives of the model are:

1. To establish clear mechanisms and partnerships to help individuals to manage the impact of COVID-19 and reduce unintended health, social and economic impacts.
2. To reduce the time between the onset of symptoms and testing for SARS-CoV-2 through increased demand and access to testing.
3. To reduce the time between testing, receiving positive test results and the delivery of care and support for people and their contacts who are required to isolate/quarantine.
4. To reduce the time from diagnosis to initiation of contact tracing (tracing delay and cluster outbreak management).
5. To implement and monitor key process indicators that measure effective implementation and allow for early corrective action.
6. To implement a governance model that ensures that community perspectives are central to the response and guide interventions.

Conclusion

The meeting concluded at 12.52am.

Confirmed Tuesday 6 October 2020

Mayor