



# Minutes

## Council Meeting

7.00pm, Tuesday 30 March 2021

MS Teams

## 1. Statement of recognition of Wurundjeri Woi-wurrung Land

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

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

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

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

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

## 2. Attendance, apologies and requests for leave of absence

### Attendance

#### Councillors

- |                          |              |
|--------------------------|--------------|
| • Cr Gabrielle de Vietri | Mayor        |
| • Cr Claudia Nguyen      | Deputy Mayor |
| • Cr Edward Crossland    | Councillor   |
| • Cr Stephen Jolly       | Councillor   |
| • Cr Herschel Landes     | Councillor   |
| • Cr Anab Mohamud        | Councillor   |
| • Cr Amanda Stone        | Councillor   |
| • Cr Sophie Wade         | Councillor   |

#### Council officers

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

### Apology

- |                      |            |
|----------------------|------------|
| • Cr Bridgid O’Brien | Councillor |
|----------------------|------------|

## 3. Announcements

No announcements were made.

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

No declarations were made.

*Councillor Mohamud arrived to the meeting at 7.05pm*

*Councillor Landes arrived to the meeting at 7.06 pm*

## 5. Confidential business reports

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

### COUNCIL RESOLUTION

**Moved:** Councillor Landes

**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**

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

### Item

#### 5.1 C1567 Tender Report for Richmond Preschool Extension and Upgrade

This item is presented for consideration in closed session because it contains 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.

This item is considered applicable because it contains information presented on a commercial in confidence basis during a tender process.

## 6. Confirmation of minutes

### COUNCIL RESOLUTION

**Moved:** Councillor Crossland

**Seconded:** Councillor Stone

That the minutes of the Council Meeting held on Tuesday 16 March 2021 be confirmed.

**CARRIED**

## 7. Public question time

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## 8. Council business reports

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8.5 Appointment of Authorised Officers under the Planning and Environment Act 1987	19	19

## 9. Notices of motion

Nil

## 10. Petitions and joint letters

Nil

## 11. Questions without notice

Nil

## 12. Delegates' reports

Nil

## 13. General business

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13.1	Councillor de Vietri - Raise the Rate for Good Campaign	20
13.2	Councillor Crossland - Section 173 Agreement for Social Housing Funds Contribution	21

## 14. Urgent business

Nil

## 7. Public question time

The following questions were asked by members of the public during Public Question Time. A recording of the Council meeting containing the full question and response (where provided) is available on Council's website for four years following the meeting.

Questioner	Topic	Response
Julie Cann	Residents at the YarraBend development opposing the recently introduced 2hr Monday - Sunday 7am-7pm parking restrictions	The Director Planning and Place Making provided a response
Penny Tolhurst	The Rae St priority crossing has not been implemented, creating an immediate safety risk and	The Director City Works and Assets responded.

## 8.1 Fitzroy-Collingwood Interim Planning Scheme provisions (stage 2) - Alexandra Parade, Victoria Parade (east of ACU) AND Fitzroy West

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<b>Reference</b>	D21/25744
<b>Author</b>	Joerg Langeloh - Project and Policy Coordinator
<b>Authoriser</b>	Director Planning and Place Making

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### RECOMMENDATION

**Start time: 7.20pm**

1. That council:
  - (a) notes the officer report and attachments for the Fitzroy-Collingwood Stage 2 interim built form provisions for Alexandra Parade, Victoria Parade and the Fitzroy West Mixed Use Zone area;
  - (b) adopts for the purpose of supporting the amendment request, the three individual Precinct Review and Built Form Framework reports, supporting Heritage Analysis and Recommendations and the Traffic Engineering Assessment prepared by Hansen Partnership, GJM Heritage and Traffix Group at **Attachments 1 to 7**;
  - (c) requests the Minister for Planning in accordance with sections 8(1)(b) and section 20(4) of the *Planning and Environment Act 1987* to introduce Design and Development Overlay Schedules 38, 39 and 40 on an interim basis into the Yarra Planning Scheme (**Attachment 8**);
  - (d) authorises officers to consult with the Minister, in accordance with sections 8(1)(b), 20(4) and 20(5) of the Act, to assist the Minister to prepare, adopt and approve the Amendment; and
  - (e) authorises the CEO to make any minor adjustments required to meet the intent of the above resolution.

### Public Submissions

*The following people addressed Council on the matter:*

*Janet Taylor, Collingwood Historical Society;*

*Chris Goodman, The 3068 Group; and*

*Candice Charles, Protect Clifton Hill.*

## COUNCIL RESOLUTION

**Moved:** Councillor Stone

**Seconded:** Councillor Crossland

1. That council:

- (a) notes the officer report and attachments for the Fitzroy-Collingwood Stage 2 interim built form provisions for Alexandra Parade, Victoria Parade and the Fitzroy West Mixed Use Zone area;
- (b) adopts for the purpose of supporting the amendment request, the three individual Precinct Review and Built Form Framework reports, supporting Heritage Analysis and Recommendations and the Traffic Engineering Assessment prepared by Hansen Partnership, GJM Heritage and Traffix Group at Attachments 2, 3, 5-7;
- (c) requests the Minister for Planning in accordance with sections 8(1)(b) and section 20(4) of the Planning and Environment Act 1987 to introduce Design and Development Overlay Schedule 40 on an interim basis into the Yarra Planning Scheme (Attachment 8);
- (d) requests the Minister for Planning in accordance with sections 8(1)(b) and section 20(4) of the Planning and Environment Act 1987 to introduce Design and Development Overlay Schedules 38 in Attachment 8 on an interim basis into the Yarra Planning Scheme subject to the following insertions:
  - (i) in 2.5 'Overall Building Height Requirements' Map 1 be amended as follows:
    - Sites currently coloured as 8, 9 and/or 10 storeys be coloured 7 storeys / 28 metres;
  - (ii) Under 2.3 Street Wall Height Requirements the provision "Development should achieve a continuous street wall with no front setback to a street, unless the site is a heritage building and a front setback already exists."  
be deleted and replaced with:  
"Development should achieve a continuous street wall with no front setback to a street, unless the site:
    - is a heritage building and a front setback already exists;
    - fronts Hilton Street, in which case a landscaped front setback without cantilevering of upper level form should be provided."
- (e) requests the Minister for Planning in accordance with sections 8(1)(b) and section 20(4) of the Planning and Environment Act 1987 to introduce Design and Development Overlay Schedules 39 in Attachment 8 on an interim basis into the Yarra Planning Scheme subject to the following change:
  - (i) Under 2.3 Street Wall Height Requirements the provision "Development should achieve a continuous street wall with no front setback to a street, unless the site is a heritage building and a front setback already exists."  
be deleted and replaced with:  
"Development should achieve a continuous street wall with no front setback to a street, unless the site:
    - is a heritage building and a front setback already exists;
    - adjoins the:
      - the west side of Rokeby Street; or
      - the east side of Rupert Street; or
      - the east side of Cromwell Street.

in which case a front setback without cantilevering of upper level form should be provided.”

- (f) advises the Minister for Planning that Council has made changes to the amendment documentation to:
  - (i) recognise that the Former Fitzroy Gasworks site with maximum heights of 10 stories (33 metres) should be the site of highest change along Alexandra Parade;
  - (ii) take into the context of Amendment C231 DDO16 Precinct 2C into account regarding overall building heights;
  - (iii) better respond to the existing low-rise character of buildings in the area;
  - (iv) reflect the residential context with landscaped front setbacks along Hilton Street; and
  - (v) facilitate pedestrian entry and egress from buildings and achieve better urban design outcomes along Rokeby, Rupert and Cromwell Streets.
- (g) authorises officers to consult with the Minister, in accordance with sections 8(1)(b), 20(4) and 20(5) of the Act, to assist the Minister to prepare, adopt and approve the Amendment; and
- (h) authorises the CEO to make any minor adjustments required to meet the intent of the above resolution.

**CARRIED**

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## 8.2 Collingwood Town Hall Precinct Redevelopment Study

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<b>Reference</b>	D21/14760
<b>Author</b>	Tess Simson - Senior Policy Advisor
<b>Authoriser</b>	Manager Social Strategy and Community Development

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### RECOMMENDATION

**Start time: 7.54pm**

1. That Council notes:
  - (a) the completion of the feasibility study in response to the direction within the 2019–20 budget to undertake a feasibility study examining the potential to develop social and affordable housing options in the Collingwood Town Hall Precinct and the further Council motion from August 2019 to expand the feasibility study to include previously considered community uses, and that this work included:
    - (i) Planning, urban design, massing and economic feasibility;
    - (ii) Community infrastructure costs and concepts;
    - (iii) Stakeholder engagement (including with potential joint-venture partners); and
    - (iv) Commercial property valuations of council-owned land/buildings;
  - (b) the redevelopment of the northern end of the Collingwood Town Hall Precinct has been investigated on multiple occasions over the past ten years, including delivering social and affordable housing, arts and other community outcomes (considered in 2013–14), and the option of the Victorian RSL assuming responsibility for the restoration and reactivation of the Sailors and Soldiers Hall (considered in 2018); and
  - (c) the many challenges evident in redeveloping the northern end of the Collingwood Town Hall Precinct, including:
    - (i) the deteriorating and underutilised Council-owned assets of Sailors and Soldiers Memorial Hall and the nineteenth century factories at 117–123 Vere Street;
    - (ii) the many and varied property owners and complicating infrastructure within and around the study area; and
    - (iii) the scale, land area and partners needed to achieve a financially viable mixed-use outcome at the site – with Council’s main contribution being the land – which delivers a high proportion of social housing, alongside fit-for-purpose community infrastructure, with resulting improvements to the urban realm.
2. That Council thanks the Victorian Government for their contribution to the project, and thanks industry stakeholders for their time and thoughtful contribution to the stakeholder engagement exercise.
3. That with respect to the northern end of the Collingwood Town Hall Precinct, Council determines from one or more of the following options, and instructs officers to progress with further work including:
  - (a) Continue to seek an outcome that delivers a mixed-use development, as explored through the feasibility work, that includes residential dwellings (with a minimum of 50% of dwellings allocated to social and affordable housing with the balance market housing); has no less than 1,000m<sup>2</sup> for a community hub (including contemporary library spaces, flexible arts and community rooms and consulting suites); and necessitates the acquisition of additional assets and a continued partnership with the Victorian Government, noting that additional land acquisitions

will be required; or

- (b) Commence the necessary work to facilitate the development of social and affordable housing through already Council-owned assets, specifically the leasing of the council-owned warehouse sites at 117–123 Vere Street to a Registered Housing Agency (RHA), with the refurbishment of the Sailors and Soldiers Hall not included; or
  - (c) Commence the necessary work to develop a new community hub in the precinct, based around, and including the refurbishment of the Sailors and Soldiers Memorial Hall on Hoddle Street, with the development of social and affordable housing not included, noting that Council would need to find additional resources for further feasibility and a source of funding for any potential community infrastructure project; or
  - (d) Commence the necessary work to develop a new community hub in the precinct, based around, and including the refurbishment of the Sailors and Soldiers Memorial Hall on Hoddle Street, as well as facilitating the development of limited social and affordable housing through the leasing of the council-owned warehouse sites at 117–123 Vere Street to a Registered Housing Agency (RHA), noting that Council would need to find a source of funding for the community infrastructure project; or
  - (e) Instigate the process to sell the underutilised Council assets such as 117–123 Vere Street and Sailors and Soldier at 152A Hoddle Street; or
  - (f) Leave the site as is.
4. That Council directs officers to produce a consultation and engagement strategy for the preferred option and report back to Council to seek endorsement for the strategy and approval to consult the community.

#### Public Submissions

*The following people addressed Council on the matter:*

*Nicole Eckersley;*

*James McNair;*

*Florence Davies;*

*Glen McCallum, Protect Fitzroy North Inc.; and*

*Margaret O'Brien.*

#### **COUNCIL RESOLUTION**

**Moved:** Councillor de Vietri

**Seconded:** Councillor Mohamud

1. That Council:
- (a) acknowledges the extensive work undertaken by officers to develop the feasibility study, and thanks the State Government for its support and the housing industry partners who have contributed to the feasibility study;
  - (b) commits to the provision of public facilities for existing and future residents as part of a community hub and civic precinct;
  - (c) supports the use of residential zoned land in the precinct (125-129 Vere Street) for the construction of 100% low-rise social housing for older women and women and families in need as a part of Victoria's Big Build;

- (d) does not support Council land located in a central civic precinct being used for the development of private, market-rate dwellings within a large-scale housing development, as examined as part of the feasibility study.
- (e) notes that all options examined in the feasibility study for large-scale housing developments would entail unacceptable trade-offs, costs and risks to Council and the municipal community.
- (f) notes that the Collingwood Town Hall precinct is located:
  - (i) in an under-serviced area of the City of Yarra, at the junction of Collingwood and Abbotsford;
  - (ii) opposite one of the largest and most densely populated areas of public housing in the state; and
  - (iii) in an ideal place to assist and provide important local government services to Yarra's most disadvantaged residents;
- (g) requests officers explore uses for the underutilised Council land at 152A Hoddle Street and 117-123 Vere St ("the site") that will cater for the present and future service needs of Yarra's rapidly growing population, including service gaps identified in Yarra's *Community Infrastructure Plan (2018)*, based on the key principles and guidelines outlined in Yarra's *Property Strategy (2018)* and in consultation with the community and key organisations;
- (h) authorises officers to develop and implement a community consultation and engagement strategy to test community support and seek input into preferred outcomes for the development of a community hub on the site;
- (i) notes the preliminary work already provided to Council and the costs associated with the development of community facilities, and notes that officers will need to undertake additional feasibility work, which will require additional expert advice and resources that are currently not budgeted;
- (j) affirms its commitment to facilitating the provision of housing that meets the needs of people of all incomes in Yarra via strategies outlined in Yarra's Social and Affordable Housing Strategy including:
  - (i) working with developers for the inclusion of social and affordable housing via the *Policy Guidance Note: Affordable Housing Outcomes*;
  - (ii) advocating, as per Notice of Motion No. 20, to the state government to fast-track inclusionary zoning, to ensure a minimum amount of social and affordable housing is included in new developments; and
  - (iii) exploring other planning mechanisms that enable social and affordable housing contributions by developers as our city grows.
- (k) continues to encourage the State Government to invest in public and social housing on land that remains in state ownership in perpetuity, and recommits to working in partnership with the State to explore and deliver housing options to meet the needs of Yarra's diverse communities to this end, including the shaping of a public housing project at 147 - 161 Elizabeth Street, North Richmond.
- (l) seeks a further public report/s from officers on progress before the end of 2021, which should contain advice on:
  - (i) outcomes of the community consultation and engagement;
  - (ii) options and recommendations on the scale and deliverability of community infrastructure on the site incorporating the following services in a community hub:
    - a. improved library for the Collingwood-Abbotsford area;
    - b. an improved and modern Maternal and Child Health Centre;

- c. multipurpose rooms that could be used as meeting rooms and/or events; and
- d. other relevant community spaces which can be either utilised by Council operated services or licenced / leased for use by community or not for profit organisations;
- (iii) possible funding options / sources for Council to consider; and
- (iv) future opportunities for an ideas and/or design competition or for engagement with universities to help inform the future of the community facility;
- (m) authorises Council officers to release the full feasibility reports, a de-identified version of the Stakeholder Engagement Report as appropriate, and records of Council decisions on this matter including those made in Confidential Council meetings; and
- (n) writes to the Minister for Housing, the Hon Richard Wynne to advise him of the decision in relation to the site.

**CARRIED**

**CALL FOR A DIVISION**

**For:** Councillors Stone, Crossland, de Vietri, Mohamud, Landes and Wade

**Against:** Councillors Jolly and Nguyen

## 8.3 Recreation Services - Fees, Charges and Allocations

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**Reference** D21/24199  
**Author** James Pratt - Recreation and Leisure Services  
**Authoriser** Director City Works and Assets

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REPORT WAS WITHDRAWN

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## 8.4 Consultation findings and next steps regarding the Consumption of Liquor in Public Places Local Law

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<b>Reference</b>	D21/24332
<b>Author</b>	Sarah Ernst - Policy Advisor
<b>Authoriser</b>	Director Community Wellbeing

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### RECOMMENDATION

**Start time: 8.32pm**

1. That Council:

- (a) note that the principal purpose of this report has been to present the consultation and associated research findings requested in Resolution 6372 to Council for consideration.
- (b) note that the presentation of the consultation findings and associated research is the preliminary stage of a multi-faceted program of work which includes:
  - (i) a thorough and nuanced investigation of multiple options;
  - (ii) broad stakeholder engagement including continued engagement with the Aboriginal and Torres Strait Islander community;
  - (iii) generating a proposal and seeking a direction from Council in mid-2021; and
  - (iv) completing the required statutory process(es);
- (c) note that in establishing future directions or when making decisions on the matters discussed in this report, Council gives due consideration to the following matters:
  - (i) the current context cannot be separated from the community's perceptions of *Local Law 8*, which reverberates into the *Consumption of Liquor in Public Places Local Law* (adopted in October 2019), and will continue through to any future local law that affords an opportunity to discriminate;
  - (ii) that inequity and racism is still viewed as inherent in the current *Consumption of Liquor in Public Places Local Law*, and that the consultation findings, associated research and majority of the steering committee feedback demonstrates that trauma felt by the Aboriginal and Torres Strait Islander community continues today;
  - (iii) the issues of public drunkenness as compared to the consumption of liquor in public places are distinct, yet unavoidably related;
  - (iv) this situation presents an opportunity for Council to address the evident historical and ongoing distress and trauma experienced in the Aboriginal and Torres Strait Islander community;
  - (v) there have been significant moments when Australian governments have made sincere and genuine efforts to apologise to the Aboriginal and Torres Strait Islander communities for past wrongs;
  - (vi) the issues brought to light through this consultation are interlinked with a changing external environment including in relation to legislation, such as the repeal of public drunkenness from the *Summary Offences Act*. There is the possibility of a trial site for the Victorian Government's new model of care to be in the City of Yarra;
  - (vii) legal advice is that Council can only revoke an existing local law by making a new local law, with regard to the current *Consumption of Liquor in Public Places* local law due to sunset on 19 October 2021;

- (viii) it is paramount that the opinions and experiences of the Aboriginal and Torres Strait Islander community are valued and shared in broader consultation and engagement on this matter;
  - (ix) acknowledgement that the use of public spaces – and the behaviours considered acceptable within public spaces, including the consumption of liquor – remains a contested issue and a constant point of debate within the community;
  - (x) acknowledgement that community safety and public amenity issues within our entertainment and night-time economy precincts, including in relation to major events such as New Year's Eve and the AFL Grand Final, must be considered with regard to the consumption of liquor in public places;
- (d) endorse the following timelines and corresponding milestones for the 2021 calendar year:
- (i) 30 March: Report to Council Meeting;
  - (ii) April: Broad stakeholder engagement;
  - (iii) Early May: Consultation results analysed; and
  - (iv) 17 May: Council Briefing;
- (e) support the following lines of inquiry for the broad stakeholder engagement:
- (i) Whether to allow the current *Consumption of Liquor in Public Places Local Law* to sunset on 19 October 2021;
  - (ii) Whether it is appropriate to create a mechanism within a new local law or within Yarra's General Local Law 2016 that enables Council to prescribe measures to promote public health and amenity at certain places and/or certain times and/or for certain events;
  - (iii) Whether it is beneficial or desirable to create a complementary alcohol and other drug policy, one that is referenced in any future local law and explicitly articulates Council's positions and objectives regarding community safety, health promotion and harm minimisation, including harm reduction; and
  - (iv) How to support a local health-based response with regard to the issue of alcohol related harm, particularly episodic, and that responds to the unique context of Yarra with its popular entertainment and night time economy precincts, destination parks and reserves, and major public events;
- (f) note that direction will be sought from Council at the meeting on 1 June for a decision to commence formal consultation on the future of any local law or an alternative response in relation to public consumption of liquor in public places;
- (g) acknowledges the historical distress and trauma experienced in the Aboriginal and Torres Strait Islander community and that this cannot be separated from this community's perceptions of Local Law 8, which reverberates into the Consumption of Liquor in Public Places Local Law (adopted in October 2019); and
- (h) maintains its commitment to the ongoing dialogue with the Aboriginal and Torres Strait Islander community as it considers the future of local laws for the consumption of liquor in public places, and the means by which a socially just, health-based approach can be promoted.

## COUNCIL RESOLUTION

**Moved:** Councillor Wade

**Seconded:** Councillor Stone

1. That Council:

- (a) note that the principal purpose of this report has been to present the consultation and associated research findings requested in Resolution 6372 to Council for consideration;
- (b) note that the presentation of the consultation findings and associated research is the preliminary stage of a multi-faceted program of work which includes:
  - (i) a thorough and nuanced investigation of multiple options;
  - (ii) broad stakeholder engagement including continued engagement with the Aboriginal and Torres Strait Islander community;
  - (iii) generating a proposal and seeking a direction from Council in mid-2021; and
  - (iv) completing the required statutory process(es);
- (c) note that in establishing future directions or when making decisions on the matters discussed in this report, Council gives due consideration to the following matters:
  - (i) the current context cannot be separated from the community's perceptions of *Local Law 8*, which reverberates into the *Consumption of Liquor in Public Places Local Law* (adopted in October 2019), and will continue through to any future local law that affords an opportunity to discriminate;
  - (ii) that inequity and racism is still viewed as inherent in the current *Consumption of Liquor in Public Places Local Law*, and that the consultation findings, associated research and majority of the steering committee feedback demonstrates that trauma felt by the Aboriginal and Torres Strait Islander community continues today;
  - (iii) the issues of public drunkenness as compared to the consumption of liquor in public places are distinct, yet unavoidably related;
  - (iv) this situation presents an opportunity for Council to address the evident historical and ongoing distress and trauma experienced in the Aboriginal and Torres Strait Islander community;
  - (v) there have been significant moments when Australian governments have made sincere and genuine efforts to apologise to the Aboriginal and Torres Strait Islander communities for past wrongs;
  - (vi) the issues brought to light through this consultation are interlinked with a changing external environment including in relation to legislation, such as the repeal of public drunkenness from the *Summary Offences Act*. There is the possibility of a trial site for the Victorian Government's new model of care to be in the City of Yarra;
  - (vii) legal advice is that Council can only revoke an existing local law by making a new local law, with regard to the current *Consumption of Liquor in Public Places* local law due to sunset on 19 October 2021;
  - (viii) it is paramount that the opinions and experiences of the Aboriginal and Torres Strait Islander community are valued and shared in broader consultation and engagement on this matter;
  - (ix) acknowledgement that the use of public spaces – and the behaviours considered acceptable within public spaces, including the consumption of liquor – remains a contested issue and a constant point of debate within the community;

- (x) acknowledgement that community safety and public amenity issues within our entertainment and night-time economy precincts, including in relation to major events such as New Year's Eve and the AFL Grand Final, must be considered with regard to the consumption of liquor in public places;
- (d) endorse the following timelines and corresponding milestones for the 2021 calendar year:
  - (i) 30 March: Report to Council Meeting;
  - (ii) April: Broad stakeholder engagement;
  - (iii) Early May: Consultation results analysed; and
  - (iv) 17 May: Council Briefing;
- (e) support the following lines of inquiry for the broad stakeholder engagement:
  - (i) Whether to allow the current *Consumption of Liquor in Public Places Local Law* to sunset on 19 October 2021;
  - (ii) Whether it is appropriate to create a mechanism within a new local law or within Yarra's General Local Law 2016 that enables Council to prescribe measures to promote public health and amenity at certain places and/or certain times and/or for certain events;
  - (iii) Whether it is beneficial or desirable to create a complementary alcohol and other drug policy, one that is referenced in any future local law and explicitly articulates Council's positions and objectives regarding community safety, health promotion and harm minimisation, including harm reduction; and
  - (iv) How to support a local health-based response with regard to the issue of alcohol related harm, particularly episodic, and that responds to the unique context of Yarra with its popular entertainment and night time economy precincts, destination parks and reserves, and major public events;
- (f) note that direction will be sought from Council at the meeting on 1 June for a decision to commence formal consultation on the future of any local law or an alternative response in relation to public consumption of liquor in public places;
- (g) acknowledges the historical distress and trauma experienced in the Aboriginal and Torres Strait Islander community and that this cannot be separated from this community's perceptions of Local Law 8, which reverberates into the Consumption of Liquor in Public Places Local Law (adopted in October 2019); and
- (h) maintains its commitment to the ongoing dialogue with the Aboriginal and Torres Strait Islander community as it considers the future of local laws for the consumption of liquor in public places, and the means by which a socially just, health-based approach can be promoted.

**CARRIED**

*Councillor Jolly left the meeting at 8.32pm, not returning.*

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## 8.5 Appointment of Authorised Officers under the Planning and Environment Act 1987

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**Reference** D21/23229  
**Author** Rhys Thomas - Senior Governance Advisor  
**Authoriser** Group Manager Chief Executive's Office

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### RECOMMENDATION

**Start time: 8.38pm**

1. In the exercise of the powers conferred by s 147(4) of the Planning and Environment Act 1987, Council resolves that:
  - (a) Tim DALZIEL; and
  - (b) Allison PASZNYK,be appointed and authorised as set out in the instrument at **Attachment One**; and
  - (c) each instrument comes into force immediately it is signed by Council's Chief Executive Officer, and remains in force until Council determines to vary or revoke it.

### COUNCIL RESOLUTION

**Moved:** Councillor Stone

**Seconded:** Councillor Crossland

1. In the exercise of the powers conferred by s 147(4) of the Planning and Environment Act 1987, Council resolves that:
  - (a) Tim DALZIEL; and
  - (b) Allison PASZNYK,be appointed and authorised as set out in the instrument at **Attachment One**; and
  - (c) each instrument comes into force immediately it is signed by Council's Chief Executive Officer, and remains in force until Council determines to vary or revoke it.

**CARRIED**

## 10. Petitions and joint letters

Nil

## 11. Questions without notice

Nil

## 13. Delegates' reports

Nil

## 12. General Business

### 13.1 Councillor de Vietri - Raise the Rate for Good Campaign

#### **COUNCIL RESOLUTION**

**Moved:** Councillor de Vietri

**Seconded:** Councillor Mohamud

1. That Council resolves:

- (a) The Federal Government's revised rate of the Jobseeker payment of \$44 per day is considered inadequate and will result in millions of Australian citizens being unnecessarily trapped in poverty as after 25 years with no increase to the incomes of unemployed Australians an increase of just \$3.57 per day above the previous rate of the Newstart payment is insufficient;
- (b) To support the demands from the Australian Council of Social Service (ACOSS) "Raise the Rate for Good" campaign for:
  - (i) an increase to the base rate of JobSeeker Payment by at least \$25 a day, and ensure everyone receives at least \$65 a day;
  - (ii) ongoing indexation of payments in line with wage movements at least twice per year; and
  - (iii) establishment of a Social Security Commission to advise the Parliament on the ongoing adequacy of income support payments;
- (c) To register as an Organisational Supporter of the ACOSS "Raise the Rate for Good" campaign; and
- (d) To adopt this resolution and request that, if possible, it be tabled at the National Assembly of Local Government 2021.

**CARRIED**

#### **Background**

The Federal Government has recently announced that the rate of payment to unemployed Australians will be reduced from the current rate of Jobseeker and that the increase from the previous level of Newstart will be \$25 per week. This equates to an increase in income of approximately \$3.50 a day for Australians without work, coming after a quarter of a century with no increase in real terms to the rate of payment.

This decision by the Government will have drastic consequences for the rate of poverty across Australia. In local communities, including those in regional,

suburban, and inner metropolitan areas, there will be human consequence from the Government's decision. There will certainly be increased rates of child poverty and hunger, as well as many hundreds and thousands of families going without basic necessities due to the inadequate rate of income for unemployed citizens.

13.2 Councillor Crossland - Section 173 Agreement for Social Housing Funds Contribution

**COUNCIL RESOLUTION**

**Moved:** Councillor Crossland

**Seconded:** Councillor Wade

That officers bring a report to Council within three months that explores and provides recommendations regarding the potential introduction of a section 173 agreement, under the Planning and Environment Act 1987, or like mechanism, for contribution from the sale of new residential properties towards a social housing fund for the provision of social housing within the municipality by a community housing provider, and other possible means of contribution including voluntary contribution by residents and other parties.

**CARRIED**

**Background**

Section 173 agreements, under the Planning and Environment Act 1987, can be used as a mechanism for contribution from the sale of properties towards social housing funds and the provision of social housing within the municipality by a community housing provider. Other Councils, such as Bayside City Council, have already adopted this mechanism.

Section 173 agreements are already used to provide social and affordable housing in Yarra on a development by development basis, however contribution from the sale of properties towards a social housing fund has not previously been explored.

The introduction of a section 173 agreement, under the Planning and Environment Act 1987, or like mechanism, for contribution from the sale of residential properties towards a social housing fund would be in addition and complimentary to the negotiated inclusion of social housing that Council has been facilitating in alignment with Council's Social and Affordable Housing Strategy, and the long anticipated and much needed introduction of inclusionary zoning to the Victorian Planning System by the State Government for the mandatory provision of social housing as part of mixed use and residential developments.

**Conclusion**

The meeting concluded at 8.47pm.

Confirmed Tuesday 20 April 2021

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Mayor